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## PERSONNEL OF NEVADA ASSEMBLY

### Thirty-sixth Session, 1933

#### MEMBERS

HON. FRED S. ALWARD, *Speaker*; HON. C. L. NOBLE, *Speaker pro tem.*

<i>Name</i>	<i>County</i>	<i>P. O. Address</i>
Kenny, G. J.	Churchill	Fallon
Noble, C. L.	Churchill	Fallon
Alward, Fred S.	Clark	P. O. Box 1189, Las Vegas
Cahlan, A. E.	Clark	Care Review-Journal, Las Vegas
Carroll, Thomas M.	Clark	10 Fremont Street, Las Vegas
Moore, Bob.	Clark	620 S. First Street, Las Vegas
Hussman, George G.	Douglas	Gardnerville
Anderson, L. F.	Elko	Wells
Butler, C. E.	Elko	Elko
Murphy, Morley	Elko	Deeth
Taber, William F.	Elko	Elko
McAuliffe, Pat.	Esmeralda	Goldfield
Reynolds, J. R.	Eureka	Eureka
Persson, Roy	Humboldt	Winnemucca
Stewart, F. B.	Humboldt	Paradise
Tandy, Doug H.	Lander	Austin
O'Connor, Robert	Lincoln	Pioche
Smith, Willard W.	Lincoln	Caliente
Bugbee, Frank	Lyon	Yerington
Strosnider, Fred	Lyon	Yerington
Hamlin, M. C.	Mineral	Hawthorne
Barnes, R. H.	Nye	Tonopah
Hatton, W. D.	Nye	Tonopah
Roberts, W. H.	Nye	Tonopah
Raycraft, Hubert H.	Ormsby	Carson City
Ebert, Tom P.	Pershing	Lovelock
Cobb, Will	Storey	Virginia City
Black, Fred D.	Washoe	S. Virginia Road, Reno
Brown, Ernest S.	Washoe	761 West Street, Reno
Cahill, J. H.	Washoe	100 Court Street, Reno
Dunseath, Harry	Washoe	Byington Bldg., Reno
Goodin, W. H.	Washoe	744 S. Virginia Street, Reno
Johnson, Clyde	Washoe	845 Wheeler Avenue, Reno
Blundell, Alfred	Washoe	1356 County Road, Sparks
Malone, Howard E.	Washoe	115 Twelfth Street, Sparks
Heward, J. H.	Washoe	Gerlach
Beverly, Frank L.	White Pine	East Ely
Cooper, Joe S.	White Pine	Ruth
Lage, Walter	White Pine	Ely
Wheelwright, T. G.	White Pine	Ely

## ASSEMBLY OFFICERS AND ATTACHES

### Thirty-sixth Session, 1933

<i>Name</i>	<i>Official Position</i>
Brodigan, Geo.....	Chief Clerk
Thruston, Julian.....	Assistant Chief Clerk
Gregory, L. K.....	Sergeant-at-Arms
Malloy, J. H.....	Assistant Sergeant-at-Arms
Cavanagh, Doris.....	Minute Clerk
Monahan, Kathryn.....	Assistant Minute Clerk
Smlanick, Geo.....	Engrossing Clerk
Hicks, Chas.....	Assistant Engrossing Clerk
Turner, Ned A.....	Enrolling Clerk
Meffley, Roy.....	Assistant Enrolling Clerk
Coogan, Harry J.....	Assistant Enrolling Clerk
Cupit, Bernadine.....	Assistant Enrolling Clerk
Ligon, Marjorie.....	Assistant Enrolling Clerk
Burns, Claire.....	Assistant Enrolling Clerk
Wallace, Evelyn.....	Journal Clerk
Meade, Julia.....	Assistant Journal Clerk
McGinness, Oleta.....	Committee Clerk
Harrington, Myra.....	Committee Clerk
Tobin, Lucille.....	Committee Clerk
Shields, Clara.....	Committee Clerk
Petersen, Susan.....	Bill Clerk
Ward, Jane.....	Copying Clerk
Hillman, Doris.....	Assistant Copying Clerk
Baker, C. D.....	Chief Mailing Clerk
Wallace, William J.....	Assistant Mailing Clerk
Carney, Paul.....	Assistant Mailing Clerk
Petersen, Martin.....	Assistant Mailing Clerk
Roberts, Harriet.....	Stenographer
Fogliana, Jack.....	Stenographer
Harney, Howard.....	Stenographer
Brown, Ruth.....	Stenographer
Finch, James D.....	Bill Drafter
McKenzie, Stewart.....	Porter
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**JOURNAL OF THE  
PROCEEDINGS OF THE ASSEMBLY**

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# JOURNAL

OF THE

# Assembly of the State of Nevada

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## THIRTY-SIXTH SESSION

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### THE FIRST DAY

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CARSON CITY (Monday), January 16, 1933.

Pursuant to the provisions of the Constitution and Statutes, the Assembly was called to order by Hon. W. G. Greathouse, Secretary of State, at 12 o'clock noon.

Mr. Goodin nominated Mr. Kenny for temporary Chairman. Motion was seconded by Mr. Alward.

Nominations moved closed by Mr. Strosnider, and seconded by Mr. Hamlin.

Mr. A. E. Cahlan was nominated temporary Clerk by Mr. Moore, seconded by Mr. Goodin.

Mr. O'Connor nominated Mr. Smith temporary Sergeant-at-Arms, seconded by Mr. McAuliffe.

Mr. Goodin moved, seconded by Mr. Alward, that a committee of three be appointed to examine the credentials. Committee was composed of Messrs. Goodin, Barnes and Tandy. It was suggested that the credentials be presented at the desk.

A recess was called for by Mr. Noble, seconded by Mr. Persson. Motion carried for thirty minute recess.

### HOUSE IN SESSION

At 12:30 p. m.

Mr. Kenny in the chair.

Credentials committee reported.

Mr. Tandy made a motion, which was duly seconded, that the report be adopted and that the Secretary of State certify to those without credentials, and that his verbal certification be accepted at this time, and that written certification be made as soon as possible.

Mr. Greathouse certified in accordance with the returns filed in the Secretary of State's office from the last general election that these gentlemen had been duly elected, as follows: Messrs. Anderson, Heward, Smith, Hussman and Murphy.

Mr. Noble moved that a committee of three be appointed to wait on the Chief Justice of the Supreme Court and ask him to administer oath to members. Motion seconded by Mr. Cahill.

Carried.

Messrs. Noble, Bugbee and Beverly constituted the committee.

Chief Justice Sanders administered oath of office, all members present.

Mr. Alward moved that a vote of thanks be given Chief Justice Sanders, seconded by Mr. O'Connor.

Carried.

Mr. A. E. Cahlan nominated Mr. Alward for Speaker of the Assembly. Nomination seconded by Messrs. Cahill, Black and Tandy.

Mr. Noble moved nomination be closed, seconded by Mr. Murphy.

Roll called and Mr. Alward was elected unanimously.

A motion by Mr. Noble resulted in the appointment of a committee of three, which was composed of Messrs. Dunseath, McAuliffe and Hussman, to escort the Speaker to the chair, after which Mr. Speaker expressed his appreciation and stressed the importance of economy; to work for the interests of the State; and for the elimination of class legislation.

Mr. Speaker requested the members to submit a list of the committees on which they would like to be placed.

Mr. Taber asked for a list of the committees.

Nominations being in order for Speaker pro tem. of the Assembly, Mr. Noble was nominated by Mr. McAuliffe. The roll was called and resulted in the unanimous election of Mr. Noble.

Upon a motion by Mr. McAuliffe, seconded by Mr. Tandy, Mr. George Brodigan was nominated Chief Clerk of the Assembly. Nominations were closed upon motion of Mr. Bugbee. Roll was called, and Mr. Brodigan was unanimously elected Chief Clerk.

Mr. Gregory was unanimously elected Sergeant-at-Arms.

Messrs. Persson, Cooper and Hamlin served as a committee to call on Chief Justice Sanders to escort him to the Assembly to swear in the officers of the Assembly. The officers who were elected appeared at the Speaker's desk and received the oath. They were: Mr. Speaker, Speaker pro tem., Chief Clerk and Sergeant-at-Arms.

Upon motion of Mr. Noble, duly seconded, it was moved that the rules of the Thirty-fifth Session of this Assembly be adopted as the rules of this the Thirty-sixth Session of the Assembly. Later Mr. Noble moved, and it was carried, that this motion be stricken from the minutes.

Mr. Tandy moved, seconded by Mr. Kenny, that two committees, composed of three members each, be named; one to inform the Governor that the house was duly organized and was ready for business, and the other committee to likewise inform the Senate.

Carried unanimously.

Members named to wait on the Governor were: Messrs. Cahill, Dunseath and Carroll. The Senate committee was made up of Messrs. Lage, Bugbee and Cobb.

#### MOTIONS, RESOLUTIONS AND NOTICES

##### Assembly Resolution No. 1:

*Resolved by the Assembly of the State of Nevada,* That the following-named persons be, and they hereby are declared to be, the attachés of the Thirty-sixth Session of the Assembly of the State of Nevada:

Chief Clerk, George Brodigan; Assistant Chief Clerk, Julian Thruston; Sergeant-at-Arms, L. K. Gregory; Assistant Sergeant-at-Arms, J. H. Malloy; Minute Clerk, Jack Fogliani; Assistant Minute Clerk, Doris Cavanagh; Engrossing Clerk, Geo. Smilanick; Assistant Engrossing Clerk, Chas. Hicks; Enrolling Clerk, Ned A. Turner; Assistant Enrolling Clerk, Julia Meade; Journal Clerk, Evelyn Wallace; Assistant Journal Clerk, Roy Meffley; Committee Clerk, Oleta McGinness; Committee Clerk, Myra Harrington; Committee Clerk, Lucille Tobin; Committee Clerk, Clara Shields; Bill Clerk, Susan Petersen; Copying Clerk, Jane Ward; Assistant Copying Clerk, Doris Hillman; Chief Mailing Clerk, C. D. Baker; Assistant Mailing Clerk, William J. Wallace; Assistant Mailing Clerk, Paul Carney; Assistant Mailing Clerk, Martin Petersen; Stenographer, Harriet Roberts; Stenographer, Kathryn Monahan; Stenographer, Howard Harney; Stenographer, Ruth Brown (absent); Bill Drafter, James D. Finch. It is further

*Resolved,* That all the appointments herein made are dependent upon competency and efficiency, and the right to transfer or reassign any of the foregoing is hereby delegated to the Speaker of the Assembly and the Chief Clerk; it is further

*Resolved,* That the Speaker of the Assembly and the Chief Clerk may hereafter name and appoint the necessary porters and pages.

Permission was granted Mr. McAuliffe to read a telegram regarding the status of Lucille Tobin as an attaché.

Upon motion of Mr. Tandy, seconded by Mr. Cahill, the investigation of the contents of this telegram was referred to the entire Elko delegation acting as a committee.

Roll was called for a vote, and the list of attachés mentioned in the resolution, with the exception of the designated attaché from Elko County, was adopted.

All attachés were sworn in by Chief Justice Sanders with exception of Mr. Finch, Miss Brown and Mrs. Tobin.

Mr. Dunseath reported that Governor Balzar would submit his message to the Assembly tomorrow afternoon at 1:30.

Mr. Bugbee reported that the Senate had adjourned until 2 o'clock.

Mr. Tandy moved that the committee appointed for the two respective duties of waiting on the Governor and the Senate be discharged.

Carried.

A committee on mileage was moved for by Mr. Cahlan and seconded

by Mr. McAuliffe. Committee members named were Messrs. O'Connor, McAuliffe and Hamlin.

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Dunseath moved for the adoption of the following resolution, which was seconded by Mr. Smith, and unanimously carried.

##### Assembly Resolution:

*Resolved by the Assembly of the State of Nevada, That James D. Finch, a competent and suitable person, be and he is hereby employed as the official bill drafter of the Nevada Assembly for the Thirty-sixth Session of the Nevada Legislature, and that the said James D. Finch shall receive for such services the sum of ten dollars per day, to be paid out of the Legislative Fund of the State of Nevada.*

A motion made by Mr. Hamlin, seconded by Mr. Kenny, that the Senate be invited to sit with the Assembly during the delivery of the Governor's message at 1:30 tomorrow afternoon, was unanimously carried.

Mr. Cahlan moved that a committee on rules be appointed, consisting of five members. Motion seconded by Mr. Persson. Carried. Messrs. Kenny, Cahlan, Dunseath, Tandy and Taber comprised the rules committee.

That the rules of the Thirty-fifth Session of the Nevada Assembly shall apply to the Thirty-sixth Session of the Assembly until new rules are presented for adoption, was the motion made by Mr. Kenny seconded by Mr. Dunseath, and unanimously carried.

On motion of Mr. Hussman, duly seconded and carried, the gentleman from Ormsby County was appointed as a committee of one to secure the services of local ministers to open the daily session with prayer.

Mr. Speaker said he would appoint press men at the table upon their making such request.

The Assistant Sergeant-at-Arms was asked to take care of typewriters and equipment of the Assembly, and that an inventory be made of supplies in order that the session might function smoothly.

Mr. Hamlin moved that assembly recess until 3 o'clock.

Carried.

#### HOUSE IN SESSION

At 3 p. m.

Mr. Speaker in the chair.

Quorum present.

Mr. Speaker asked if there were anything to come before the house at this time?

Mr. Taber submitted the report of the special committee of Elko County Delegation.

#### REPORTS OF COMMITTEES

*To the Honorable the Assembly:*

We, the undersigned Special Committee, consisting of the Elko County Delegation, to whom was referred the protest against the appointment of Lucille Tobin as an attaché of this Assembly, beg leave to report that we have fully

considered said protest, and find that the same is without foundation, and we therefore recommend that she be duly sworn as an attaché of this Assembly.

Respectfully submitted,

CHAS. E. BUTLER,  
L. F. ANDERSON,  
MORLEY MURPHY,  
WM. R. TABER,  
*Elko County Delegation.*

It was moved by Mr. McAuliffe, seconded by Mr. Lage, that report be adopted.

Carried.

Mr. Tandy moved, seconded by Mr. Smith, that the roll be called for the election of the attaché, and that she appear before the proper officer for official oath.

Roll call:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Wheelwright and Mr. Speaker—38.

NAYS—None.

Absent—Messrs. Johnson and Raycraft—2.

Mr. Speaker asked if there were anything further to be brought before the house.

A report of the rules committee was presented by Mr. Kenny to the Chief Clerk, as follows:

*Mr. Speaker:*

Your Committee on Rules appointed to consider amendments or changes in the rules of the Assembly on this date recommend that the rules of the Thirty-fifth Session of the Nevada Assembly be adopted with the following attached amendment to wit: Amend subdivision 26 of Rule 69 by striking out the word "five," and inserting in lieu thereof the word "seven."

G. J. KENNY, *Chairman.*

Mr. Kenny moved the adoption of the report, and that the amendment, under suspension of all rules, be adopted. Motion seconded by Mr. Smith.

Carried.

Mr. Bugbee reported that the Senate was still adjourned.

Mr. Speaker stated that the committees waiting on the Senate and Governor would remain active until 1:30 p. m. tomorrow.

Lucille Tobin presented oath sworn to before B. W. Coleman, Justice of Supreme Court, that she would faithfully perform all the duties of the office of Committee Clerk of the Assembly of the State of Nevada.

Mr. Hamlin moved that the Assembly adjourn until Tuesday, January 17, 1933, at 11 a. m.

Carried.

Approved:

FRED S. ALWARD,  
*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,  
*Chief Clerk of the Assembly.*

## THE SECOND DAY

---

CARSON CITY (Tuesday), January 17, 1933.

Assembly called to order at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present.

Prayer by Rev. Porter.

Mr. Speaker requested the Speaker pro tem., Mr. Noble, to take the chair.

A committee from the Senate reported that that body was organized and ready to transact business.

Reading of the Journal was commenced by Chief Clerk.

Mr. Tandy moved that further reading be dispensed with, and that minutes be approved by the Speaker and Chief Clerk.

Mr. Hamlin moved that minutes be read.

Motion withdrawn.

Mr. Tandy's motion carried unanimously.

Mr. Bugbee reported that the Senate was open and ready for business.

Mr. Smith moved, seconded by Mr. Roberts, that the committee to the Senate be discharged with thanks.

Carried.

Mr. Raycraft reported that the delegation from Ormsby County to wait on local clergy had performed that duty.

Mr. Raycraft was excused with thanks.

Mr. Alward moved that the names of Chester Newnham of Ormsby County, and Stewart McKenzie of White Pine, as porters, and the names of Maurice Adams of Ormsby County and John W. Oldham, Elko County, as pages, be added to the list of attachés of this body.

Carried.

Mr. Alward moved that a committee be named to wait on the Chief Justice to swear in remaining attachés.

Carried.

Messrs. Smith, Bugbee and Cobb appointed.

Mr. Bugbee later reported Chief Justice was in Reno. Matter left in abeyance.

### GENERAL FILE AND THIRD READING

Senate Concurrent Resolution No. 1.

Remarks by Messrs. Tandy, Alward, Cooper, Kenny, Cahill and McAuliffe.

Mr. McAuliffe moved that resolution be laid on the table.

Mr. Tandy moved that a vote be taken, rejecting or adopting said resolution.

Mr. McAuliffe withdrew his motion.

Roll call on Senate Concurrent Resolution No. 1:

YEAS—None.

NAYS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Tandy, Wheelwright and Mr. Speaker—38.

Not voting—Messrs. Hussman and Taber—2.

The Secretary of State delivered message to Assembly (initiative petitions).

#### INTRODUCTION AND FIRST READING

Senate Concurrent Resolution No. 2.

Mr. Kenny moved adoption of resolution.

Remarks by Messrs. Cahlan, Cahill, Alward, Hatton, Kenny, Hussman and Hamlin.

Mr. Dunseath moved that the resolution be laid on the table.

Roll call on Senate Concurrent Resolution No. 2:

YEAS—Messrs. Anderson, Barnes, Beverly, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Hamlin, Johnson, Lage, McAuliffe, Moore, Murphy, O'Connor, Persson, Raycraft, Roberts, Smith and Wheelwright—23.

NAYS—Messrs. Black, Blundell, Brown, Ebert, Goodin, Hatton, Heward, Hussman, Kenny, Malone, Noble, Reynolds, Stewart, Strosnider, Taber and Tandy—16.

Not voting—Mr. Speaker.

At 12:22 Mr. Black moved that the Assembly recess until 1:30 p. m.

Carried.

#### HOUSE IN SESSION

At 1:30 p. m.

Mr. Speaker in the chair.

Quorum present.

Mr. Dunseath moved that a committee be appointed to wait on the Senate and invite them to sit in Joint Session with the Assembly to hear the Governor's message at 2 o'clock.

Carried.

Messrs. Kenny, Moore and Hussman appointed.

Upon motion of Mr. Tandy, Mr. Speaker was authorized to appoint a committee of three to consider the betterment of acoustics in the Assembly Chamber. Committee consisted of Messrs. Malone, Johnson and Brown.

Mr. Kenny reported that the Senate had accepted invitation to sit with the Assembly. A committee from Senate also reported acceptance of invitation.

#### HOUSE IN SESSION

At 2:45 p. m.

Mr. Speaker in the chair.

Quorum present.

## IN JOINT SESSION

The members of the Senate appeared at the bar of the Assembly, were welcomed by the Speaker, and invited to take seats with the members of the Assembly. The President of the Senate was escorted to the Speaker's chair to preside over the Joint Session. The President pro tem. of the Senate was invited to a seat beside the Speaker.

Roll call of the Assembly by the Chief Clerk.

All members of the Assembly were present.

Roll call of the Senate by the Secretary of the Senate.

All members of the Senate were present.

Message from the Governor, with a special message proposing amendment to the Constitution of the United States, was received.

Governor Balzar's message was read by the Chief Clerk and Assistant Chief Clerk of the Assembly and the Secretary of the Senate.

Senator Henderson moved that the Senate and Assembly in Joint Session extend a vote of thanks to Governor Balzar for his message.

Carried.

S. J. Res. 14 of the Seventy-second Congress: "Proposing an amendment to the Constitution of the United States, fixing the commencement of the terms of President and Vice President and Members of Congress, and fixing the time of the assembling of Congress," was read.

Senator Scott moved that S. J. Res. 14 of the Seventy-second Congress be referred to the Assembly of the State of Nevada for appropriate action in the form of a joint resolution.

Carried.

At 3:30 p. m. Senator Henderson moved that the Senate arise and that the Joint Session be dissolved.

Carried.

## HOUSE IN SESSION

At 3:45 p. m.

Mr. Speaker in the chair.

Quorum present.

Associate Chief Justice Coleman administered oath to the pages and porters, and Miss Ruth Brown, attaché.

Mr. Speaker asked the Speaker pro tem., Mr. Noble, to take the chair.

Mr. Noble in the chair.

Mr. Tandy moved that all petitions presented by Secretary of State be left on the Speaker's table until tomorrow.

Carried.

Mr. Hamlin moved that veto messages from Secretary of State be referred to the Assembly as a whole, and be made a special order of business for Friday afternoon at 2:30 p. m.

Carried.

Mr. O'Connor was granted permission to revert to order of business No. 8.



## MOTIONS, RESOLUTIONS AND NOTICES

By Mr. O'Connor :

Assembly Joint Resolution No. 1, ratifying a proposed amendment to the Constitution of the United States, fixing the commencement of the terms of President and Vice President and Members of Congress, and fixing the time of the assembling of Congress.

Mr. O'Connor moved that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Federal Relations when such committee is named, and that until such time it remain in the custody of the Speaker.

Carried.

## INTRODUCTION AND FIRST READING

Senate Bill No. 1.

Mr. Tandy moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, considered an emergency measure, and referred to Committee on Mileage.

Carried.

Mr. Hamlin granted permission to revert to order of business No. 8.

## MOTIONS, RESOLUTIONS AND NOTICES

Mr. Hamlin moved that his motion referring to veto messages from the Secretary of State be amended to read: "special order of business for Friday at 2:30 p. m.," eliminating reference to Assembly as a committee.

Carried.

By Mr. Bugbee :

Assembly Resolution No. 3 :

*Resolved by the Assembly of the State of Nevada,* That the sum to be allowed each member of the Assembly for periodicals, stamps and stationery, as provided by law, be the sum of twenty (\$20) dollars, and the same be certified by the Speaker and Chief Clerk to the State Controller; and be it further

*Resolved,* That the Chief Clerk shall have supervision of the mailing department, levy necessary assessments on members from time to time to pay necessary postage for their personal mailing lists, collect said assessments, and purchase necessary stamps and deliver same to mailing clerk; and be it further

*Resolved,* That all bills shall be mailed out daily.

Mr. Strosnider moved adoption of the resolution.

Mr. Speaker resumed the chair.

Roll call on Assembly Resolution No. 3 :

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Wheelwright—39.

NAYS—None.

Not voting—Mr. Speaker.

Mr. Tandy moved for reconsideration on the last resolution.

At 4:15 p. m. Mr. Kenny moved that the Assembly adjourn until Wednesday, January 18, 1933, at 11 a. m.

Carried.

Approved:

FRED S. ALWARD,  
*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,  
*Chief Clerk of the Assembly.*

## THE THIRD DAY

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CARSON CITY (Wednesday), January 18, 1933.

Assembly called to order at 11:03 a. m.

Mr. Speaker in the chair.

Roll called.

All present.

Prayer by Rev. Porter.

Mr. Speaker named Messrs. George Crissey, United Press; Dan Senseney, Carson City Appeal; E. J. Jones, American Issue, and Frank Helmick, Reno Evening Gazette as the Press Committee.

Mr. Speaker asked Mr. Kenny to take the chair.

Mr. Kenny in the chair.

Mr. Malone moved that the reading of the minutes be dispensed with and that the Chief Clerk and Speaker be authorized to make any necessary corrections.

Mr. Tandy asked that the minutes show a roll call at the time the resolution was adopted for the Assembly Bill Drafter.

Carried.

### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Hamlin moved that an order be made vacating the order heretofore made for the consideration of the Governor's veto on Friday afternoon, and that Thursday at 2:30 p. m. be substituted in lieu thereof.

Carried.

### INTRODUCTION AND FIRST READING

By Clark County Delegation:

Assembly Bill No. 1—An Act to repeal an Act entitled "An Act ceding the jurisdiction of this State over certain lands owned or to be acquired by the United States and repealing certain Acts relating thereto."

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Federal Relations.

Carried.

By Mr. Hamlin:

Assembly Bill No. 2—An Act to fix wage rate for unskilled labor on all public buildings, public highways constructed or erected by or for the State of Nevada.

Mr. Hamlin moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Labor.

Carried.

## PRESENTATION OF PETITIONS

Mr. Cahlan moved that the initiative petition prohibiting gambling be taken off the Speaker's desk.

Carried.

Mr. Black moved that the petition take the regular course.

Carried.

Initiative Petition No. 1—An Act proposing an Act prohibiting gambling.

Mr. Black moved that rules be suspended, reading so far had considered first reading, rules further suspended, petition read second time by title, and referred to Committee on Public Morals.

Carried.

Initiative Petition No. 2—An Act providing for the payment of bounties for the destruction and eradication of predatory animals, prescribing the manner of payment, providing for cooperation with the Federal Government in such eradication by bounty payments, other matters relating thereto, and repealing all acts and parts of acts in conflict thereto.

Mr. Black moved that rules be suspended, reading so far had considered first reading, rules further suspended, petition read second time by title, and referred to Committee on Live Stock.

Carried.

Mr. Hamlin moved that the contents of both initiative petitions be printed.

Mr. Dunseath moved that Mr. Hamlin's motion be amended, leaving out the written names and printing simply the number of names attached to the petitions, together with certification of the Secretary of State.

Carried.

Remarks by Messrs. Dunseath, Cahill, McAuliffe, Smith, Goodin and Hatton on above petition.

Mr. Tandy granted permission to revert to order of business No. 8.

## MOTIONS, RESOLUTIONS AND NOTICES

Mr. Tandy stated that he wished to withdraw his motion for reconsideration of bill for postage made yesterday.

At 11:45 a. m. Mr. Black moved that Assembly recess until 2 p. m.

## HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the chair.

Quorum present.

Mr. Speaker announced the following Standing Committees, first named member of each committee being its chairman:

## STANDING COMMITTEES OF THE ASSEMBLY

## ELECTIONS

Messrs. Dunseath, Cooper, Lage, Tandy and Wheelwright.

## CORPORATIONS AND RAILROADS

Messrs. Smith, Malone, Moore, Taber and Beverly.

## PUBLIC PRINTING

Messrs. Lage, Tandy and Roberts.

## WAYS AND MEANS

Messrs. Cahill, Carroll, Smith, Persson, Noble, Hussman and Black.

## CLAIMS

Messrs. Ebert, Kenny, Cobb, Black and Barnes.

## JUDICIARY

Messrs. Kenny, Dunseath, Anderson, Brown, Hatton, Taber and Strosnider.

## MILITARY AND INDIAN AFFAIRS

Messrs. Raycraft, Smith, Malone, Beverly and Heward.

## COUNTIES AND COUNTY BOUNDARIES

Messrs. Johnson, McAuliffe, Ebert, Murphy and Reynolds.

## TRADE AND MANUFACTURES

Messrs. Blundell, Moore, Butler, Black and Barnes.

## EDUCATION

Messrs. Moore, Persson, Malone, Hamlin and Taber.

## AGRICULTURE

Messrs. Butler, Noble, Raycraft, Stewart and Murphy.

## INTERNAL IMPROVEMENTS

Messrs. O'Connor, Lage, Roberts, Murphy and Beverly.

## STATE INSTITUTIONS

Messrs. Bugbee, McAuliffe, Cobb, Hussman and Reynolds.

## CONTINGENT EXPENSES AND ACCOUNTS

Messrs. Roberts, Goodin, Blundell, Hatton and Heward.

## MINES AND MINING

Messrs. Bugbee, O'Connor, Roberts, Hamlin and Reynolds.

## FEDERAL RELATIONS

Messrs. Cahlan, Smith, Johnson, Brown and Murphy.

## ENGROSSMENT

Messrs. Tandy, Raycraft and Black.

## ENROLLMENT

Messrs. Barnes, Dunseath and Ebert.

## MILEAGE

Messrs. O'Connor, McAuliffe and Hamlin.

## PUBLIC MORALS

Messrs. Carroll, Barnes, Cooper, Black and Beverly.

## STATE LIBRARY

Messrs. Malone, Goodin and Taber.

## PUBLIC LANDS

Messrs. Anderson, Goodin, Strosnider, Heward and Stewart.

## STATE PRISON AND INSANE ASYLUM

Messrs. Noble, Kenny, Persson, Taber and Wheelwright.

## LABOR

Messrs. McAuliffe, Johnson, Cooper, Reynolds and Beverly.

## ROADS AND HIGHWAYS

Messrs. Goodin, Lage, Moore, O'Connor, Strosnider, Reynolds and Hamlin.

## BANKS AND BANKING

Messrs. Cahlan, Moore, Anderson, Blundell, Cahill, Brown and Hatton.

## FISH AND GAME

Messrs. Persson, Ebert, Blundell, Wheelwright and Cobb.

## IRRIGATION

Messrs. Strosnider, Noble, Johnson, Stewart and Reynolds.

## LIVE STOCK

Messrs. Anderson, Strosnider, Lage, Butler, Hussman, Murphy and Hatton.

## MAILING

Messrs. Cooper, Carroll and Reynolds.

## RULES

Messrs. Kenny, Dunseath, Cahlan, Taber and Tandy.

## CREDENTIALS

Messrs. Goodin, Barnes and Tandy.

Mr. Speaker asked Mr. Kenny to take the chair.

Mr. Kenny in the chair.

## INTRODUCTION AND FIRST READING

By Mr. Bugbee:

Assembly Bill No. 3—An Act to suspend interest payments and delinquent penalties upon taxes for years 1931, 1932.

Mr. Bugbee moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

There was no enacting clause in the bill, so in the absence of any objection the bill was withdrawn and returned.

Mr. McAuliffe was granted permission to revert to order of business No. 4.

## REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Mileage (majority) begs leave to report that the following distances and amounts are correct, for each member of the Assembly, and the distance traveled, as based on the amounts allowed by the Session of 1931, and recorded in the Journal of the 35th Session:

<i>Churchill County</i>			
C. L. Noble.....	198 miles		\$19.80
Geo. J. Kenny.....	198 miles		19.80
<i>Clark County</i>			
Fred S. Alward.....	2148 miles		214.80
Thos. M. Carroll.....	2148 miles		214.80
A. E. Cahlan.....	2148 miles		214.80
Robert Moore.....	2192 miles		219.20
<i>Douglas County</i>			
Geo. J. Hussman.....	38 miles		3.80

<i>Elko County</i>		
L. F. Anderson.....	754 miles	75.40
C. E. Butler.....	688 miles	68.80
Morley Murphy.....	762 miles	76.20
Wm. F. Taber.....	688 miles	68.80
<i>Esmeralda County</i>		
Pat McAuliffe.....	630 miles	63.00
<i>Eureka County</i>		
J. R. Reynolds.....	798 miles	79.80
<i>Humboldt County</i>		
F. B. Stewart.....	498 miles	49.80
Roy Persson.....	408 miles	40.80
<i>Lander County</i>		
Doug. H. Tandy.....	712 miles	71.20
<i>Lincoln County</i>		
Rob't. O'Connor.....	1976 miles	197.60
Willard W. Smith.....	1910 miles	191.10
<i>Lyon County</i>		
Frank Bugbee.....	254 miles	25.40
Fred Strosnider.....	254 miles	25.40
<i>Mineral County</i>		
M. C. Hamlin.....	410 miles	41.00
<i>Nye County</i>		
R. H. Barnes.....	570 miles	57.00
W. D. Hatton.....	570 miles	57.00
W. H. Roberts.....	570 miles	57.00
<i>Ormsby County</i>		
Hubert H. Raycraft.....	2 miles	.20
<i>Pershing County</i>		
Tom P. Ebert.....	276 miles	27.60
<i>Storey County</i>		
Will Cobb.....	42 miles	4.20
<i>Washoe County</i>		
Fred D. Black.....	62 miles	6.20
Harry Dunseath.....	62 miles	6.20
Ernest S. Brown.....	62 miles	6.20
J. H. Cahill.....	62 miles	6.20
W. H. Goodin.....	62 miles	6.20
Clyde Johnson.....	62 miles	6.20
Alfred Blundell.....	68 miles	6.80
Howard E. Malone.....	68 miles	6.80
J. N. Heward.....	364 miles	36.40
<i>White Pine County</i>		
Frank L. Beverly.....	1144 miles	114.40
Walter Lage.....	1144 miles	114.40
T. G. Wheelwright.....	1144 miles	114.40
Joe S. Cooper.....	1158 miles	115.80

PAT McAULIFFE,  
M. C. HAMLIN,

Majority Committee on Milceage.

Mr. McAuliffe moved for the adoption of the report of the Majority Committee on Mileage.

Remarks by Messrs. Heward, McAuliffe, Hatton, Black and Cahill.

Mr. O'Connor moved for the substitution of the minority report and its adoption in place of the majority report.

MINORITY REPORT

*Mr. Speaker:*

The minority of your Committee on Mileage begs leave to submit the following report. Distances and amounts herein contained are computed on the basis of shortest distance between points via improved State highway. The amount of mileage which may be legally allowed each Assemblyman of the 36th Session of the Nevada Assembly follows:

<i>Churchill County</i>		
C. L. Noble.....	95 miles	\$19.00
Geo. J. Kenny.....	95 miles	19.00
<i>Clark County</i>		
Fred S. Alward.....	446 miles	89.20
Thos. M. Carrol.....	446 miles	89.20
A. E. Cahlan.....	446 miles	89.20
Robert Moore.....	468 miles	93.60
<i>Douglas County</i>		
Geo. J. Hussman.....	19 miles	3.80
<i>Elko County</i>		
L. F. Anderson.....	352 miles	71.80
C. E. Butler.....	326 miles	65.20
Morley Murphy.....	363 miles	72.60
Wm. F. Taber.....	326 miles	65.20
<i>Esmeralda County</i>		
Pat McAuliffe.....	261 miles	52.20
<i>Eureka County</i>		
J. R. Reynolds.....	278 miles	55.60
<i>Humboldt County</i>		
F. B. Stewart.....	197 miles	39.40
Roy Persson.....	197 miles	39.40
<i>Lander County</i>		
Doug. H. Tandy.....	208 miles	41.60
<i>Lincoln County</i>		
Rob't. O'Connor.....	465 miles	93.00
Willard W. Smith.....	490 miles	98.00
<i>Lyon County</i>		
Frank Bugbee.....	84 miles	16.80
Fred Strosnider.....	85 miles	17.00
<i>Mineral County</i>		
M. C. Hamlin.....	131 miles	26.30
<i>Nye County</i>		
R. H. Barnes.....	234 miles	46.40
W. D. Hatton.....	234 miles	46.40
W. H. Roberts.....	234 miles	46.40
<i>Ormsby County</i>		
Hurber H. Raycraft.....	2 miles	.20



<i>Pershing County</i>		
Tom Ebert .....	125 miles	25.00
<i>Storey County</i>		
Will Cobb .....	21 miles	4.20
<i>Washoe County</i>		
Fred D. Black.....	30 miles	6.00
Harry Dunseath .....	30 miles	6.00
Ernest S. Brown.....	30 miles	6.00
J. H. Cahill.....	30 miles	6.00
W. H. Goodin.....	30 miles	6.00
Clyde Johnson .....	30 miles	6.00
Alfred Blundell.....	34 miles	6.80
Howard E. Malone.....	34 miles	6.80
J. N. Heward.....	364 miles	36.40
<i>White Pine County</i>		
Frank L. Beverly.....	357 miles	71.40
Walter Lage .....	357 miles	71.40
T. G. Wheelwright.....	357 miles	71.40
Joe S. Cooper.....	371 miles	74.20

ROBERT O'CONNOR,  
*Minority Committee on Mileage.*

Remarks by Messrs. McAuliffe, Malone, Smith, Heward, O'Connor and Cahlan.

Mr. Tandy moved that both the majority and minority reports be recommitted to the Committee on Mileage for a hearing as to what is the most practical route.

Carried.

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Concurrent Resolution No. 3 which was this day adopted unanimously.

Also, Senate Concurrent Resolution No. 5 which was this day adopted.

LENA GALE,  
*Assistant Secretary of the Senate.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 3.

Mr. Noble moved that the house concur in Senate Concurrent Resolution No. 3.

Carried.

Senate Concurrent Resolution No. 5.

Mr. Tandy moved that Senate Concurrent Resolution No. 5 be referred to the Committee on Rules.

Carried.

#### INTRODUCTION AND FIRST READING

By Mr. Bugbee:

Assembly Bill No. 3 [second introduction].

Mr. Bugbee moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to the Committee on Ways and Means.

Carried.

## REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Mileage, to whom was referred Senate Bill No. 1, entitled "An Act to create a legislative fund," having had the same under consideration, reports the same back with the recommendation that the Assembly refuse to concur in the Senate amendment thereto, reducing amount of the appropriation from sixty thousand dollars to forty-eight thousand dollars, and we recommend that the bill pass without such amendment, and provide an appropriation of sixty thousand dollars.

ROBT O'CONNOR,  
M. C. HAMLIN,  
PAT McAULIFFE,

*Committee on Mileage.*

Mr. Tandy moved that the bill be declared an emergency measure under the Constitution, bill be read for third time, and that the house resolve itself into a Committee of the Whole and consider the matter immediately.

Mr. Speaker asked Mr. Tandy to take the chair.

Mr. Tandy in the chair.

Mr. Hussman moved that the committee arise and report Senate Bill No. 1 back to the Senate with the recommendation that it pass when the amendment is attached thereto.

Mr. Cahlan moved to amend by striking out the words "forty-eight thousand dollars" and inserting the words "sixty thousand dollars," in lieu thereof.

Mr. Smith moved that the amendment be adopted, and when the report is sent back to the house that the house report it back favorably with attached amendment.

Carried.

Mr. McAuliffe moved that the Committee of the Whole arise and report back the bill with attached amendment.

## REPORT OF COMMITTEE OF THE WHOLE

*Mr. Speaker:*

The Committee of the Whole, having had under consideration Senate Bill No. 1, "An Act to create a legislative fund," recommends the passage of said Senate Bill No. 1, with the following amendment: On line 7 of the printed bill the words and figures "forty-eight thousand dollars (\$48,000)" be stricken out and the words and figures "sixty thousand dollars (\$60,000)" be inserted in lieu thereof.

DOUG. H. TANDY, *Chairman.*

Mr. Tandy moved adoption of report.

Carried.

Mr. Tandy moved that the house proceed to the third reading and final passage of Senate Bill No. 1.

Mr. Cahlan moved adoption of amendment.

Roll call on amendment:

YEAS—Messrs. Anderson, Barnes, Beverly, Blundell, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Hamlin, Hatton, Johnson, Lage, McAuliffe, Moore, Murphy, O'Connor, Persson, Roberts, Smith, Strosnider, Taber and Wheelwright—25.

NAYS—Messrs. Black, Brown, Dunseath, Ebert, Goodin, Heward, Hussman, Kenny, Malone, Noble, Raycraft, Reynolds, Stewart and Tandy—14.

Not voting—Mr. Speaker.

## Roll call on adoption of Senate Bill No. 1:

YEAS—Messrs. Anderson, Barnes, Beverly, Blundell, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Ebert, Hamlin, Hatton, Johnson, Lage, McAuliffe, Moore, Murphy, O'Connor, Persson, Roberts, Smith, Strosnider, Taber and Wheelwright—26.

NAYS—Messrs. Black, Brown, Dunseath, Goodin, Heward, Hussman, Kenny, Malone, Noble, Raycraft, Reynolds, Stewart and Tandy—13.

Not voting—Mr. Speaker.

## REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Mileage begs leave to submit the following report:

<i>Churchill County</i>		
C. L. Noble.....	198 miles	\$19.80
Geo. J. Kenny.....	198 miles	19.80
<i>Clark County</i>		
Fred S. Alward.....	2148 miles	214.80
Thos. M. Carroll.....	2148 miles	214.80
A. E. Cahlan.....	2148 miles	214.80
Robert Moore.....	2192 miles	219.20
<i>Douglas County</i>		
Geo. J. Hussman.....	38 miles	3.80
<i>Elko County</i>		
L. F. Anderson.....	754 miles	75.40
C. E. Butler.....	688 miles	68.80
Morley Murphy.....	762 miles	76.20
Wm. F. Taber.....	688 miles	68.80
<i>Esmeralda County</i>		
Pat McAuliffe.....	630 miles	63.00
<i>Eureka County</i>		
J. R. Reynolds.....	798 miles	79.80
<i>Humboldt County</i>		
F. B. Stewart.....	498 miles	49.80
Roy Persson.....	408 miles	40.80
<i>Lander County</i>		
Doug. H. Tandy.....	712 miles	71.20
<i>Lincoln County</i>		
Rob't. O'Connor.....	1976 miles	197.60
Willard W. Smith.....	1910 miles	191.10
<i>Lyon County</i>		
Frank Bugbee.....	254 miles	25.40
Fred Strosnider.....	254 miles	25.40
<i>Mineral County</i>		
M. C. Hamlin.....	410 miles	41.00
<i>Nye County</i>		
R. H. Barnes.....	570 miles	57.00
W. D. Hatton.....	570 miles	57.00
W. H. Roberts.....	570 miles	57.00
<i>Ormsby County</i>		
Hubert H. Raycraft.....	2 miles	.20

<i>Pershing County</i>		
Tom P. Ebert.....	276 miles	27.60
<i>Storey County</i>		
Will Cobb .....	42 miles	4.20
<i>Washoe County</i>		
Fred D. Black.....	62 miles	6.20
Harry Dunseath .....	62 miles	6.20
Ernest S. Brown.....	62 miles	6.20
J. H. Cahill.....	62 miles	6.20
W. H. Goodin.....	62 miles	6.20
Clyde Johnson .....	62 miles	6.20
Alfred Blundell .....	68 miles	6.80
Howard E. Malone.....	68 miles	6.80
J. N. Heward.....	364 miles	36.40
<i>White Pine County</i>		
Frank L. Beverly.....	1144 miles	114.40
Walter Lage .....	1144 miles	114.40
T. G. Wheelwright.....	1144 miles	114.40
Joe S. Cooper.....	1158 miles	115.80

ROBERT O'CONNOR,  
PAT McAULIFFE,  
M. C. HAMLIN,  
*Committee on Mileage.*

Mr. Hamlin moved that the report be recommitted to Committee on Mileage.

Motion lost.

Mr. McAuliffe moved for the adoption of the mileage report.

Roll call on the adoption of report:

YEAS—Messrs. Anderson, Barnes, Beverly, Bugbee, Butler, Cahill, Cobb, Cooper, Hamlin, Hatton, Johnson, Lage, McAuliffe, Moore, Murphy, O'Connor, Persson, Reynolds, Roberts, Smith, Stewart, Strosnider, Tandy and Wheelwright—24.

NAYS—Messrs. Black, Blundell, Brown, Cahlan, Carroll, Dunseath, Ebert, Goodin, Heward, Hussman, Kenny, Malone, Noble, Raycraft and Taber—13.

Not voting—Messrs. Cahlan, Carroll and Mr. Speaker—3.

At 4:13 p. m. Mr. McAuliffe moved that the Assembly adjourn until Thursday, January 19, 1933, at 11 a. m.

Carried.

Approved:

FRED S. ALWARD,  
*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,  
*Chief Clerk of the Assembly.*

**THE FOURTH DAY**

CARSON CITY (Thursday), January 19, 1933.

Assembly called to order at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Mr. Cobb, who was excused.

Prayer by Rev. Porter.

Mr. Speaker asked Mr. Tandy to take the chair.

Mr. Tandy in the chair.

**READING AND APPROVAL OF JOURNAL**

Mr. Malone moved that during the remaining sessions the minutes be dispensed with, and that the Chief Clerk and Mr. Speaker be authorized to correct any mistakes that may appear, and that they be approved.

Carried.

Mr. Hussman amended the motion to read remaining legislative days.

Carried.

**MOTIONS, RESOLUTIONS AND NOTICES**

By Mr. Hamlin :

Assembly Concurrent Resolution No. 1.

Mr. Hamlin moved adoption of the resolution.

Remarks by Messrs. Cahill, Alward and Hatton.

Mr. Hatton moved that the resolution be referred to the Committee on Education.

Mr. Cahill amended motion to read that it be referred to a joint committee consisting of the Committee on Education and the Committee on Judiciary.

Carried.

Mr. Hamlin moved that 100 copies be ordered printed and distributed to the Assembly.

Carried.

Mr. Bugbee asked for information regarding Assembly Bill No. 3. The bill was reported referred to Judiciary Committee.

Mr. Brown reported that the select committee for considering acoustics of the Assembly Chamber was making progress, and that the committee would report later.

At 11:33 a. m. Mr. Hamlin moved that the Assembly recess until 1:30 p. m. this afternoon.

**HOUSE IN SESSION**

At 1:31 p. m.

Mr. Speaker in the chair.

Quorum present.

Mr. Speaker asked Mr. Tandy to take the chair.  
Mr. Tandy in the chair.

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Hatton reported Nye County Committee was preparing resolutions for reading in a half hour.

Mr. Hussman gave notice that he intended, at a future time, to introduce a bill providing for a tax on insurance premiums.

Mr. Bugbee gave notice that tomorrow he intended to introduce a tax bill which would make an entire change in collecting taxes in this State.

Mr. Goodin gave notice that at some future day the Committee on Roads and Highways would introduce a bill strengthening and improving the gas tax situation, and relative to the licensing of trucks.

Mr. Cooper gave notice that at some future day he will introduce a bill in accordance with the Governor's recommendation on the matter of injunction.

Mr. Speaker appointed the Nye County delegation, consisting of Messrs. Hatton, Roberts and Barnes, as a select committee to draft proper resolutions respecting the deaths of former Assemblymen Dalzell and FitzGerald.

#### INTRODUCTION AND FIRST READING

By Mr. Carroll:

Assembly Bill No. 4—An Act to amend section 1 of an Act entitled "An Act regulating and prescribing the hours that sheriffs, county recorders, county clerks, county treasurers, and district attorneys of all of the counties in the State of Nevada shall keep their offices open for transaction of public business, and providing a penalty for the violation thereof, and repealing all Acts in conflict therewith," approved March 29, 1907, the same being section 2045 Nevada Compiled Laws 1929, and to repeal all other Acts in conflict therewith.

Mr. Carroll moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Mr. Kenny moved that the motion be amended by leaving out the word "Judiciary," and inserting in lieu thereof the words "Counties and County Boundaries."

Carried.

By Mr. Carroll:

Assembly Bill No. 5—An Act to amend section 358 of an Act entitled "An Act to regulate proceedings in civil cases in this State and to repeal all other Acts in relation thereto," approved March 17, 1911, the same being section 8856 Nevada Compiled Laws 1929, and to repeal all Acts in conflict therewith.

Mr. Carroll moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

#### MOTIONS, RESOLUTIONS AND NOTICES

By Mr. Carroll:

Assembly Joint Resolution No. 2—Relative to amending section 7, article VI, of the Constitution of the State of Nevada.

Mr. Carroll move that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Judiciary.

Carried.

#### SPECIAL ORDERS

Mr. Hussman moved that the special order of business set for 2:30 p. m. (consideration of veto message of the Governor) be vacated, and the same be placed at the top of general file for third reading and passage.

Carried.

#### VE TO MESSAGE OF GOVERNOR

Assembly Bill No. 115—An Act to amend an Act entitled "An Act securing liens to mechanics and others, and to repeal all other Acts in relation thereto, approved March 2, 1875, and Acts amandatory thereto." [Passed at Thirty-fifth Session.]

Carried.

Roll call on the question, shall the bill be passed notwithstanding the objections of the Governor:

YEAS—None.

NAYS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—39.

Absent—Mr. Cobb.

Mr. Hussman moved that the Assembly recess until tomorrow at 11 a. m.

Mr. Speaker in the chair.

Mr. Hatton moved that when the Assembly adjourn it do so in respect to the memories of Robert A. Dalzell and D. J. FitzGerald, deceased former members of this Assembly.

At 2:20 p. m. Assembly adjourned until Friday, January 20, 1933, at 11 a. m.

Approved:

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,

*Chief Clerk of the Assembly.*

## THE FIFTH DAY

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CARSON CITY (Friday), January 20, 1933.

Assembly called to order at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Black and Stewart, who were excused.

Prayer by Rev. Porter.

Mr. Speaker asked Mr. Dunseath to take the chair.

Mr. Dunseath in chair.

Mr. Malone moved that the minutes be considered as read and left to the Speaker and Chief Clerk for any corrections.

Mr. Tandy presented report of Committee on Engrossment.

### PRESENTATION OF PETITIONS

Petition from the Secretary of State:

Joint Resolution, directing the Governor to proclaim October 11 of each year "General Pulaski's Memorial Day" for the observance and commemoration of the death of Brigadier General Casimir Pulaski.

Mr. Alward moved that the reading of the resolution be suspended and referred to Committee on Military and Indian Affairs.

Carried.

### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to notify your honorable body that the Senate has this day concurred in the Assembly amendments to Senate Bill No. 1.

LENA GALE,

*Assistant Secretary of the Senate.*

### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Hatton reported resolutions of the Nye County delegation were ready in respect to the memories of Messrs. Dalzell and FitzGerald.

Mr. Goodin moved that the members accept the invitation of Nevada County Commissioners Association to attend meeting on January 28, 1933, at which time gas tax and matters relating thereto will be discussed.

Carried.

Mr. Tandy moved that the Chief Clerk be instructed to correct all errors in Assembly Bill No. 1, as noted by the Engrossment Clerk.

Carried.

Mr. Kenny moved that when the Assembly adjourns today it do so until Monday at 11 a. m.

Carried.



## REPORT OF SPECIAL COMMITTEE

By Nye County Delegation:  
Assembly Resolution No. 4:

WHEREAS, The information has reached this body that the hand of Divine Providence has removed from this life Robert H. Dalzell, late of Nye County, Nevada, and a member of the Thirty-fifth Session of this body; and

WHEREAS, The services of our late member to the State of Nevada were such as to commend his memory to the people of our State; therefore, be it

*Resolved by the Assembly of the State of Nevada,* That it is the sentiment of this body that in the decease of Robert H. Dalzell the family of the decedent has lost a devoted and beloved husband and father, his friends have been deprived of a loyal associate, and the State has lost an earnest and patriotic citizen; and be it further

*Resolved,* That a copy of this resolution be spread upon the minutes of this Assembly; and be it further

*Resolved,* That an engrossed copy of this resolution, over the signature of the Speaker of the Assembly and the Chief Clerk, be delivered to the family of our late member and friend.

By Mr. Hatton:  
Assembly Resolution No. 5:

WHEREAS, In the interim since our last session, Hon. D. J. FitzGerald, a member of the Assembly of the Thirty-fifth Session of the Nevada Legislature, and who had served as senator of the Nevada Legislature, has been called to his final rest; and

WHEREAS, Our friend and colleague had won the respect and confidence of us all by his character and integrity; and

WHEREAS, We feel that we have lost his cherished friendship and that the State has lost an able and conscientious statesman; therefore, be it

*Resolved by the Assembly of the State of Nevada,* That we deeply deplore the untimely passing of our esteemed friend; and be it further

*Resolved,* That these resolutions be spread upon the minutes of this Assembly.

Mr. Hatton moved adoption of resolutions.  
Carried.

Mr. Tandy gave notice that at some future time he would introduce a group of bills touching the matter of taxation.

Mr. Strosnider gave notice that the Lyon County delegation will introduce a bill on Monday afternoon on taxation.

## INTRODUCTION AND FIRST READING

By Mr. Hamlin:

Assembly Bill No. 6—An Act to repeal an Act entitled "An Act fixing and regulating the fees to be charged by County Recorders and district mining recorders for recording certificates of labor on mining claims," approved March 18, 1911.

Mr. Hamlin moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Mines and Mining.

Carried.

By Mr. Hamlin:

Assembly Bill No. 7—An Act providing that no fees shall be charged by County Recorders and district mining recorders for recording certificates of location or proof of labor on mining claims.

Mr. Hamlin moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Mines and Mining.

Carried.

By Mr. Hussman :

Assembly Bill No. 8—An Act to repeal an Act entitled "An Act to prevent fraud or misrepresentation in the distribution and sale of gasoline, distillate and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties of the Sealer of Weights and Measures, or his appointees; prescribing specifications to be required for petroleum or petroleum products sold or offered for sale as "gasoline"; providing for taking samples of certain refined petroleum products; providing for sealing of certain containers, pumps and storage tanks connected thereto; providing for labeling of certain containers and pumps; and further providing an annual tax on products sold within this State to secure the necessary revenue to enforce the provisions of this Act, and fixing penalties for violation of any provisions contained herein," approved March 31, 1931.

Mr. Hussman moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

Mr. Speaker in the chair.

By Mr. Dunseath :

Assembly Bill No. 9—An Act to amend section 38 of an Act entitled "An Act relating to the compensation of injured workmen in the industries of this State and the compensation to their dependents where such injuries result in death, creating an Industrial Insurance Commission, providing for the creating and disbursement of funds for the compensation and care of workmen injured in the course of employment, defining and regulating the liability of employers to their employees; and repealing all Acts and parts of Acts in conflict with this Act," approved March 15, 1913, and being section 2719 Nevada Compiled Laws 1929.

Mr. Dunseath moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Dunseath :

Assembly Bill No. 10—An Act to provide old age pensions to certain citizens of the State of Nevada, and to recompense them for past services rendered the United States and the State of Nevada to the end that they may maintain, by reason of their said past services, independence, dignity and self-respect during their old age, establishing a uniform regulation in relation thereto, and defining offenses under this Act, and fixing the penalties therefor.

Mr. Dunseath moved that rules be suspended, reading so far had

considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

Mr. Speaker asked that Mr. Dunseath take the chair.

Mr. Dunseath in the chair.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copy of Assembly Bill No. 3, hereto attached, is correct copy of the triplicate thereof in its possession.

DOUG. H. TANDY, *Chairman.*

At 11:49 a. m. Mr. McAuliffe moved that the Assembly recess until 1:30 p. m.

Carried.

#### HOUSE IN SESSION

At 1:30 p. m.

Mr. Speaker in the chair.

Quorum present.

Mr. Speaker asked Mr. Dunseath to take the chair.

Mr. Dunseath in chair.

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Concurrent Resolution No. 6, which was this day adopted.

LENA GALE,

*Assistant Secretary of the Senate.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 6.

Mr. Tandy in the chair.

Mr. Malone moved that all rules be suspended, Senate Concurrent Resolution No. 6 be considered an emergency measure, considered engrossed, and placed on top of the file for third reading and final passage.

Mr. Cahlan moved that Mr. Malone's motion be amended by striking out all that part of Mr. Malone's motion referring to second and third readings, and that resolution be referred to Committee on Banks and Banking.

Remarks by Messrs. Brown, Cahlan and Hamlin.

Carried.

Mr. Dunseath in the chair.

#### INTRODUCTION AND FIRST READING

By Messrs. McAuliffe, Malone, Dunseath, Johnson and Beverly:

Assembly Bill No. 11—An Act declaring the public policy of the State of Nevada concerning the freedom of labor and of both employers

and employees to contract for their protection, making agreements and promises in conflict with such public policy unenforceable, defining and limiting the venue and jurisdiction of the courts of this State relating thereto, and relating to the issuance of restraining orders and injunctions and in contempt proceedings in violation thereof in labor disputes, specifying the kind and nature of the proof and facts to be found by the court as the necessary basis for the issuance of such restraining orders and injunctions, providing for trial by jury in certain cases, specifying the cases wherein a different judge may be demanded and the procedure therefor, defining certain terms used in this Act, and providing for appeals in such cases, and matters relating thereto.

Mr. McAuliffe moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Labor.

Carried.

By Mr. Carroll:

Assembly Bill No. 12—An Act to amend an Act entitled “An Act to regulate the fees of the County Clerk of Clark County, State of Nevada, and to repeal all other Acts and parts of Acts in conflict therewith,” approved March 9, 1931, and to repeal all other Acts in conflict therewith.

Mr. Carroll moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

Mr. Kenny moved motion be amended to read: “and referred to the Clark County Delegation.”

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copy of Assembly Joint Resolution No. 1, hereto attached, is correct copy of the triplicate thereof in its possession.

DOUG. H. TANDY, *Chairman.*

#### HOUSE IN SESSION

House at ease for ten minutes.

At 2:20 p. m.

Mr. Speaker in the chair.

Quorum present.

Mr. Speaker asked Mr. Dunseath to take the chair.

Mr. Dunseath in the chair.

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Bugbee moved that Assembly Bill No. 3, introduced by him yesterday, be withdrawn from the Judiciary Committee.

Carried.

Mr. Bugbee moved that Assembly Bill No. 3 be referred to the Committee on Ways and Means.

Carried.

At 2:30 p. m. Mr. McAuliffe moved that Assembly adjourn until Monday, January 23, 1933, at 11 a. m.

Approved:

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,

*Chief Clerk of the Assembly.*

## THE EIGHTH DAY

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CARSON CITY (Monday), January 23, 1933.

Assembly called to order at 11 a. m.

Mr. Speaker in the chair.

Prayer by Father Smith.

Roll called.

All present.

The Speaker asked Mr. Hussman to take the chair.

Mr. Hussman in the chair.

On motion of Mr. Smith the reading of the Journal was dispensed with, and Mr. Speaker and the Chief Clerk were authorized to make any necessary corrections.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Federal Relations has had Assembly Joint Resolution No. 1 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

A. E. CAHLAN, *Chairman.*

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 1, 2, 4 and 5, and Assembly Joint Resolution No. 2, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

Mr. Malone, Chairman of Acoustics Committee, reported that the matter of acoustics had been taken up with the manager of Majestic Theater, but it had not been definitely settled at this time.

### MOTIONS, RESOLUTIONS AND NOTICES

Mr. O'Connor moved that all rules be suspended, Assembly Joint Resolution No. 1 be placed on top of the file for third reading and final passage.

Carried.

### GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 1, ratifying a proposed amendment to the Constitution of the United States, fixing the commencement of the terms of President and Vice President and Members of Congress, and fixing the time of the assembling of Congress:

WHEREAS, Both houses of the Seventy-second Congress of the United States of America, by a constitutional majority of two-thirds thereof, made the following proposition to amend the Constitution of the United States of America, in the following words, to wit:

JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES, FIXING THE COMMENCEMENT OF THE TERMS OF PRESIDENT AND VICE PRESIDENT AND MEMBERS OF CONGRESS, AND FIXING THE TIME OF THE ASSEMBLING OF CONGRESS.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each house concurring therein), That the following amendment to the Constitution be, and hereby is, proposed to the States, to become valid as a part of said Constitution when ratified by the Legislatures of the several States, as provided in the Constitution:*

ARTICLE .....

SECTION 1. The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

SEC. 2. The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3d day of January, unless they shall by law appoint a different day.

SEC. 3. If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

SEC. 4. The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

SEC. 5. Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

SEC. 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the Legislatures of three-fourths of the several States within seven years from the date of its submission.

Therefore, be it

*Resolved by the Assembly and the Senate of the State of Nevada, That the said proposed amendment to the Constitution of the United States of America be, and the same is hereby, ratified by the Legislature of the State of Nevada; and that certified copies of this preamble and joint resolution be forwarded by the Governor of this State to the President of the United States of America, to the presiding officer of the United States Senate, and to the Speaker of the House of Representatives of the United States, and to the Secretary of State of the United States.*

Mr. O'Connor moved adoption of the resolution.

Roll call on Assembly Joint Resolution No. 1.

Carried unanimously.

At 11:25 the Assembly was at ease.

HOUSE IN SESSION

At 11:39 a. m.

Mr. Speaker in the chair.

Quorum present.

Mr. Black moved that when Assembly recess it do so until 2:30 p. m. in order that committees might meet and start working on their respective bills.

Carried.

The Speaker asked Mr. Hussman to take the chair.

Mr. Hussman in the chair.

Mr. McAuliffe was granted permission to refer to order of business No. 10.

#### INTRODUCTION AND FIRST READING

By Mr. McAuliffe:

Assembly Bill No. 13—An Act repealing an Act entitled "An Act to authorize the payment of rewards in certain cases," approved March 19, 1931.

Mr. McAuliffe moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. McAuliffe:

Assembly Bill No. 14—An Act repealing an Act entitled "An Act defining bank robbery, and prescribing the penalty therefor," approved March 19, 1931.

Mr. McAuliffe moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Black:

Assembly Bill No. 15—An Act relating to Constables.

Mr. Black moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Brown:

Assembly Bill No. 16—An Act to amend sections 3, 4, 5 and 6 of an Act entitled "An Act for the better protection of motor vehicle dealers, garage keepers, and automobile repairmen, and giving them a lien on motor vehicles for supplies, accessories, repairs, and labor, and making it a misdemeanor to incur a bill on a motor vehicle without the consent of the owner," approved March 24, 1917, being section 3774 Nevada Compiled Laws 1929.

Mr. Brown moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Strosnider:

Assembly Bill No. 17—An Act to suspend and abolish liquidated



damages in all cases of actions at law for the collection of delinquent taxes.

Mr. Strosnider moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 6, which this day passed the Senate by the following vote: Yeas, 17; Nays, none.

LENA GALE,

*Assistant Secretary of the Senate.*

#### INTRODUCTION AND FIRST READING

Senate Bill No. 6.

Mr. Cahill moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill considered an emergency measure, considered engrossed, read second time by title, and referred to Committee on Ways and Means.

Carried.

Mr. Cahlan was granted permission to revert to order of business No. 4.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Federal Relations has had Assembly Bill No. 1 under consideration and begs leave to report favorably on the same, with the recommendation that it do pass.

A. E. CAHLAN, *Chairman.*

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copy of Assembly Concurrent Resolution No. 1, hereto attached, is correct copy of the tripliate thereof in its possession.

DOUG. H. TANDY, *Chairman.*

Without objection, order of business No. 8 was reverted to.

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Cahlan moved that rules be suspended, Assembly Bill No. 1 placed on top of file for third reading and final passage.

Carried.

At 11:57 a. m. Mr. Hamlin moved that Assembly recess until 2:30 p. m.

Carried.

#### HOUSE IN SESSION

At 2:30 p. m.

Mr. Speaker in the chair.

Quorum present.

Remarks by Mr. Speaker.

Mr. Speaker asked Mr. Hussman to take the chair.

Mr. Hussman in the chair.

## REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 6, 7, 8, 9, 10, 11 and 12, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

*Mr. Speaker:*

Your Committee on Judiciary has had Assembly Bill No. 5 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

G. J. KENNY, *Chairman.*

## MOTIONS, RESOLUTIONS AND NOTICES

By Mr. Bugbee:

Assembly Joint Resolution No. 3, relative to amending section 20, of article IV, of the Constitution of the State of Nevada.

*Resolved by the Assembly, the Senate concurring,* That section 20 of article IV of the Constitution of the State of Nevada be amended so as to read as follows:

Sec. 20. The Legislature shall not pass local or special laws in any of the following enumerated cases, that is to say: Regulating the jurisdiction and duties of justices of the peace and of constables, and fixing their compensation; for the punishment of crimes and misdemeanors; regulating the practice of courts of justice; providing for changing the venue in civil and criminal cases; granting divorces; changing the names of persons; vacating roads, town-plots, streets, alleys and public squares; summoning and impaneling grand and petit juries, and providing for their compensation; regulating county and township business; regulating the election of county and township officers; for the assessment and collection of taxes for State, county, and township purposes; providing for opening and conducting elections of State, county, or township officers, and designating the places of voting; providing for the sale of real estate belonging to minors or other persons laboring under legal disabilities; giving effect to invalid deeds, wills, or other instruments; refunding money paid into the State Treasury, or into the treasury of any county; releasing the indebtedness, liability or obligation of any corporation, association, or person to the State, or to any county, town or city of this State; providing for the issuance of bonds or other evidence of indebtedness of counties, towns, cities, municipalities, school districts or irrigation districts of this State; but nothing in this section shall be construed to deny or restrict the power of the Legislature to establish and regulate the compensation and fees of county officers, to authorize and empower the Boards of County Commissioners of the various counties of the State to establish and regulate the compensation and fees of township officers in their respective counties, to establish and regulate the rates of freight, passage, toll, and charges of railroads, toll-roads, ditch, flume, and tunnel companies incorporated under the laws of this State or doing business therein.

Mr. Bugbée moved that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Judiciary.

Carried.

## INTRODUCTION AND FIRST READING

By Mr. Carroll:

Assembly Bill No. 18—An Act to amend section 4 of an Act entitled "An Act relating to marriage and divorce," approved November 28, 1931, as amended, being section 4052 of Nevada Compiled Laws 1929.

Mr. Carroll moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Public Morals.

Carried.

By Mr. McAuliffe:

Assembly Bill No. 19—An Act authorizing and directing the Nevada Department of Highways to build and reconstruct that portion of the Federal Aid Highway Route 3, in Esmeralda County, Nevada, leading from Goldfield via Lida and Palmetto Canyon to the Nevada-California state line near Oasis.

Mr. McAuliffe moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Roads and Highways.

Carried.

By Mr. Brown:

Assembly Bill No. 20—An Act to amend section 4 of an Act entitled "An Act to provide for the adoption of children," approved February 20, 1885, being section 9478 Nevada Compiled Laws 1929.

Mr. Brown moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Noble:

Assembly Bill No. 21—An Act to repeal sections 6, 7, 7a and 8 of an Act entitled "An Act concerning mortgages of personal property, providing for their recordation, and other matters relating thereto, and repealing all Acts or parts of Acts in conflict herewith," approved March 8, 1923, being sections 990 to 993, both inclusive, N. C. L. 1929.

Mr. Noble moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Agriculture.

Carried.

By Mr. Kenny (by request):

Assembly Bill No. 22—An Act to amend section 82 of an Act entitled "An Act to regulate proceedings in civil cases in this State and to repeal all other Acts in relation thereto," approved March 17, 1911, and being section 8580 Nevada Compiled Laws 1929.

Mr. Kenny moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Kenny:

Assembly Bill No. 23—An Act to amend "An Act providing for the incorporation of cities, their classification, the establishment and alteration of their boundaries, the government and disincorporation thereof, and repealing all Acts and parts of Acts in conflict therewith," approved

March 27, 1907, by adding thereto a new section to be known as section 191½, and to be section 1119½ N. C. L. 1929.

Mr. Kenny moved the rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title and referred to Committee on Judiciary.

Carried.

By Mr. Kenny:

Assembly Bill No. 24—An Act to amend sections 240, 308½ and 344 of an Act entitled "An Act to regulate proceedings in criminal cases in this State and to repeal all other Acts in relation thereto," approved March 17, 1911, and being sections 10888, 10957 and 10992 N. C. L. 1929.

Mr. Kenny moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Kenny:

Assembly Bill No. 25—An Act to amend "An Act to provide for the adoption of children," approved February 20, 1885, by adding thereto a new section to be known as section 12, and to be section 9485½ N. C. L. 1929.

Mr. Kenny moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Kenny:

Assembly Bill No. 26—An Act to amend sections 89 and 126 of an Act entitled "An Act to regulate the settlement of the estates of deceased persons," approved March 23, 1897, and being sections 9688 and 9725, respectively, N. C. L. 1929.

Mr. Kenny moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Dunseath:

Assembly Bill No. 27—An Act to regulate the practice of pharmacy and the use and the sale of poisons and drugs in the State of Nevada; providing for a State Board of Pharmacy, and defining its powers and duties, and fixing penalties for the violation thereof.

Mr. Dunseath moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Trade and Manufactures.

Carried.

By Mr. Dunseath:

Assembly Bill No. 28—An Act to amend an Act entitled "An Act to regulate proceedings in civil cases in this State and to repeal all

other Acts in relation thereto," approved March 17, 1911, as amended, by adding new sections thereto relating to third party claims in execution and attachment proceedings.

Mr. Dunseath moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Dunseath:

Assembly Bill No. 29—An Act to amend an Act entitled "An Act to control the sale of intoxicating liquor for medicinal purposes," approved March 20, 1923.

Mr. Dunseath moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Trade and Manufactures.

Mr. Kenny moved to amend by referring bill to Committee on Public Morals.

Remarks by Mr. Dunseath.

Mr. Kenny withdrew amendment.

Original motion carried.

Without objection order of business No. 8 was referred to.

#### MOTIONS, RESOLUTIONS AND NOTICES

By Mr. Johnson:

Assembly Resolution No. 6, requesting the Public Service Commission of Nevada to investigate and report as to the reasonableness of the rates charged by the Sierra Pacific Power Company in the State of Nevada for the use by consumers of electricity, gas, and water, for lighting, power, heat and other purposes:

*Resolved by the Assembly of the State of Nevada, That the Public Service Commission of the State of Nevada be, and it is hereby, requested to make an investigation of the reasonableness of the rates charged by the Sierra Pacific Power Company in the State of Nevada for the use by consumers of electricity, gas, and water, for lighting, power, heating and other purposes, pursuant to the powers and duties of said Commission provided by law, and said Commission is hereby requested to complete said investigation before the fifteenth day of February, 1933, and to file a copy of its findings and conclusions and of its order made in the premises, if any, with the Chief Clerk of the Assembly of the State of Nevada on or before February 20, 1933.*

Mr. Johnson moved adoption of the resolution.

Carried.

At 3 p. m. Mr. Cahill moved that Assembly recess for ten minutes in order to give the Committee on Ways and Means an opportunity to meet on an emergency measure.

Carried.

#### HOUSE IN SESSION

At 3:18 p. m.

Mr. Speaker in the chair.

Quorum present.

## REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Ways and Means has had Senate Bill No. 6 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

J. H. CAHILL, *Chairman.*

*Mr. Speaker:*

Your Committee on Banks and Banking which has had Senate Concurrent Resolution No. 6 under consideration begs leave to report favorably on the same, and recommends that it do pass with the appended amendments.

A. E. CAHLAN, *Chairman.*

Mr. Cahlan moved adoption of the report, as amended.

Mr. Tandy rose to a point of order that all resolutions and bills carrying appropriations must be considered by the Committee of the Whole House.

Mr. Cahlan withdrew motion.

## MOTIONS, RESOLUTIONS AND NOTICES

Mr. Cahill moved that Senate Bill No. 6 be declared an emergency measure, considered engrossed, and placed on top of the file for third reading and final passage.

Carried.

Assembly Resolution No. 7:

*Resolved by the Assembly of the State of Nevada,* That there is hereby appropriated out of the Legislative Fund the sum of fifteen dollars to pay the expense of hanging curtains in the Assembly Chamber so as to improve the acoustics thereof.

The State Controller is hereby authorized to draw his warrant for the said sum of fifteen dollars, upon voucher to be approved by the Speaker, and the State Treasurer is hereby authorized to pay the same.

Mr. Malone moved adoption of Assembly Resolution No. 7.

Mr. Brown moved that the Assembly resolve itself into a Committee of the Whole to consider Assembly Resolution No. 7.

Remarks by Messrs. Tandy, Malone and Mr. Speaker.

Carried.

At 4:07 p. m. house at ease.

## HOUSE IN SESSION

At 4:12 p. m.

Mr. Speaker in the chair.

Quorum present.

## REPORT OF COMMITTEE OF THE WHOLE

*Mr. Speaker:*

Your Committee of the Whole House has had under consideration Senate Concurrent Resolution No. 6 and reports favorably thereto and recommends that the same do pass with the following attached amendments:

In the title of the printed resolution strike out the word "and" following word "office" in line 3.

In line 4 of the title of the printed resolution, after the word "Company" insert the following: "and any and all State Boards and offices connected directly or indirectly therewith."

In line 18, page 2 of the printed resolution, following the word "Assembly," insert the words "from the membership of the Banks and Banking Committee of the Assembly."

In line 23, page 2 of the printed resolution, following the word "witnesses," insert the words "and the production of such books, records and documents as may be necessary."

In line 26, page 2, following the word "investigation," insert the words "all hearings of which shall at all times be open to the public."

After line 33, page 2, add new paragraph reading: *Resolved*, That said Committee shall complete its investigation and file its report, unless further time be granted upon its request, on or before March 1, 1933.

Amendment by Mr. Cobb: Line 18, page 2, add the following: "That from either house no more than two such committee members shall be of the same political party."

F. D. BLACK, *Chairman*.

Mr. Black moved that the report of the committee be adopted.

Carried.

*Mr. Speaker:*

Your Committee of the Whole House has had under consideration Senate Bill No. 6, and reports favorably thereon, with the recommendation that the same do pass.

FRED D. BLACK, *Chairman*.

Mr. Black moved that the report of the committee be adopted.

Carried.

*Mr. Speaker:*

Your Committee of the Whole has had under consideration Assembly Resolution No. 7, and begs leave to report favorably thereon with the recommendation that it do pass.

GEO. A. HUSSMAN, *Chairman*.

Mr. Hussman moved that the report of the committee be adopted.

Carried.

#### GENERAL FILE AND THIRD READING

Senate Bill No. 6.

Remarks by Mr. Tandy.

Roll call on Senate Bill No. 6.

Bill carried unanimously.

Senate Concurrent Resolution No. 6.

Amendments proposed by Committee on Banks and Banking: In the title of the printed resolution strike out the word "and" following word "office" in line 3.

In line 4 of the title of the printed resolution, after the word "Company," insert the following: "and any and all State Boards and offices connected directly or indirectly therewith."

In line 18, page 2 of the printed resolution, following the word "Assembly," insert the words "from the membership of the Banks and Banking Committee of the Assembly."

In line 23, page 2 of the printed resolution, following the word "witnesses," insert the words "and the production of such books, records and documents as may be necessary."

In line 26, page 2, following the word "investigation," insert the words "all hearings of which shall at all times be open to the public."

After line 33, page 2, add a new paragraph reading: *Resolved*,

That said committee shall complete its investigation and file its report, unless further time be granted upon its request, on or before March 1, 1933.

Mr. Cahlan moved adoption of amendments, to be inserted after each proposed amendment.

Carried.

Amendment proposed by Mr. Cobb: Line 18, page 2, add the following: "That from either house no more than two such committee members shall be of the same political party."

Mr. Cobb moved that the amendment be adopted.

Carried.

Roll call on Senate Concurrent Resolution No. 6.

Resolution carried unanimously.

Senate Concurrent Resolution No. 6, as amended, having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Resolution No. 7.

Roll called.

Resolution carried unanimously.

Assembly Resolution No. 7 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 1.

Discussion by Messrs. Kenny and Cahlan.

Roll call on Assembly Bill No. 1:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Wheelwright and Mr. Speaker—39.

NAYS—None.

Not voting—Mr. Tandy.

Carried.

At 4:40 p. m. Mr. Smith moved that the Assembly adjourn until Tuesday, January 24, 1933, at 10 a. m.

Mr. Cahill amended to 11 a. m.

Amendment carried.

Approved:

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,

*Chief Clerk of the Assembly.*



## THE NINTH DAY

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CARSON CITY (Tuesday), January 24, 1933.

Assembly called to order at 11 a. m.

Mr. Speaker in the chair.

Roll called.

Absent—Messrs. Anderson, Black, Blundell, Brown, Cahill, Cahlan, Cooper, Dunseath, Goodin, Hatton, Heward, Johnson, Lage, McAuliffe, Malone, Moore, Murphy, Roberts, Smith, Stewart, Noble, Persson, Reynolds and Wheelwright.

Mr. Tandy moved that the Sergeant-at-Arms call the house.

Carried.

Sergeant-at-Arms reported none of the absent members in the building.

Mr. Hamlin moved that a roll call of the attachés be made.

Carried.

Fourteen attachés were absent.

In the absence of the Chief Clerk, Jack Fogliani acted as clerk.

Mr. Tandy moved that, due to the absence of a quorum, the Assembly recess until 1:30 p. m.

Recessed at 11:15 a. m.

### HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the chair.

Roll called by Acting Clerk.

Absent—Messrs. Anderson, Black, Blundell, Brown, Cahill, Cahlan, Dunseath, Goodin, Hatton, Heward, Johnson, Lage, McAuliffe, Malone, Moore, Murphy, Noble, Persson, Reynolds, Roberts, Smith, Stewart and Wheelwright.

Mr. Tandy moved that the Sergeant-at-Arms call the house.

Carried.

The Sergeant-at-Arms reported that none of the absent members was found in the building.

Mr. Speaker asked for opinions from those present regarding the absent members.

Remarks by Mr. Tandy on excusing the members.

Mr. Kenny moved that the Assembly recess until 3 p. m.

Carried.

### HOUSE IN SESSION

At 3 p. m.

Mr. Speaker in the chair.

Mr. Tandy moved that in the absence of a quorum the house adjourn until Wednesday, January 25, 1933, at 11 a. m.

Carried.

Adjourned at 3:01 p. m.

Approved:

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,

*Chief Clerk of the Assembly.*

## THE TENTH DAY

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CARSON CITY (Wednesday), January 25, 1933.

Assembly called to order at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Noble, Wheelwright and Lage.

Prayer by Father Smith.

Roll call to excuse assemblymen absent Tuesday, January 24:

YEAS—Messrs. Anderson, Barnes, Beverly, Butler, Carroll, Cobb, Cooper, Hamlin, Kenny, O'Connor, Stewart, Strosnider, Taber and Tandy—14.

NAYS—Mr. Ebert.

Absent—Messrs. Blundell, Cahlan, Dunseath, Lage, McAuliffe, Murphy, Noble, Reynolds, Smith and Wheelwright—10.

Not voting—Messrs. Black, Brown, Bugbee, Cahill, Goodin, Hatton, Heward, Hussman, Johnson, Malone, Moore, Persson, Raycraft, Roberts and Mr. Speaker—15.

Mr. Brown moved that Mr. Black and Mr. Heward be excused from yesterday's session.

Roll called:

YEAS—Messrs. Barnes, Beverly, Brown, Butler, Cahill, Carroll, Cobb, Cooper, Ebert, Goodin, Hamlin, Hatton, Johnson, Kenny, O'Connor, Persson, Raycraft, Roberts, Stewart, Taber and Tandy—21.

NAYS—Messrs. Anderson, Bugbee, Hussman and Strosnider—4.

Not voting—Messrs. Black, Heward and Mr. Speaker—3.

Motion lost.

Mr. Tandy gave notice that on the next legislative day he would move to reconsider the vote on motion to excuse assemblymen absent on January 24.

Mr. Speaker called Mr. Black to the chair.

Mr. Black in the chair.

On motion of Mr. Smith the reading of the Journal for the eighth and ninth days was dispensed with, and Mr. Speaker and the Chief Clerk were authorized and instructed to make necessary corrections.

### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 5, which this day passed, as amended, by the following vote: Yeas, 11; nays, none; absent 6. Amend as follows: Amend section 1 by adding on page 2, line 15, after changing period after "notwithstanding" to a comma: "Provided, application for license is filed prior to February 1, 1933, accompanied by a deposit in the sum of two dollars, to be forfeited if balance due remains unpaid March 1, 1933, otherwise to be credited on license fee."

Also, Senate Bill No. 2, which passed, as amended, by the following vote: Yeas, 17; nays, none. Amend as follows: Section 2, page 1, line 8, after the word "moneys," insert the word "now." Also, page 1, line 8, after the word

"in," insert the words "or hereafter collected on account of or to be apportioned to."

LENA GALE,

*Assistant Secretary of the Senate.*

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 13, 14, 15, 17, 19, 20, 21, 23, 24, 25, 26, 27, 28, 29, and Assembly Joint Resolution No. 3, hereto attached, are correct copies of the triplicates thereof in its possession.

Also, Assembly Bill No. 22, with the suggestion that the first indorsement should be amended by the addition of the words "By request."

Also, Assembly Bill No. 18; the title in the original and the triplicate in the second line thereof should read "1861" instead of "1961," in order to conform to the bound copy. Line 4, page 2, the triplicate reads "providing" and the bound copy at the same place reads "producing," and the same should be corrected to conform to the intent of the bill.

DOUG. H. TANDY, *Chairman.*

#### INTRODUCTION AND FIRST READING

By Messrs. Bugbee, Strosnider and Carroll:

Assembly Bill No. 30—An Act to amend sections 32, 33, 34, 36, 39, 42 and 54 of an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada, and to repeal certain Acts relating thereto," approved March 23, 1891, being, respectively, sections 6440, 6441, 6442, 6444, 6447, 6450 and 6461 Nevada Compiled Laws 1929; and to repeal sections 43, 44, 45, 46, 47, 49, 50, 51, 52 and 53 of said Act, being, respectively, sections 6451, 6452, 6453, 6454, 6455, 6456, 6457, 6458, 6459 and 6460 Nevada Compiled Laws 1929.

Mr. Strosnider moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

By Mr. McAuliffe:

Assembly Bill No. 31—An Act to limit the cost of State-owned automobiles, to provide for their labeling and use for official purposes only, and fixing a penalty for violation hereof.

Mr. McAuliffe moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on State Institutions.

Carried.

By Mr. Hussman:

Assembly Bill No. 32—An Act to amend an Act entitled "An Act reducing and regulating the salaries and compensation of certain State officers and attachés of the State Government of Nevada," approved February 21, 1881, as amended.

Mr. Hussman moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

Senate Bill No. 2.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Clark County Delegation.

Carried.

Senate Bill No. 5.

Mr. Bugbee moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Roads and Highways.

Carried.

Without objection Mr. Anderson was granted permission to refer to order of business No. 8.

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Anderson moved that the bounty petitions be rereferred to the Committee on Live Stock.

Discussion by Messrs. Hamlin, Alward and Tandy.

Mr. Anderson withdrew his motion until petition has been received from the printer.

At 12 m. Mr. Hamlin moved that the Assembly recess until 2:30 p. m.

Carried.

#### HOUSE IN SESSION

At 2:30 p. m.

Mr. Speaker in the chair.

Quorum present.

Remarks by Mr. Speaker.

Mr. Speaker asked Mr. Black to assume the chair.

Mr. Black in the chair.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Counties and County Boundaries has had Assembly Bill No. 4 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

CLYDE JOHNSON, *Chairman.*

*Mr. Speaker:*

Your Committee on Labor has had Assembly Bill No. 11 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

PAT McAULIFFE, *Chairman.*

*Mr. Speaker:*

Your Committee of Clark County Delegation has had Senate Bill No. 2 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

A. E. CAHLAN, *Chairman.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Tandy moved that Assemblymen Brown, Dunseath, Cahlan, Cooper, Hatton, Murphy and Anderson be excused from yesterday's session of the Assembly.

Roll call :

YEAS—Messrs. Barnes, Beverly, Blundell, Bugbee, Butler, Cahill, Carroll, Cobb, Cooper, Ebert, Goodin, Hamlin, Heward, Hussman, Johnson, Kenny, Malone, Moore, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—29.

NAYS—None.

Absent—Messrs. Lage, Noble and Wheelwright—3.

Not voting—Messrs. Anderson, Black, Brown, Cahlan, Dunseath, Hatton, McAuliffe and Murphy—8.

Motion carried.

Mr. Cobb moved that Assemblymen Johnson, Malone, Cahill and Moore be excused from yesterday's session of the Assembly.

Roll call :

YEAS—Messrs. Anderson, Barnes, Beverly, Blundell, Brown, Bugbee, Butler, Carroll, Cobb, Cooper, Dunseath, Ebert, Hamlin, Hatton, Heward, Hussman, Kenny, Murphy, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—29.

NAYS—None.

Absent—Messrs. Lage, Noble and Wheelwright—3.

Not voting—Messrs. Black, Cahill, Cahlan, Goodin, Johnson, McAuliffe, Malone and Moore—8.

Motion carried.

Mr. Strosnider moved that Assemblymen Reynolds, Blundell, Smith, McAuliffe, Persson and Stewart be excused from yesterday's session.

Mr. Kenny amended motion to include name of Mr. Noble.

Roll call :

YEAS—Messrs. Anderson, Barnes, Beverly, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, McAuliffe, Malone, Moore, O'Connor, Raycraft, Roberts, Strosnider, Taber, Tandy and Mr. Speaker—31.

NAYS—None.

Absent—Messrs. Lage, Noble and Wheelwright—3.

Not voting—Messrs. Black, Blundell, Persson, Reynolds, Smith and Stewart—6.

Motion, as amended, was carried.

Mr. Alward moved that Assemblymen Wheelwright, Lage, Roberts and Goodin be excused from yesterday's session.

Roll call :

YEAS—Messrs. Anderson, Barnes, Beverly, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, McAuliffe, Malone, Moore, O'Connor, Persson, Raycraft, Reynolds, Smith, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—34.

NAYS—None.

Absent—Messrs. Lage, Noble and Wheelwright—3.

Not voting—Messrs. Black, Goodin and Roberts—3.

Motion carried.

#### INTRODUCTION AND FIRST READING

By Washoe Delegation :

Assembly Joint Resolution No. 4.

Mr. Tandy suggested that Assembly Joint Resolution No. 4 should

be a concurrent resolution. Mr. Goodin asked permission to withdraw it and make the necessary correction.

Permission granted.

By Mr. Black:

Assembly Bill No. 33—An Act to amend article IX of an Act entitled "An Act to incorporate the town of Reno and to establish a city government therefor," approved March 16, 1903, as amended.

Mr. Brown moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Washoe County Delegation.

Carried.

Mr. Alward moved that the Assembly now resolve itself into Committee of the Whole to hear Mrs. Raffetto sing "Home Means Nevada."

Carried.

Mr. Speaker appointed Mr. Black Chairman of Committee of the Whole.

At 3:02 p. m. Assembly in Committee of the Whole.

At 3:10 p. m. Assembly at ease.

#### HOUSE IN SESSION

At 3:20 p. m.

Mr. Speaker in the chair.

Quorum present.

#### REPORT OF COMMITTEE OF THE WHOLE

*Mr. Speaker:*

Your Committee of the Whole House, after inviting the authoress of the proposed State song, "Home Means Nevada to Me," to be present and sing the song, begs leave to report that pursuant to such invitation the authoress appeared and rendered most pleasingly the song. A motion was also passed thanking the lady for her kindness in rendering the beautiful score.

FRED BLACK, *Chairman.*

Mr. Goodin moved that the report of the committee be adopted.

Carried.

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Tandy moved that all bills reported out of committees and on the Speaker's desk be placed on the general file for third reading and final passage.

Mr. McAuliffe amended motion that bills reported out of committees today be placed on the general file tomorrow morning.

Remarks by Messrs. Tandy, McAuliffe and Alward.

Mr. McAuliffe withdrew his amendment to the motion.

Original motion carried.

Mr. Hussman moved that the Speaker instruct the Chief Clerk to embody the amendments to Senate Concurrent Resolution No. 6 into the resolution, and that it be returned to the Senate immediately.

Carried.

At 3:30 p. m. Assembly at ease.

## HOUSE IN SESSION

At 3 : 56 p. m.

Mr. Speaker in the chair.

Quorum present.

## MOTIONS, RESOLUTIONS AND NOTICES

Mr. Dunseath moved that Assembly Bill No. 10 be withdrawn from the Committee on Ways and Means and rereferred to the Engrossment Committee to correct omitted line at page 8, line 13, of said bill.

Carried.

Mr. McAuliffe moved that Assembly Bill No. 11 be made a special order for next Friday at 11 : 30 a. m.

Mr. Dunseath amended motion to 2 : 30 p. m.

Remarks by Mr. McAuliffe.

Mr. Dunseath withdrew amendment.

Original motion carried.

Without objection order of business No. 7 was reverted to.

## MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Senate Concurrent Resolution No. 6, for insertion of the amendments as adopted.

LENA GALE,

*Assistant Secretary of the Senate.*

Mr. Cahlan was granted permission to refer to order of business No. 8.

## MOTIONS, RESOLUTIONS AND NOTICES

Mr. Cahlan moved that the Chief Clerk be instructed to comply with the request of Senate, and the bill, when corrected, be returned.

By Washoe County Delegation :

Assembly Concurrent Resolution No. 2, adopting the song "Home Means Nevada" as the official State song of Nevada :

WHEREAS, Mrs. Bertha Raffetto, of Reno, Nevada, has written a song entitled "Home Means Nevada"; and

WHEREAS, Said song meets the requirements of a sound, simple, musical composition, and may be easily played and sung; and

WHEREAS, The words of said song express in simple language the universally understood emotion of love of home, specifically applied to the people of the State of Nevada; and

WHEREAS, The author has graciously offered to donate said song to the State of Nevada without any compensation; now, therefore, be it

*Resolved by the Assembly of the State of Nevada, the Senate concurring,* That the song "Home Means Nevada" be and it is hereby adopted as the official State Song of the State of Nevada.

Mr. Goodin moved adoption of resolution.

Carried.

## INTRODUCTION AND FIRST READING

By Messrs. Blundell, Malone and Heward :

Assembly Bill No. 34--An Act to establish commissioner districts in



the county of Washoe, and providing for the election of members of the Board of County Commissioners thereof.

Mr. Blundell moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Washoe County Delegation.

Carried.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 4.

Amendment proposed by Mr. O'Connor: Amend section 1 of Assembly Bill No. 4 by striking out in line 10, after the word "to," the words "the District Attorney" and inserting therein the words "any officer not employing a deputy."

Discussion by Messrs. McAuliffe, Murphy, O'Connor, Cahlan, Hamlin, Smith and Alward.

Roll call on amendment:

YEAS—Messrs. Anderson, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hutton, Heward, Hussman, Johnson, Kenny, McAuliffe, Malone, Moore, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider and Taber—30.

NAYS—Messrs. Barnes, Beverly and Tandy—3.

Absent—Messrs. Lage, Noble and Wheelwright—3.

Not voting—Messrs. Black, Hamlin, Murphy and Mr. Speaker—4.

Carried.

Roll call on Assembly Bill No. 4, as amended:

YEAS—Messrs. Anderson, Blundell, Bugbee, Butler, Cahill, Carroll, Cobb, Cooper, Ebert, Hamlin, Hutton, Hussman, Johnson, Kenny, Malone, Murphy, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider and Taber—23.

NAYS—Messrs. Barnes, Beverly, Brown, Dunseath and Tandy—5.

Absent—Messrs. Lage, Noble and Wheelwright—3.

Not voting—Messrs. Black, Cahlan, Goodin, Heward, McAuliffe, Moore, O'Connor, Persson and Mr. Speaker—9.

Assembly Bill No. 4, as amended, having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 2.

Roll call on Senate Bill No. 2:

YEAS—Messrs. Barnes, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Heward, Hussman, Johnson, Kenny, McAuliffe, Malone, Moore, Murphy, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—33.

NAYS—None.

Absent—Messrs. Lage, Noble and Wheelwright—3.

Not voting—Messrs. Anderson, Beverly, Black and Hutton—4.

Senate Bill No. 2 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Kenny was granted permission to refer to order of business No. 4.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Judiciary has had Assembly Bills Nos. 13, 14, 15, 20, 23

and 24 under consideration, and reports favorably on the same, with the recommendation that they do pass.

G. J. KENNY, *Chairman.*

At 4:40 p. m. Mr. Smith moved that Assembly adjourn until Thursday, January 26, 1933, at 11 a. m.

Carried.

Approved:

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,

*Chief Clerk of the Assembly.*

## THE ELEVENTH DAY

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CARSON CITY (Thursday), January 26, 1933.

Assembly called to order at 11 a. m.

Mr. Speaker in the chair.

Roll call.

All present.

Prayer by Father Smith.

On motion of Mr. O'Connor the reading of the minutes was dispensed with, and Mr. Speaker and the Chief Clerk were authorized and instructed to make necessary corrections.

Mr. Speaker asked Mr. Malone to take the chair.

Mr. Malone in the chair.

### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to inform your honorable body that the Senate concurs in all the amendments offered by Assembly on Senate Concurrent Resolution No. 6, except to concur to amendment on page 2, line 26, following the word "investigation," insert the words "all hearings of which shall at all times be open to the public."

Also, to present for the consideration of your honorable body Senate Joint Resolution No. 1, which this day passed by the following vote: Yeas, 13; nays, none; absent, 4.

LENA GALE,

*Assistant Secretary of the Senate.*

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Roads and Highways has had Senate Bill No. 5 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass with the following amendment: Strike out all of Senate amendment to section 1.

W. H. GOODIN, *Chairman.*

### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Tandy yesterday gave notice to reconsider the vote on the excusing of Messrs. Black and Heward for their absences Tuesday, January 24; he moved at this time that the action of the house refusing to excuse these two members be reconsidered.

Motion carried.

Mr. Tandy moved that Messrs. Black and Heward be excused for their absence Tuesday.

Carried.

Mr. Anderson moved that Messrs. Noble, Wheelwright and Lage be excused for their absence yesterday.

Carried.

Mr. Cahlan moved that the Assembly refuse to recede from its amendment to Senate Concurrent Resolution No. 6 providing for public hearings, and that a conference committee of three from the Assembly be appointed to meet with a like committee of the Senate.

Carried.

Mr. Speaker in the chair.

Messrs. Cahlan, Tandy and Hamlin were appointed as a conference committee of three to meet with conference committee of the Senate.

Mr. Malone in the chair.

#### INTRODUCTION AND FIRST READING

By Mr. Hussman:

Assembly Bill No. 35—An Act to amend section 1 of an Act entitled "An Act to promote and encourage the protection of forest and other lands from fire, and to authorize cooperation of the State with the Federal Government and with counties, municipalities, organizations and individuals in providing such protection," approved March 3, 1931.

Mr. Hussman moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

By Mr. Kenny:

Assembly Joint Resolution No. 5, relative to amending article IV of the Constitution of the State of Nevada.

*Resolved by the Assembly, the Senate concurring.* That a section be added to article IV of the Constitution of the State of Nevada, to be known as section 36 thereof, which section shall read as follows:

Sec. 36. All laws made by the Legislature and in effect at the time of the approval and ratification of this section by the people, and all laws thereafter enacted by the Legislature, unless sooner amended, repealed or declared unconstitutional, shall be void and ineffectual at the end of twenty years next ensuing the date of such approval and ratification, enactment, or amendment, as the case may be; but nothing herein contained shall ever be construed to impair vested rights or the obligation of contracts. It shall be the duty of the Secretary of State and Attorney-General to jointly inform each Legislature in writing, at the time and in the manner it shall provide, of all general laws that may become void and ineffectual under the provisions hereof within the two years next ensuing.

Mr. Kenny moved that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Judiciary.

Carried.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 13.

Remarks by Messrs. McAuliffe and Dunseath.

Roll called on Assembly Bill No. 13.

Bill carried unanimously.

Assembly Bill No. 14.

Remarks by Mr. McAuliffe.

Roll called on Assembly Bill No. 14.  
Bill carried unanimously.

Assembly Bill No. 15.  
Remarks by Mr. Black.  
Roll called on Assembly Bill No. 15.  
Bill carried unanimously.

At 11:55 a. m. Mr. Kenny moved that the Assembly recess until  
2 p. m.  
Carried.

### HOUSE IN SESSION

At 2 p. m.  
Mr. Speaker in the chair.  
Quorum present.

Without objection Mr. Speaker signed Senate Bill No. 2.

### PRESENTATION OF PETITIONS

A petition regarding House Joint Memorial No. 2 was referred to Committee on Federal Relations.

A petition of the Nevada Board of Commissioners for the Promotion of Uniformity of Legislation in the United States was referred to the Committee on Ways and Means.

A petition regarding Senate Resolution A-1 of North Dakota was referred to a Joint Committee on Federal Relations and Live Stock.

Mr. Speaker asked Mr. Malone to take the chair.  
Mr. Malone in the chair.

### GENERAL FILE AND THIRD READING

Assembly Bill No. 20.

Amendment proposed by Mr. Cahill: Amend section 1 of Assembly Bill No. 20 by adding after the period following the word "rights" at the end of line 13 on page 1 of the printed bill the following: "*provided, however,* that such consent shall be necessary upon restoration to civil rights."

Remarks by Mr. Cahill.

Mr. Cahill moved adoption of the amendment.

Remarks by Messrs. Brown, Cahill, Alward, Cahlan, Hatton, Taber, Kenny and Tandy.

Mr. Taber moved that the bill, with proposed amendment, be rereferred to the Committee on Judiciary for consideration.

Carried.

Assembly Bill No. 23.  
Remarks by Mr. Kenny.  
Roll called on Assembly Bill No. 23.  
Bill carried unanimously.

Assembly Bill No. 24.  
Remarks by Mr. Kenny, Cahlan, Alward and Cahill.

Roll call on Assembly Bill No. 24:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Johnson, Kenny, Lage, McAuliffe, Malone, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—38.

NAYS—None.

Absent—Mr. Moore.

Not voting—Mr. Hussman.

Assembly Bill No. 24 having received a constitutional majority, Mr. Speaker declared it passed.

At 2:47 p. m. house at ease.

### HOUSE IN SESSION

At 3:08 p. m.

Mr. Malone in the chair.

Quorum present.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bill No. 10, which said bill was rereferred to this committee, begs leave to report that it has carefully compared the bound copy thereof with the triplicate and find that the bound copy, hereto attached, is correct copy of the triplicate thereof in its possession.

Also, that bound copies of Assembly Bills Nos. 30, 31, 32, 33 and 34, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

*Mr. Speaker:*

Your Committee on Trade on Manufactures had had Assembly Bill No. 29 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

A. BLUNDELL, *Chairman.*

*Mr. Speaker:*

Your Committees on Education and Judiciary, to which was jointly referred Assembly Concurrent Resolution No. 1, begs leave to report favorably on the same, with a recommendation that it do pass.

BOB MOORE, *Chairman of Committee on Education.*

G. J. KENNY, *Chairman of Committee on Judiciary.*

### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Bill No. 1, which this day passed by the following vote: Yeas, 16; nays, 1.

Also, to advise your honorable body that the President of the Senate has this day appointed a conference committee consisting of Senators Heidtman, Scott and Coryell to meet with your committee appointed by the Speaker.

LENA GALE,

*Assistant Secretary of the Senate.*

### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Dunsceath moved that Assembly Bill No. 10 be referred to the Committee on Contingent Expenses.

Mr. Cahill amended motion that bill be referred to Joint Committee of Ways and Means and Contingent Expenses.

Remarks by Messrs. Cahill, Dunseath, O'Connor, Noble and Tandy.  
Amendment to motion by Mr. Cahill lost.  
Original motion carried.

Mr. Bugbee announced that the motor vehicle conference which is scheduled for next Saturday in Reno has been postponed one week, until Saturday, February 4, on account of the condition of the roads.

Mr. Brown moved that Assembly Bill No. 16 be withdrawn.  
Carried.

#### INTRODUCTION AND FIRST READING

By Mr. Brown:

Assembly Bill No. 36—An Act to amend sections 1, 2, 3, and 7, and to repeal sections 4 and 5, of an Act entitled "An Act for the better protection of motor vehicle dealers, garage helpers, and automobile repairmen, and giving them a lien on motor vehicles for supplies, accessories, repairs and labor, and making it a misdemeanor to incur a bill on a motor vehicle without the consent of the owner," approved March 24, 1917, being sections 3772, 3773, 3774, and 3778 N. C. L. 1929, to be amended, and sections 3775 and 3776 N. C. L. 1929, to be repealed.

Mr. Brown moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Messrs. Heward and Brown:

Assembly Bill No. 37—An Act relating to the liability of an owner or driver or person responsible for the operation of a vehicle for the injury or death of a guest.

Mr. Heward moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Beverly:

Assembly Bill No. 37—An Act to amend section 2 of an Act entitled "An Act to provide an excise tax on the sale of gasoline, distillate, and other volatile and inflammable liquids produced or compounded for the purpose of operating or propelling motor vehicles; to provide for the collection thereof; to provide a manner of ascertaining the number of gallons of gasoline, distillate and such other volatile and inflammable liquids produced or compounded for the purpose of operating or propelling motor vehicles sold or distributed in the State of Nevada; to provide for the registration of dealers engaged in the distribution of and sale of gasoline, distillate and other volatile and inflammable liquid fuels; to fix a penalty for the violation of the provisions of this Act; to define certain words, terms and phrases herein, and to repeal all other Acts or parts of Acts in conflict herewith," approved March 20, 1923, as amended March 21, 1925, being section 6563 N. C. L.

Mr. Beverly moved that rules be suspended, reading so far had

considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Roads and Highways.

Carried.

By Mr. Beverly :

Assembly Bill No. 38—An Act to amend an Act entitled "An Act to require the registration of motor vehicles, trailers and semitrailers, and to require the payment of fees thereupon, imposing certain duties and obligations upon the owners of motor vehicles rented without drivers, to provide for the transfer of interest in and to motor vehicles, providing for the registration of manufacturers and dealers in motor vehicles, trailers and semitrailers, regulating the use of motor vehicles by non-residents, making and constituting County Assessors officers of the department and imposing certain duties upon them, creating a 'Motor Vehicle Fund,' and providing for the disposition thereof, to prevent the taking or injury of any vehicle without the consent of the owner; to provide for the duties and powers of Vehicle Commissioner and for the Motor Vehicle Department; to regulate court proceedings in certain civil actions arising under this Act; to provide penalties for violations of this Act, and to make uniform the law relating to the subject matter of this Act; and to repeal all Acts in conflict or inconsistent therewith," approved March 27, 1931.

Without objection order of business No. 3 was reverted to.

#### PRESENTATION OF PETITIONS

A petition addressed to Mr. Alward was read and referred to Committee on Labor.

Discussion by Messrs. McAuliffe, Tandy, Alward and Goodin.

Mr. Cahill moved that special order of business for January 27 be vacated.

Carried.

Mr. McAuliffe moved that Assembly Bill No. 11 be made a special order of business for Tuesday morning at 11:30, January 31.

At 4:06 p. m. Mr. Goodin moved that Assembly adjourn until Friday, January 27, 1933, at 11 a. m.

Carried.

Approved:

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,

*Chief Clerk of the Assembly.*



## THE TWELFTH DAY

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CARSON CITY (Friday), January 27, 1933.

Assembly called to order at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present.

Prayer by Father Smith.

On motion of Mr. O'Connor the reading of the Journal was dispensed with, and Mr. Speaker and the Chief Clerk were authorized and instructed to make any necessary corrections.

Mr. Speaker announced that it would be the policy of the Speaker, when Clark County bills are introduced, to vote on the same as he sees fit. When there is a division in any measure the Speaker will not vote unless necessary to decide the vote. All bills appearing as unanimous the Speaker will vote on.

### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Joint Resolution No. 2, which this day passed the Senate by the following vote: Yeas, 17; nays, none.

Also, to return Assembly Joint Resolution No. 1, which passed: Yeas, 17; nays, none.

LENA GALE,

*Assistant Secretary of the Senate.*

### GENERAL FILE AND THIRD READING

Senate Bill No. 5.

Amendment proposed by Committee on Roads and Highways: By striking out all of Senate amendment to section 1, line 15.

Remarks by Messrs. Hamlin, Smith, Cahill, Black and Bugbee.

Mr. Goodin moved that amendment be adopted.

Carried.

Roll call on Senate Bill No. 5, as amended.

Bill carried unanimously.

Assembly Bill No. 29.

Remarks by Mr. Dunseath.

Roll call on Assembly Bill No. 29:

YEAS—MESSRS. Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Stro-sneider, Taber, Tandy and Wheelwright—37.

NAYS—None.

Not voting—Messrs. Anderson, Cahill and Mr. Speaker—3.

Assembly Bill No. 29 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Concurrent Resolution No. 1.

Remarks by Messrs. Dunseath, Cahill, Moore, Tandy, Malone, Brown and Hamlin.

Mr. Hamlin moved adoption of resolution.

All voted for adoption except Messrs. Cahill, Dunseath and Ebert.

Mr. Hamlin moved adoption of the preamble.

Carried.

At 11:52 a. m. Mr. Goodin moved that Assembly recess until 2:30 p. m.

### HOUSE IN SESSION

At 2:30 p. m.

Mr. Speaker in the chair.

Quorum present.

### REPORTS OF COMMITTEES

*To the Honorable the Senate and Assembly of the State of Nevada:*

Your committee appointed to confer upon the amendment to Senate Concurrent Resolution No. 6 respectfully reports that no agreement can be reached by the Conference Committee. The foregoing report represents the unanimous opinion of the undersigned committee members.

Respectfully submitted:

H. C. HEIDTMAN,

P. R. CORYELL,

A. L. SCOTT,

*Senate Conference Members.*

A. E. CAHLAN,

D. H. TANDY,

M. C. HAMLIN,

*Assembly Conference Members.*

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 35, 36, 37, 38, 39, and Assembly Joint Resolution No. 5, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

*Mr. Speaker:*

Your Committee on Enrollment has carefully compared Assembly Enrolled Bill No. 1 with the engrossed copy, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. H. BARNES, *Chairman.*

*Mr. Speaker:*

Your Committee on State Institutions has had Assembly Bill No. 31 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

FRANK BUGBEE, *Chairman.*

Mr. Cahlan granted permission to refer to order of business No. 8.

### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Malone moved that when the Assembly adjourn today it do so until 11 o'clock Monday morning.

Mr. Cahill amended motion of Mr. Malone to Saturday at 11 a. m.

Remarks by Messrs. Tandy, Malone and Cahill.

Amendment carried.

Senate Concurrent Resolution No. 6.

Mr. Cahlan moved adoption of report of conference committee.

Carried.

## INTRODUCTION AND FIRST READING

Senate Joint Resolution No. 2, proposing to amend section 3 of article IX of the Constitution of the State of Nevada.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Federal Relations.

Carried.

## GENERAL FILE AND THIRD READING

Assembly Resolution No. 8.

Mr. Cahlan moved that the house resolve itself into a Committee of the Whole for consideration of Assembly Resolution No. 8.

Carried.

## REPORT OF COMMITTEE OF THE WHOLE

*Mr. Speaker:*

Your Committee of the Whole House has had Assembly Resolution No. 8 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass as amended.

GEORGE HUSSMAN, *Chairman.*

Mr. Hussman moved report be adopted.

Carried.

Roll call on Assembly Resolution No. 8:

YEAS—Messrs. Anderson, Barnes, Beverly, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Rayercraft, Reynolds, Roberts, Smith, Stewart, Stro-snyder, Taber, Tandy and Wheelwright—37.

NAYS—None.

Not voting—Messrs. Black, Blundell and Mr. Speaker—3.

## INTRODUCTION AND FIRST READING

By Committee on Military and Indian Affairs:

Assembly Joint Resolution No. 7.

Mr. Rayercraft moved adoption of the resolution.

Mr. Hamlin declared motion out of order.

Remarks by Messrs. Malone, Hamlin and Heward.

Mr. Tandy moved that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Military and Indian Affairs.

Carried.

By Mr. Dunseath:

Assembly Bill No. 40—An Act to amend section 790 of an Act entitled "An Act to regulate proceedings in civil cases in this State and to repeal all other Acts in relation thereto," approved March 17, 1911, being section 9279 of N. C. L. 1929.

Mr. Dunseath moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Cahlan:

Assembly Bill No. 41—An Act to repeal an Act entitled "An Act

authorizing and empowering the Board of County Commissioners of Clark County, State of Nevada, to issue bonds to provide for aid in the construction of State highways within said county, approved March 26, 1929.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee of Clark County Delegation.

Carried.

By Mr. Taber:

Assembly Bill No. 42—An Act to amend an Act entitled "An Act to authorize the Board of County Commissioners of the county of Elko to levy a special tax annually for the support of the Elko County Fair, to provide for the payment of the proceeds of such tax levy, and other matters in connection therewith," approved March 15, 1923, as amended March 4, 1925.

Mr. Taber moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Elko County delegation.

Carried.

By Mr. Murphy:

Assembly Bill No. 43—An Act to amend an Act entitled "An Act to prohibit School Trustees, State, county, municipal and township officials from employing or keeping in their employ any person or persons related to them within the third degree of consanguinity, or affinity, and providing penalties for the violation of the provisions of this Act," approved March 16, 1925, as amended.

Mr. Murphy moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Cahlan:

Assembly Bill No. 44—An Act to amend section 10 of an Act entitled "An Act regulating the registration of electors for general, special, and primary elections," approved March 27, 1917, being section 2369 N. C. L. 1929.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Elections.

Carried.

Mr. Speaker announced that, without objection, he would sign Assembly Joint Resolution No. 1.

Mr. Tandy gave notice that on the next legislative day he would move reconsideration of Assembly Resolution No. 8.

Mr. Dunseath was granted permission to refer to order of business No. 4.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Judiciary to which was rereferred Assembly Bill No. 20,

with amendment, having duly considered the same, recommend that the bill do pass without amendment.

H. DUNSEATH, *Acting Chairman.*

Mr. Tandy moved that all bills referred back from various standing committees be placed on top of the file for third reading and final passage.

Carried.

At 3:30 p. m. house at ease.

### HOUSE IN SESSION

At 3:35 p. m.

Mr. Speaker in the chair.

Quorum present.

### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to advise your honorable body that the Senate has this day concurred in the amendments to Senate Bill No. 5.

Also, to present for the consideration of your honorable body Senate Concurrent Resolution No. 7, which was this day unanimously adopted.

Also, to return to your honorable body Assembly Concurrent Resolution No. 1, which was this day unanimously adopted.

LENA GALE,

*Assistant Secretary of the Senate.*

### INTRODUCTION AND FIRST READING

By Mr. Carroll:

Assembly Bill No. 45—An Act authorizing the Board of Capitol Commissioners of the State of Nevada to sell and convey certain real estate situated in Clark County, Nevada, to the United States of America for the price fixed by the appraised value thereof.

Mr. Carroll moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Federal Relations.

Carried.

### GENERAL FILE AND THIRD READING

Assembly Bill No. 20.

Amendment proposed by Mr. Cahill: Amend section 1 of Assembly Bill No. 20 by adding after the period following the word "rights," at the end of line 13, on page 1 of the printed bill, the following: "*provided, however,* that such consent shall be necessary upon restoration to civil rights."

Remarks by Mr. Brown.

Mr. Cahill moved adoption of amendment.

Amendment lost.

Roll call on Assembly Bill No. 20:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strossider, Taber, Tandy, Wheelwright and Mr. Speaker—39.

NAYS—None.

Not voting—Mr. Cahill.

Assembly Bill No. 20 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 31.

Amendment proposed by Mr. McAuliffe: Amend section 1 of Assembly Bill No. 31 by inserting in line 4 of the printed bill, after the word "dollars," the following: "as the entire purchase price thereof, whether to be paid for entirely in money or part in money and part by exchange of another automobile traded in on it. No automobile may be purchased by any such department, office, bureau, official, or employee thereof, except with the prior consent in writing of the State Board of Examiners." Strike out the words "when purchased new" in line 4 of the printed bill.

Mr. McAuliffe moved the adoption of the amendment.

Carried.

Remarks on Assembly Bill No. 31.

Roll call on Assembly Bill No. 31:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Bugbee, Butler, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—36.

NAYS—None.

Absent—Messrs. Brown, Cahill and Kenny—3.

Not voting—Mr. Cahill.

Assembly Bill No. 31 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Concurrent Resolution No. 4 which was this day adopted as amended. Amend as follows: Page 1, lines 18 and 19, strike out the words "known as the Wingfield banks, twelve in number." Page 2, line 10, after the word "to" and before "subpena" add the words "administer oaths."

LENA GALE,

*Assistant Secretary of the Senate.*

Mr. Tandy moved that Senate Concurrent Resolution No. 4 be referred to Committee on Banks and Banking.

Carried.

At 4:10 p. m. Mr. Black moved that Assembly adjourn until Saturday, January 28, 1933, at 11 a. m.

Carried.

Approved:

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,

*Chief Clerk of the Assembly.*

## THE THIRTEENTH DAY

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CARSON CITY (Saturday), January 28, 1933.

Assembly called to order at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Dunseath, Hatton, Heward and Moore.  
Messrs. Dunseath, Hatton and Moore were excused.

Prayer by Father Smith.

Upon motion of Mr. O'Connor the reading of the Journal was dispensed with, and the Chief Clerk and Mr. Speaker authorized to make necessary corrections.

Mr. Kenny was granted permission to revert to order of business No. 8.

Carried.

### MOTIONS, RESOLUTIONS AND NOTICES

Without objection Mr. Kenny moved that the Assembly recess until 1:15 p. m., to allow the Judiciary and other committees to function.

Mr. Hamlin moved to amend until 2 p. m.

Amendment lost.

Original motion carried.

At 11:07 house at ease.

### HOUSE IN SESSION

At 1:15 p. m.

Mr. Speaker in the chair.

Quorum present.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Ways and Means has had Assembly Bills Nos. 8, 17 and 35 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

J. H. CAHILL, *Chairman.*

*Mr. Speaker:*

Your Committee on Banks and Banking has had Senate Concurrent Resolution No. 4 under consideration, and begs leave to report the same without recommendation.

A. E. CAHLAN, *Chairman.*

*Mr. Speaker:*

Your Committee on Federal Relations has had Senate Joint Resolution No. 2 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

A. E. CAHLAN, *Chairman.*

### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Tandy moved that Senate Concurrent Resolution No. 4 be laid on the table.

Carried.

Mr. Hussman moved that Assembly Bill No. 35 be placed on top of the general file for third reading and final passage.

Carried.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 35.

Remarks by Mr. Hussman.

Roll call on Assembly Bill No. 35:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Ebert, Goodin, Hamlin, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—36.

NAYS—None.

Absent—Messrs. Dunseath, Hatton, Heward and Johnson—4.

Assembly Bill No. 35 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 17.

Mr. Strosnider moved that Assembly Bill No. 17 be referred to general order of business for Monday next.

At 1:33 p. m. house at ease.

#### HOUSE IN SESSION

At 1:38 p. m.

Mr. Speaker in the chair.

Quorum present.

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Cahlan moved that Senate Joint Resolution No. 2 be placed on top of general file for third reading and final passage.

Carried.

Mr. Kenny was granted permission to revert to order of business No. 4.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Judiciary has had Assembly Bills Nos. 5, 22, 25 and 37 under consideration, and report favorably on same, with the recommendation that they do pass.

G. J. KENNY, *Chairman.*

#### GENERAL FILE AND THIRD READING

Senate Joint Resolution No. 2.

Remarks by Messrs. Cahlan and Hamlin.

Roll call on Senate Joint Resolution No. 2:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Ebert, Goodin, Hamlin, Hatton, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Dunseath, Heward and Johnson—3.



Senate Joint Resolution No. 2, having received a constitutional majority, Mr. Speaker declared it passed.

Without objection all bills appearing on the blackboard were placed on top of general file for third reading and final passage.

Assembly Bill No. 5.

Amendment proposed by Mr. Kenny: Amend section 1 of Assembly Bill No. 5 by adding after the word "with," in line 7, the following words: "interest at the rate of."

Amendment by Mr. Kenny adopted.

Remarks by Messrs. Carroll and Lage.

Roll call on Assembly Bill No. 5:

YEAS—MESSRS. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Ebert, Gooding, Hamlin, Hatton, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Dunseath, Heward and Johnson—3.

Assembly Bill No. 5 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 22.

Roll call on Assembly Bill No. 22:

YEAS—MESSRS. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Ebert, Goodin, Hatton, Hussman, Kenny, Lage, McAuliffe, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Wheelwright and Mr. Speaker—34.

NAYS—None.

Absent—Messrs. Dunseath, Heward, Johnson and Malone—4.

Not voting—Messrs. Hamlin and Tandy—2.

Assembly Bill No. 22 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 25.

Roll call on Assembly Bill No. 25:

YEAS—MESSRS. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Ebert, Goodin, Hamlin, Hatton, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Dunseath, Heward and Johnson—3.

Assembly Bill No. 25 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 37.

Remarks by Messrs. Brown, Smith, Lage, Tandy and Goodin.

Mr. Brown moved that inasmuch as there was a question as to real meaning of the bill, it be withdrawn and rereferred to Committee on Judiciary.

Carried.

Mr. Johnson was granted permission to revert to order of business No. 8.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Johnson moved that the Chief Clerk be instructed to mail copies of Assembly Resolution No. 6 to the Public Service Commission and to the Sierra Pacific Power Company.

Carried.

At 2:23 p. m. house at ease.

HOUSE IN SESSION

At 2:28 p. m.

Mr. Speaker in the chair.

Quorum present.

REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Enrollment has carefully compared Assembly Joint Resolution No. 1 with the engrossed copy, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. H. BARNES, *Chairman.*

At 2:30 p. m. Mr. Lage moved that the Assembly adjourn until Monday, January 30, 1933, at 11 a. m.

Carried.

Approved:

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,  
*Chief Clerk of the Assembly.*

## THE FIFTEENTH DAY

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CARSON CITY (Monday), January 30, 1933.

Assembly called to order at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present.

Prayer by Rev. Hersey.

On motion of Mr. O'Connor the reading of the Journal was dispensed with, and Mr. Speaker and the Chief Clerk were authorized and instructed to make any corrections necessary.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Ways and Means had had Assembly Bill No. 3 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass with the following amendments:

Amend section 1, page 2 of printed bill, by striking out the word "June" in line 20, and insert the word "April" in lieu thereof, and strike out the period following the word "charges" in line 23, and insert a comma in lieu thereof, and add the words: "provided, that a penalty of 1% per month shall be added to all unpaid taxes."

Amend section 2, on line 4, page 3, by striking out the period following the word "law." and insert a comma in lieu thereof, and add "except as provided in section 1."

Amend section 4, line 15, page 3, by striking out the word "repealed," and insert in lieu thereof the word "suspended."

J. H. CAHILL, *Chairman.*

### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Tandy moved that Mr. Heward be excused from his absence Saturday.

Carried.

Senate Concurrent Resolution No. 7.

Without objection Senate Concurrent Resolution No. 7 was referred to the Committee on Ways and Means.

By Mr. Taber:

Assembly Joint Resolution No. 7, recommending the selection of George Russell, Jr., of Nevada, for the position of the Secretary of the Interior.

Mr. Taber moved rules suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, be considered an emergency measure, considered engrossed, and placed on top of the file for third reading and final passage.

Carried.

## INTRODUCTION AND FIRST READING

Senate Joint Resolution No. 1.

Mr. Kenny moved that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title and referred to Committee on Judiciary.

Carried.

By Mr. Carroll:

Assembly Bill No. 46—An Act imposing a charge for the use of public highways by motor trucks engaged in the transportation of property for commercial purposes and providing penalties for violation of this Act, and repealing chapter 197, Statutes of Nevada of 1929, being sections 4405 to 4413, inclusive, of Nevada Compiled Laws of 1929, in so far as the same relates to motor trucks as herein defined.

Mr. Carroll moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Roads and Highways.

Carried.

By Mr. Moore (by request):

Assembly Bill No. 47—An Act for the incorporation of parishes of the Protestant Episcopal Church in the State of Nevada, and providing for the government thereof, and for the management of their temporal affairs.

Mr. Moore moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

Carried.

By Mr. Black (by request):

Assembly Bill No. 48—An Act to provide for the registration and protection of the names, badges, mottoes, buttons, decorations, charms, emblems, rosettes, and other insignia of associations, lodges, orders, fraternal societies, beneficial societies, or fraternal and beneficial societies or associations, historical, military, or veterans' organizations, labor union, foundation, federation, or any other society, organization, or association, degree, branch, subordinate lodge, or auxiliary thereof; to prohibit the wearing, exhibition, display, or use of the same, by any person not entitled to wear, exhibit, display, or use the same; and fixing a penalty for the violation of this act.

## GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 7.

Mr. Cahlan moved that Assembly Joint Resolution No. 7 be referred to a joint committee consisting of the Clark and Elko County Delegations.

Remarks by Messrs. Cahlan, Taber, O'Connor, Tandy, Moore, Carroll, Goodin, Noble and Smith.

Mr. Cahlan withdrew motion.

Roll call on Assembly Joint Resolution No. 7 :

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Stro-snyder, Taber, Tandy, Wheelwright and Mr. Speaker—39.

NAYS—None.

Absent—Mr. Hamlin.

Assembly Joint Resolution No. 7 having received a constitutional majority, Mr. Speaker declared it passed.

At 11:45 p. m. Mr. Hussman moved that the Assembly recess until 2:30 p. m.

Mr. Dunseath amended motion to recess at 12 m. until 2:30 p. m. Amendment carried.

Assembly Bill No. 8.

Remarks by Messrs. Hussman, Goodin and Noble.

Roll call on Assembly Bill No. 8 :

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Stro-snyder, Taber, Tandy, Wheelwright and Mr. Speaker—39.

NAYS—None.

Absent—Mr. Malone.

Assembly Bill No. 8 having received a constitutional majority, Mr. Speaker declared it passed.

Without objection Assembly Bill No. 17 was rereferred to the Committee on Judiciary, upon motion of Mr. Stro-snyder.

Assembly Bill No. 3.

Section 1 read.

At 12 noon house recessed until 2:30 p. m.

#### HOUSE IN SESSION

At 2:30 p. m.

Mr. Speaker in the chair.

Quorum present.

Mr. Speaker announced that he would sign Senate Joint Resolution No. 2.

At 2:33 Assembly at ease.

#### HOUSE IN SESSION

At 2:35 p. m.

Mr. Speaker in the chair.

Quorum present.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 3.

Amendment proposed by Committee on Ways and Means: Amend

section 1, page 2 of printed bill, by striking out the word "June" in line 20, and insert the word "April" in lieu thereof, and strike out the period following the word "charges" in line 23, and insert a comma in lieu thereof, and add the following: "*provided*, that a penalty of 8 per cent per annum shall be added to all unpaid taxes."

Remarks by Messrs. Kenny, Cahill and Bugbee.

Mr. Kenny moved to amend the amendment of Committee on Ways and Means by striking out "1 per cent a month," and inserting in lieu thereof "8 per cent per annum."

Mr. Cahill moved the adoption of the amendment as amended.

Amendment, as amended, adopted.

Amendment proposed by Committee on Ways and Means: Amend section 2, line 4, page 3, by striking out the period following the word "law," and insert a comma in lieu thereof, and add "except as provided in section 1."

Mr. Cahill moved adoption of the amendment.

Amendment adopted.

Amendment proposed by Committee on Ways and Means: Amend section 4, line 15, page 3, by striking out the word "repeal" and insert in lieu thereof the word "suspended."

Mr. Cahill moved adoption of amendment.

Remarks by Messrs. Kenny, Cahill, Dunseath and Bugbee.

Mr. Cahill withdrew amendment.

Roll call on Assembly Bill No. 3, as amended:

YEAS—Messrs. Anderson, Barnes, Black, Blundell, Brown, Butler, Cahill, Cahlan, Carroll, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber and Wheelwright—33.

NAYS—Messrs. Bugbee and Cobb—2.

Not voting—Messrs. Beverly, Johnson, Reynolds, Tandy and Mr. Speaker—5.

Assembly Bill No. 3 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Mr. Cahlan was granted permission to revert to order of business No. 8.

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Cahlan moved that at the request of Committee on Banks and Banking a free conference committee of three be appointed to confer with a like committee of the Senate on Senate Concurrent Resolution No. 6.

Motion was ruled out of order because the papers on this resolution were not before the house.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 40, 43, 44, 45, and Assembly Joint Resolution No. 6, except that the number of the resolution be changed from 6 to 7, and Assembly Bill No. 42, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

*Mr. Speaker:*

Your Committee on Judiciary has had Assembly Bill No. 37 under reconsideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

Also, Assembly Bill No. 26, and begs leave to report favorably on the same, with the recommendation that it do pass with the following amendment, to wit: On page 1, line 8, beginning on line 8 after the word "unless," strike out the words "be proved" and insert in lieu thereof the words "it be proven."

G. J. KENNY, *Chairman.*

Without objection order of business No. 8 was referred to.

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. McAuliffe moved that special order on Assembly Bill No. 11 set for 11:30 a. m. Tuesday be vacated.

Carried.

Mr. McAuliffe moved that Assembly Bill No. 11 be made a special order of business for 2 p. m. Tuesday.

Carried.

#### INTRODUCTION AND FIRST READING

By Mr. Hamlin:

Assembly Joint Resolution No. 8, memorializing Congress to take favorable action on S. 36 or a similar bill authorizing an appropriation for Federal aid in highway construction.

Mr. Hamlin moved that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Roads and Highways.

Carried.

At 3:08 p. m. house at ease.

#### HOUSE IN SESSION

At 3:17 p. m.

Mr. Speaker in the chair.

Quorum present.

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor to inform your honorable body that the Senate has this day appointed a free conference committee consisting of Senators Henderson, Dressler and Winters to confer with a like committee from the Assembly.

LENA GALE,

*Assistant Secretary of the Senate.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Cahlan moved that at the request of the Committee on Banks and Banking a free conference committee of three be appointed to confer with a like committee of the Senate on Senate Concurrent Resolution No. 6.

Remarks by Messrs. Tandy, Cahlan, Cahill, Hamlin and Black.

Mr. Hamlin amended motion that this free conference committee be instructed to stand for open hearings.

Amendment out of order.

Mr. Kenny moved previous question, seconded by Messrs. Brown, Malone and Dunseath.

Roll call on previous question:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Rayercraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Wheelwright—39.

NAYS—None.

Not voting—Mr. Speaker.

Carried.

Roll call on Mr. Cahlan's motion:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, Moore, Murphy, Noble, O'Connor, Persson, Rayercraft, Roberts, Smith, Stewart and Taber—31.

NAYS—Messrs. Bugbee, McAuliffe, Malone, Strosnider, Tandy and Wheelwright—6.

Not voting—Messrs. Hamlin, Reynolds and Mr. Speaker—3.

Motion carried.

Mr. Speaker appointed Messrs. Moore, Persson and Brown as the free conference committee.

Remarks by Messrs. Tandy, Hamlin, Kenny, Smith and Alward regarding duties and privileges of the free conference committee.

At 3:43 p. m. house at ease.

## HOUSE IN SESSION

At 3:54 p. m.

Mr. Speaker in the chair.

Quorum present.

Mr. Kenny moved that Assembly Bill No. 26 and Assembly Bill No. 37, reported out of Committee on Judiciary, be placed on top of general file for third reading and final passage.

Carried.

## INTRODUCTION AND FIRST READING

By Messrs. Malone and Blundell:

Assembly Bill No. 49—An Act creating a fireman's fund, providing for the relief and pensioning of firemen injured or disabled in the performance of their duties; providing for the pensioning of aged and superannuated firemen of incorporated cities and towns.

Mr. Malone moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

## GENERAL FILE AND THIRD READING

Assembly Bill No. 26.

Amendment proposed by Committee on Judiciary: On page 1, line 8, beginning on line 8 after the word "unless," strike out the



words "be proved," and insert in lieu thereof the words "it be proven."

Amendment adopted.

Roll call on Assembly Bill No. 26, as amended:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Brown, Bugbee, Cahlan, Carroll, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—39.

NAYS—None.

Not voting—Mr. Cahill.

Assembly Bill No. 26, as amended, having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 37.

Remarks by Messrs. Heward, Cahill and Brown.

Roll call on Assembly Bill No. 37:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—39.

NAYS—None.

Absent—Mr. Bugbee.

Assembly Bill No. 37 having received a constitutional majority, Mr. Speaker declared it passed.

#### INTRODUCTION AND FIRST READING

By Mr. Goodin:

Assembly Joint Resolution No. 9, memorializing Congress to not reenact the federal tax on gasoline.

Mr. Goodin moved that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Roads and Highways.

Carried.

By Mr. Bugbee:

Assembly Joint Resolution No. 10, memorializing Congress not to pass H. R. 13558, relative to filing of notices of location of mining claims in U. S. Land Offices.

Mr. Bugbee moved that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Mines and Mining.

Carried.

At 4:20 p. m. Mr. Kenny moved that the Assembly adjourn until Tuesday, January 31, 1933, at 11 a. m.

Carried.

Approved:

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,

*Chief Clerk of the Assembly.*

## THE SIXTEENTH DAY

CARSON CITY (Tuesday), January 31, 1933.

Assembly called to order at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Mr. Reynolds.

Prayer by Rev. Hersey.

On motion of Mr. O'Connor the reading of the Journal was dispensed with, and Mr. Speaker and the Chief Clerk were authorized and instructed to make any corrections necessary.

Mr. Speaker announced that Assembly Joint Resolution No. 7 should be changed to No. 6 to conform with the record.

### PRESENTATION OF PETITIONS

A petition from the State Industrial School at Ogden, Utah, was referred to the Committee on State Institutions.

A petition on State Relief appropriations was referred to a joint committee of Ways and Means and Banks and Banking.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Agriculture has had Assembly Bill No. 21 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

CHAS. E. BUTLER, *Chairman.*

*Mr. Speaker:*

Your Committee on Military and Indian Affairs has had Assembly Joint Resolution No. 6 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

HUBERT H. RAYCRAFT, *Chairman.*

*To the Honorable the Senate and the Honorable the Assembly:*

Your Free Conference Committee, to whom was referred Senate Concurrent Resolution No. 6, begs leave to report that it has had under consideration the said resolution and the amendments proposed thereto, and after due consideration we beg leave to report as follows:

We recommend that the amendment to the title proposed by the Assembly be adopted as follows: In line 3 of the title strike the word "and," and in line 4, after the word "company," strike the period and add the following words: "and any and all State boards and officers connected directly or indirectly therewith."

We further recommend that beginning with the word "that," in line 15, page 2, that lines 15 to 30, inclusive, on page 2, be stricken from the resolution, and the following inserted: "That the President of the Senate and the Speaker of the Assembly each appoint a committee of three members to act as a joint committee in an investigation of the assets, management, handling and control of the closed banks of the State of Nevada, of the Bank Examiner's office, and of the Nevada Surety and Bonding Company. Said committees shall

have the authority and power to issue process for and compel the attendance of witnesses and the production of such books, records and documents as may be necessary, and shall have power to administer oaths to all the witnesses, employ a stenographer or stenographers to report its proceedings, and to do each and every necessary and proper thing for such investigation. No more than two members of such committee shall be of the same political party, and the Assembly committee shall be selected from the members of its Committee on Banks and Banking. All hearings shall be public: *provided, however*, the said joint committee may, by two-thirds vote, hold executive sessions. Said committee shall, on or before March 1, 1933, make a report of said investigation to the Senate and Assembly; be it further

*Resolved*, That the sum of five hundred dollars is hereby appropriated out of the Legislative Fund to pay the expenses of such investigation.

W. F. DRESSLER,

IRA L. WINTERS,

A. S. HENDERSON,

*Senate Committee.*

BOB MOORE,

ROY PERSSON,

ERNEST S. BROWN,

*Assembly Committee.*

Mr. Kenny moved the adoption of the report.

Mr. Hamlin amended motion in that the amendments proposed by the free conference committee be printed before adoption of resolution.

Remarks by Messrs. Hatton, Cahlan, Hamlin, Tandy, Kenny and Moore.

Amendment carried.

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 7, which this day passed by the following vote: Yeas, 12; nays, 5.

LENA GALE,

*Assistant Secretary of the Senate.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Noble moved that Assembly Bill No. 21, having been reported out of committee, be placed on top of the general file for third reading and final passage.

Carried.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 21.

Remarks by Messrs. Cahill, Noble, Tandy, Brown, Kenny and Hatton.

Roll call on Assembly Bill No. 21:

YEAS—Messrs. Anderson, Beverly, Bugbee, Butler, Carroll, Cobb, Cooper, Ebert, Hamlin, Hussman, Kenny, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Raycraft, Stewart and Strosnider—20.

NAYS—Messrs. Brown, Cahill, Dunseath, Hatton and Persson—5.

Absent—Mr. Reynolds.

Not voting—Messrs. Barnes, Black, Blundell, Cahlan, Goodin, Heward, Johnson, Lage, Roberts, Smith, Taber, Wheelwright and Mr. Speaker—14.

Assembly Bill No. 21, having failed to secure a constitutional majority, Mr. Speaker declared it lost.

Mr. Noble gave notice that at some future date he would introduce

a bill that would clarify certain phases of chattel mortgages in the minds of both the laymen and attorneys.

Assembly Joint Resolution No. 6.

Roll call:

YEAS—Messrs. Beverly, Black, Blundell, Brown, Bugbee, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Goodin, Hatton, Heward, Hussman, Johnson, Kenny, McAuliffe, Malone, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber and Wheelwright—29.

NAYS—Mr. Ebert.

Absent—Mr. Reynolds.

Not voting—Messrs. Anderson, Barnes, Butler, Hamlin, Lage, Moore, Murphy, Tandy and Mr. Speaker—9.

Assembly Joint Resolution No. 6 having received a constitutional majority, Mr. Speaker declared it passed.

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to inform your honorable body that the Senate has this day adopted the report of the Free Conference Committee.

LENA GALE,

*Assistant Secretary of the Senate.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Cahlan moved that Mr. Reynolds be excused on account of illness.

Carried.

Mr. Cahlan was granted permission to revert to order of business No. 4.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee of Clark County Delegation has had Assembly Bill No. 41 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

A. E. CAHLAN, *Chairman.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Dunseath gave notice that on the next legislative day he will move for a reconsideration of the vote on Assembly Bill No. 21.

Remarks by Messrs. Hamlin and Kenny.

#### INTRODUCTION AND FIRST READING

By Mr. Anderson:

Assembly Bill No. 50—An Act fixing the salaries of all the officials of the State of Nevada, and also all county officials within the State of Nevada, in compliance with the Constitution of the State of Nevada, and repealing all Acts or parts in conflict with this Act.

Mr. Anderson moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

At 11:55 p. m. Mr. Dunseath moved that Assembly recess until 2 p. m.  
Carried.

## HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the chair.

Quorum present.

## SPECIAL ORDER OF BUSINESS

Assembly Bill No. 11.

Mr. McAuliffe moved that all lobbyists be removed from the floor of the Assembly.

Remarks by Messrs. Dunseath, Tandy and McAuliffe.

Mr. Tandy moved previous question, seconded by Messrs. Hamlin and Persson.

Carried.

Original motion carried.

Amendment proposed by Mr. Hatton: Add after the semicolon following the word "violence" in line 4, page 4, the words: "providing that such act or acts are not in violation of any city or town ordinances."

Mr. Hatton moved adoption of amendment.

Remarks by Messrs. McAuliffe, Hatton, O'Connor, Brown and Dunseath.

Roll call on amendment:

YEAS—Messrs. Black, Cahill, Hatton, Heward and Hussman—5.

NAYS—Messrs. Anderson, Barnes, Beverly, Blundell, Brown, Bugbee, Butler, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Wheelwright—33.

Absent—Mr. Reynolds.

Not voting—Mr. Speaker.

Amendment lost.

Amendment proposed by Mr. Hatton: Amend section 11 of Assembly Bill No. 11 by striking out said section.

Mr. Hatton moved the adoption of amendment.

Remarks by Messrs. McAuliffe, Hatton, Brown and Dunseath.

Roll call on amendment:

YEAS—Messrs. Black, Hatton, Heward and Hussman—4.

NAYS—Messrs. Anderson, Barnes, Beverly, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Wheelwright—34.

Absent—Mr. Reynolds.

Not voting—Mr. Speaker.

Amendment lost.

Remarks by Messrs. McAuliffe, Hatton, Brown and Dunseath.

Roll call on Assembly Bill No. 11:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—39.

NAYS—None.

Absent—Mr. Reynolds.

Assembly Bill No. 11 having received a constitutional majority, Mr. Speaker declared it passed.

At 3:10 p. m. house at ease.

### HOUSE IN SESSION

At 3:17 p. m.

Mr. Speaker in the chair.

Quorum present.

### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Joint Resolution No. 8. Under the suspension of all rules Senate Joint Resolution declared an emergency measure under the Constitution, considered engrossed, placed on third reading and final passage, and passed, as amended, by the following vote: Yeas, 16; nays, none; absent 1. Amend as follows: By striking the words "wire at once," and inserting in lieu thereof the words "transmitted by air mail."

LENA GALE,

*Assistant Secretary of the Senate.*

### GENERAL FILE AND THIRD READING

Assembly Bill No. 41.

Remarks by Mr. Cahlan.

Roll call on Assembly Bill No. 41:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—38.

NAYS—None.

Absent—Messrs. Hatton and Reynolds—2.

Assembly Bill No. 41 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Malone was granted permission to revert to order of business No. 10.

### INTRODUCTION AND FIRST READING

By Mr. Johnson:

Assembly Bill No. 51—An Act to amend section 3 of an Act entitled "An Act relating to the State University and matters properly connected therewith," approved February 7, 1887, being section 7728 N. C. L. 1929.

Mr. Johnson moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on State Institutions.

Senate Joint Resolution No. 8.

Mr. Lage moved that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, considered an emergency measure, considered engrossed, and placed on top of file for third reading and final passage.

Carried.

Without objection order of business No. 12 was referred to.

#### GENERAL FILE AND THIRD READING

Senate Joint Resolution No. 8.

Mr. Dunseath arose to a point of information regarding the number on the resolution.

Without objection Senate Joint Resolution No. 8 was returned to the Senate for correction.

#### INTRODUCTION AND FIRST READING

Senate Bill No. 7.

Mr. Malone moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

Carried.

Mr. Taber was granted permission to revert to order of business No. 5.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your committee composed of the Elko County Delegation has had Assembly Bill No. 42 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

WILLIAM F. TABER, *Chairman.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Taber moved that Assembly Bill No. 42 be placed on top of the file for third reading and final passage.

Carried.

Mr. Cahlan moved that Senate Joint Resolution No. 8, which was introduced and passed at the Thirty-fifth Session be placed on top of the file for third reading and final passage.

Carried.

#### GENERAL FILE AND THIRD READING

Senate Joint Resolution No. 8 (introduced and passed at the Thirty-fifth Session).

Roll call on Senate Joint Resolution No. 8 of the Thirty-fifth Session:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore,

Murphy, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Stro-  
snider, Taber, Tandy, Wheelwright and Mr. Speaker—39.

NAYS—None.

Absent—Mr. Reynolds.

Senate Joint Resolution No. 8 of the Thirty-fifth Session having  
received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 42.

Remarks by Mr. Taber.

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee,  
Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin,  
Hatton, Heward, Hussman, Johnson, Kenay, Lage, McAuliffe, Malone, Moore,  
Murphy, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Stro-  
snider, Taber, Tandy, Wheelwright and Mr. Speaker—39.

NAYS—None.

Absent—Mr. Reynolds.

Assembly Bill No. 42 having received a constitutional majority, Mr.  
Speaker declared it passed.

At 3:54 p. m. Mr. Kenny moved that the Assembly adjourn until  
Wednesday, February 1, 1933, at 11 a. m.

Carried.

Approved:

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,

*Chief Clerk of the Assembly.*



## THE SEVENTEENTH DAY

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CARSON CITY (Wednesday), February 1, 1933.

Assembly called to order at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Mr. Butler, who was excused.

Prayer by Rev. Hersey.

Upon motion of Mr. O'Connor the reading of the Journal was dispensed with, and Mr. Speaker and the Chief Clerk were authorized and instructed to make any corrections necessary.

### PRESENTATION OF PETITIONS

A petition "Cause of Panic Exposed" was referred to the Committee on Ways and Means.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Judiciary has had Assembly Bill No. 40 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass with the following amendments: On page 1, line 12, strike out the words "and Section 77." Beginning on line 12, page 1, strike out the words: "as amended by chapter 95, Statutes 1931, page 159." On page 2, line 3, strike out the word "twenty" and insert in lieu thereof the word "fifteen."

Also, Assembly Bill No. 9, and begs leave to report favorably on the same, with the recommendation that it do pass with the following amendments:

Amendment No. 1—On page 2, beginning on line 7, strike out the words: "either in the District Court of the county of his residence or in the district court of the county in which the decision of said Commission shall have been made and entered," and insert in lieu thereof: "in any county which the plaintiff may designate in his complaint."

Amendment No. 2—On page 2, line 15, strike out all the rest of the paragraph beginning with the words "*provided, however,*" and ending with the words "Commission" on line 20, inclusive.

Amendment No. 3—On page 3, line 10, strike out all of section 2.

Amendment No. 4—Amend by adding a new section to be known as section 2 of the Act, as follows, to wit: SEC. 2. An action may be commenced within 60 days from the passage and approval of this Act by any employer, workman, beneficiary, or any other person feeling aggrieved at any decision of the Commission affecting his interest under this Act heretofore made and entered by said Commission."

Amendment No. 5—Amend by adding a new section to be known as section 3 of the Act, and to read as follows, to wit: SEC. 3. If any part or parts of this Act shall be declared to be unconstitutional, the other parts thereof shall not thereby be affected or impaired.

Amendment No. 6—Amend by adding a new section to be known as section 4 of the Act, and to read as follows, to wit: SEC. 4. All Acts or parts of Acts in conflict herewith are hereby repealed.

Amendment No. 7—Amend by adding a new section to be known as section 5 of the Act, and to read as follows, to wit: SEC. 5. This Act shall become effective from and after its passage and approval.

Also, Assembly Bill No. 28, and begs leave to report favorably on the same, with the recommendation that it do pass with the following amendments:

Amendment No. 1—On page 2, line 25 of section 1, strike out the word "twenty" and insert in lieu thereof "ten."

Amendment No. 2—On page 2, line 29 of section 1, strike out the word "ten" and insert in lieu thereof the word "five."

Amendment No. 3—On page 3, line 1 of section 1, strike out the word "twenty-day" and insert in lieu thereof "ten-day."

Amendment No. 4—Strike out all of section 2 on page 3.

Amendment No. 5—On page 3, line 9, strike out the word and figure "Sec. 3," and insert in lieu thereof "Sec. 2."

Amendment No. 6—Strike out all of section 4 of the bill.

Amendment No. 7—Add a new section to the bill to be known as section 3, reading as follows: Sec. 3. This Act shall take effect immediately upon its passage and approval.

G. J. KENNY, *Chairman.*

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Joint Resolution No. 7, which this day passed, as amended, by the following vote: Yeas, 12; nays, 4; not voting, 1. Amend as follows: Change the word "Senate" in first line, page 1, to the word "Assembly."

Also, to present for your consideration Senate Bill No. 8, which passed, as amended: Yeas, 17; nays, none. Amend as follows: In first line of title by striking the words "delay and." Line 9, page 1, change the word "question" to "doubt." Line 14, page 2, change the word "March" to "April." Line 24, page 2, change the word "March" to "April."

LENA GALE,

*Assistant Secretary of the Senate.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Taber moved that the Assembly concur in Senate amendment to Assembly Joint Resolution No. 7.

Carried.

Mr. Cahlan moved that the report of the Free Conference Committee on Senate Concurrent Resolution No. 6 be received.

Mr. Cahlan moved the adoption of Senate Concurrent Resolution No. 6, as amended.

Remarks by Messrs. Tandy, Moore, Cahlan, Hamlin, Brown, Cobb, Hatton, Cahill, Goodin and Taber.

Mr. Kenny moved the previous question, seconded by Messrs. Brown and Persson.

Previous question: Shall the report of the Free Conference Committee be adopted?

Roll call:

YEAS—Messrs. Anderson, Barnes, Beverly, Brown, Cahill, Cahlan, Carroll, Cooper, Hatton, Hussman, Johnson, Kenny, Lage, Moore, Noble, O'Connor, Persson, Reynolds, Roberts, Smith and Stewart—21.

NAYS—Messrs. Black, Blundell, Bugbee, Cobb, Dunseath, Ebert, Goodin, Hamlin, Heward, McAuliffe, Malone, Murphy, Raycraft, Strosnider, Taber, Tandy and Wheelwright—17.

Absent—Mr. Butler.

Not voting—Mr. Speaker.

The report of the Free Conference Committee having received a constitutional majority, Mr. Speaker declared it adopted.

Amendment proposed by Mr. Hatton: Amend Senate Concurrent Resolution No. 6 by adding in line 29, page 2, after the word "company" the words: "and any and all State boards and offices connected directly or indirectly therewith."

Mr. Hatton moved adoption of the amendment.

Carried.

#### AMENDMENTS OF FREE CONFERENCE COMMITTEE

*To the Honorable the Senate and the Honorable the Assembly:*

Your Free Conference Committee, to whom was referred Senate Concurrent Resolution No. 6, begs leave to report that it has had under consideration the said resolution and the amendments proposed thereto, and after due consideration we beg leave to report as follows:

We recommend that the amendment to the title proposed by the Assembly be adopted as follows: In line 3 of the title strike the word "and," and in line 4 after the word "Company" strike the period, and add the following words: "and any and all State boards and officers connected directly or indirectly therewith."

We further recommend that beginning with the word "that," in line 15, page 2, that lines 15 to 30, inclusive, on page 2, be stricken from the resolution, and the following inserted: "That the President of the Senate and the Speaker of the Assembly each appoint a committee of three members to act as a joint committee in an investigation of the assets, management, handling and control of the closed banks of the State of Nevada, of the Bank Examiner's office and of the Nevada Surety and Bonding Company, and any or all State boards and offices connected directly or indirectly therewith. Said committee shall have the authority and power to issue process for and compel the attendance of witnesses and the production of such books, records and documents as may be necessary, and shall have power to administer oaths to all the witnesses, employ a stenographer or stenographers to report its proceedings, and to do each and every necessary and proper thing for such investigation. No more than two members of such committee shall be of the same political party, and the Assembly committee shall be selected from the members of its Committee on Banks and Banking. All hearings shall be public; *provided, however*, the said joint committee may, by two-thirds vote, hold executive sessions. Said committee shall, on or before March 1, 1933, make a report of said investigation to the Senate and Assembly; be it further

*Resolved*, That the sum of five hundred dollars is hereby appropriated out of the Legislative fund to pay the expenses of such investigation.

W. F. DRESSLER,

IRA L. WINTERS,

A. S. HENDERSON,

*Senate Committee.*

BOB MOORE,

ROY PERSSON,

ERNEST S. BROWN,

*Assembly Committee.*

Mr. Moore moved adoption of amendments.

Remarks by Mr. Taber.

Amendment proposed by Mr. Taber: Amend section 3 of Senate Concurrent Resolution No. 6, as amended by conference committee, by striking out words "two-thirds vote," and inserting in lieu thereof the words "vote of five of its six members."

Amendment lost.

Amendment proposed by Mr. Cobb: Amend section of Senate Concurrent Resolution No. 6, on page 3, line 13, strike out the word "March" and insert the word "April."

Amendment lost.

Amendment proposed by Mr. Hussman: Amend Senate Concurrent

Resolution No. 6 by striking out on page 2, line 23, after the word "Assembly" the words "from the membership of the Committee on Banks and Banking Committee of the Assembly." Insert a period after the word "Assembly" in line 23.

Mr. Hussman moved adoption of amendment.

Remarks by Messrs. Cahlan, Hatton, Tandy and Kenny.

Without objection this order of business was carried over to the afternoon session.

Misses Mollie Malone and Margaret Reading were introduced to the Assembly.

At 12:20 p. m. Mr. Kenny moved that the Assembly recess until 2:30 p. m.

Carried.

### HOUSE IN SESSION

At 2:30 p. m.

Mr. Speaker in the chair.

Quorum present.

Without objection Mr. Speaker signed Senate Joint Resolution No. 8, memorial to Congress.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 46, 47, 48, 49, and Assembly Joint Resolutions Nos. 8, 9 and 10, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

*Mr. Speaker:*

Your Committee on Ways and Means has had Senate Concurrent Resolution No. 7 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

J. H. CAHILL, *Chairman.*

*Mr. Speaker:*

Your Committee on Labor has had Assembly Bill No. 2 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

PAT MCAULIFFE, *Chairman.*

*Mr. Speaker:*

Your Committee on Education has had Senate Bill No. 7 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

BOB MOORE, *Chairman.*

### MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 6 (reprinted, as amended):

Mr. Tandy moved that Senate Concurrent Resolution No. 6, the printed bill, be considered as engrossed.

Remarks by Messrs. Tandy and Kenny.

Mr. Kenny moved that all reference to this Free Conference Committee be stricken from the record and that the record show the matter beginning with the report of the Engrossment Committee.

Carried.

## REPORTS OF FREE CONFERENCE COMMITTEE

Report of Free Conference Committee on Senate Concurrent Resolution No. 6 :

*To the Honorable the Senate and the Honorable the Assembly:*

Your Free Conference Committee, to whom was referred Senate Concurrent Resolution No. 6, begs leave to report that it has had under consideration the said resolution, and the amendments proposed thereto, and after due consideration we beg leave to report as follows :

We recommend that the amendment to the title proposed by the Assembly be adopted as follows: In line 3 of the title strike the word "and," and in line 4, after the word "company," strike the period and add the following words: "and any and all State boards and officers connected directly or indirectly therewith."

We further recommend that beginning with the word "that," in line 15, page 2, that lines 15 to 30, inclusive, on page 2, be stricken from the resolution, and the following inserted: "That the President of the Senate and the Speaker of the Assembly each appoint a committee of three members to act as a joint committee in an investigation of the assets, management, handling and control of the closed banks of the State of Nevada, of the Bank Examiner's office and of the Nevada Surety and Bonding Company, and any or all State boards and offices connected directly or indirectly therewith. Said committee shall have the authority and power to issue process for and compel the attendance of witnesses and the production of such books, records and documents as may be necessary, and shall have power to administer oaths to all the witnesses, employ a stenographer or stenographers to report its proceedings, and to do each and every necessary and proper thing for such investigation. No more than two members of such committee shall be of the same political party, and the Assembly committee shall be selected from the members of its Committee on Banks and Banking. All hearings shall be public: *provided, however,* the said joint committee may, by two-thirds vote, hold executive sessions. Said committee shall, on or before March 1, 1933, make a report of said investigation to the Senate and Assembly; be it further

*Resolved,* That the sum of five hundred dollars is hereby appropriated out of the Legislative Fund to pay the expenses of such investigation.

W. F. DRESSLER,

IRA L. WINTERS,

A. S. HENDERSON,

*Senate Committee.*

BOB MOORE,

ROY PERSSON,

ERNEST S. BROWN,

*Assembly Committee.*

Mr. Kenny moved adoption of the report.

Remarks by Messrs. Tandy, Hatton, Kenny, Cahlan, Noble, Brown and Smith.

Mr. Tandy moved that Senate Concurrent Resolution No. 6 be rereferred to the Free Conference Committee to make the amendments recommended by the Free Conference Committee coincide with the resolution proper.

Carried.

Mr. Hussman was granted permission to refer to order of business No. 8.

## MOTIONS, RESOLUTIONS AND NOTICES

At 3:05 p. m. Mr. Hussman moved that the house recess for fifteen minutes in order that the Free Conference Committee may have an opportunity to offer its report.

Carried.

## HOUSE IN SESSION

At 3:35 p. m.

Mr. Speaker in the chair.

Quorum present.

## REPORT OF FREE CONFERENCE COMMITTEE

*To the Honorable the Senate and the Honorable the Assembly:*

Your Free Conference Committee, to whom was referred Senate Concurrent Resolution No. 6, begs leave to report that it has had under consideration the said resolution and the amendments proposed thereto, and after due consideration we beg leave to report as follows:

We recommend that the amendment to the title proposed by the Assembly be adopted as follows: In line 3 of the title strike the word "and," and in line 4, after the word "company," strike the period and add the following words: "and any and all State boards and officers connected directly or indirectly therewith."

We further recommend that beginning with the word "that," in line 15, page 2, that lines 15 to 30, inclusive, on page 2, be stricken from the resolution, and the following inserted: "That the President of the Senate and the Speaker of the Assembly each appoint a committee of three members to act as a joint committee in an investigation of the assets, management, handling and control of the closed banks of the State of Nevada, of the Bank Examiner's office and of the Nevada Surety and Bonding Company, and any or all State boards and offices connected directly or indirectly therewith. Said committee shall have the authority and power to issue process for and compel the attendance of witnesses and the production of such books, records and documents as may be necessary, and shall have power to administer oaths to all the witnesses, employ a stenographer or stenographers to report its proceedings, and to do each and every necessary and proper thing for such investigation. No more than two members of such committee shall be of the same political party, and the Assembly committee shall be selected from the members of its Committee on Banks and Banking. All hearings shall be public; *provided, however*, that said joint committee may, by two-thirds vote, hold executive sessions. Said committee shall, on or before March 1, 1933, make a report of said investigation to the Senate and Assembly; be it further

*Resolved*, That the sum of five hundred dollars is hereby appropriated out of the Legislative Fund to pay the expenses of such investigation.

W. F. DRESSLER,  
IRA L. WINTERS,  
A. S. HENDERSON,

BOB MOORE,  
ROY PERSSON,  
ERNEST S. BROWN,

*Senate Committee.*

*Assembly Committee.*

Mr. Moore moved that the report of the Free Conference Committee be adopted.

Remarks by Messrs. Hussman, Tandy and Malone.

Roll call on adoption of the Free Conference Committee report on Senate Concurrent Resolution No. 6:

YEAS—Messrs. Anderson, Barnes, Beverly, Blundell, Brown, Cahill, Cahlan, Carroll, Cooper, Dunseath, Ebert, Goodin, Hatton, Hussman, Kenny, Lage, McAuliffe, Moore, Murphy, Noble, O'Connor, Persson, Reynolds, Roberts, Smith, Stewart, Taber and Wheelwright—28.

NAYS—Messrs. Black, Bugbee, Cobb, Hamlin, Heward, Malone, Raycraft, Strosnider and Tandy—9.

Absent—Messrs. Butler and Johnson—2.

Not voting—Mr. Speaker.

Free Conference Committee report on Senate Concurrent Resolution No. 6 having received a constitutional majority, Mr. Speaker declared it adopted.

Messrs. Hamlin, Tandy and Cobb asked that the record show they protested the action of the house in allowing closed sessions of any hearings of committees in the house.

Mr. Dunseath moved that the vote on Assembly Bill No. 21 be reconsidered.

Remarks by Mr. Dunseath.

Carried.

Mr. Hamlin moved that Assembly Bill No. 2 be made a special order of business for tomorrow at 2:30 p. m.

#### INTRODUCTION AND FIRST READING

By Clark County Delegation:

Assembly Joint Resolution No. 11, memorializing Congress to designate the official name of the Boulder Dam Project.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Federal Relations.

Carried.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 21.

Roll call on Assembly Bill No. 21:

YEAS—Messrs. Anderson, Barnes, Beverly, Blundell, Brown, Bugbee, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber and Wheelwright—33.

NAYS—None.

Absent—Messrs. Butler and Johnson—2.

Not voting—Messrs. Black, Hatton, Heward, Tandy and Mr. Speaker—5.

Assembly Bill No. 21 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 9.

Amendment proposed by Committee on Judiciary: Amendment No. 1—On page 2, beginning on line 7, strike out the words: "either in the District Court of the county of his residence or in the District Court of the county in which the decision of said Commission shall have been made and entered," and insert in lieu thereof: "in any county which the plaintiff may designate in his complaint."

Mr. Dunseath moved adoption of amendment.

Carried.

Amendment proposed by Committee on Judiciary: Amendment No. 2—On page 2, line 15, strike out all the rest of the paragraph beginning with the words "*provided, however,*" and ending with the word "Commission" on line 20, inclusive.

Mr. Dunseath moved adoption of amendment.

Remarks by Mr. Dunseath.

Carried.

Amendment proposed by Mr. Black: Amend section 1 of Assembly Bill No. 9 by striking out, on page 2 of the printed bill, all of lines 28, 29, 30, 31, 32 and 33, and insert in lieu thereof the following: "The

court, in every case in which any action may be tried under the provisions of this Act shall, as part of its judgment or decree, determine and allow a reasonable fee for the attorney of the successful party, and approve the same as proper. Said fee shall not exceed 10 per centum of the amount recovered, in each case, and shall be paid by the Commission."

Mr. Black moved adoption of amendment.

Remarks by Messrs. Dunseath, Cahill, Black and Hatton.

Amendment to Mr. Black's amendment proposed by Mr. Cahill: Amend Mr. Black's amendment to Assembly Bill No. 9 by striking out 10 per cent and inserting in lieu thereof 5 per cent.

Mr. Cahill moved adoption of the amendment to the amendment.

Remarks by Messrs. Tandy, Dunseath and Cahill.

Amendment to amendment lost.

Original amendment by Mr. Black lost.

Amendment proposed by Committee on Judiciary: Amendment No. 3—On page 3, line 10, strike out all of section 2.

Mr. Dunseath moved adoption of amendment.

Carried.

Amendment proposed by Committee on Judiciary: Amendment No. 4—Amend by adding a new section to be known as section 2 of the Act, as follows, to wit: SEC. 2. An action may be commenced within 60 days from the passage and approval of this Act by any employer, workman, beneficiary, or any other person feeling aggrieved at any decision of the Commission affecting his interests under this Act heretofore made and entered by said Commission.

Mr. Dunseath moved adoption of amendment.

Carried.

Amendment proposed by Committee on Judiciary: Amendment No. 5—Amend by adding a new section to be known as section 3 of the Act, and read as follows, to wit: SEC. 3: If any part or parts of this Act shall be declared to be unconstitutional, the other parts thereof shall not thereby be affected or impaired.

Mr. Dunseath moved adoption of amendment.

Carried.

Amendment proposed by Committee on Judiciary: Amendment No. 6—Amend by adding a new section to be known as section 4 of the Act, and read as follows, to wit: SEC. 4. All Acts or parts of Acts in conflict herewith are hereby repealed.

Mr. Dunseath moved adoption of amendment.

Carried.

Amendment proposed by Committee on Judiciary: Amendment No. 7—Amend by adding a new section to be known as section 5 of the Act, and read as follows, to wit: SEC. 5. This Act shall become effective from and after its passage and approval.

Mr. Dunseath moved adoption of amendment.

Carried.

Remarks by Messrs. Dunseath, Hamlin, Cahlan, Cahill and Tandy.



Roll call on Assembly Bill No. 9, as amended:

YEAS—Messrs. Anderson, Barnes, Blundell, Brown, Bugbee, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Halton, Heward, Kenny, Lage, McAuliffe, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Wheelwright—32.

NAYS—None.

Absent—Messrs. Butler and Johnson—2.

Not voting—Messrs. Beverly, Black, Hamlin, Hussman, Murphy and Mr. Speaker—6.

Senate Bill No. 9 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

At 4:35 p. m. Mr. Lage moved that the Assembly adjourn until Thursday, February 2, 1933, at 11 a. m.

Approved:

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,

*Chief Clerk of the Assembly.*

## THE EIGHTEENTH DAY

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CARSON CITY (Thursday), February 2, 1933.

Assembly called to order at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Mr. Butler, who was excused.

Prayer by Rev. Hersey.

Upon motion of Mr. O'Connor, the reading of the Journal was dispensed with, and the Speaker and the Chief Clerk were authorized and instructed to make any corrections necessary.

A telegram of thanks from Mr. Geo. Russell of Elko was read to the Assembly.

Upon motion of Mr. Taber, the telegram was placed on file for future reference.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 50 and 51, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

*Mr. Speaker:*

Your Committee on Roads and Highways has had Assembly Joint Resolutions Nos. 8 and 9 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

W. H. GOODIN, *Chairman.*

*Mr. Speaker:*

Your Committee on Federal Relations has had Assembly Bill No. 45 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

A. E. CAHLAN, *Chairman.*

### INTRODUCTION AND FIRST READING

Senate Bill No. 8.

Mr. Cobb moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

Mr. Malone amended motion that the bill be laid on the table.

Amendment carried.

By Mr. Anderson:

Assembly Bill No. 52—An Act to amend sections 1 and 2 of an Act entitled "An Act relating to and regulating the grazing of live stock on public lands of the United States in the State of Nevada, protecting customary grazing uses thereon, making certain acts unlawful, and

prescribing penalties and liabilities for violation of the Act," approved March 30, 1931.

Mr. Anderson moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Live Stock.

Carried.

By Messrs. Cahlan and Kenny :

Assembly Bill No. 53—An Act to repeal an Act entitled "An Act to provide and regulate procedure in certain matters relating to actions for divorce," approved March 30, 1931.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Cooper :

Assembly Bill No. 54—An Act to amend section 559 of an Act entitled "An Act to regulate proceedings in civil cases in this State and to repeal all other Acts in relation thereto," approved March 17, 1911, being section 9048 N. C. L. 1929.

Mr. Cooper moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Cooper :

Assembly Bill No. 55—An Act to amend section 350 of an Act entitled "An Act to regulate proceedings in civil cases in this State and to repeal all other Acts in relation thereto," approved March 18, 1911, being section 8848 N. C. L. 1929.

Mr. Cooper moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Cooper :

Assembly Bill No. 56—An Act to amend section 39 of an Act entitled "An Act to provide revenue for the support of the State of Nevada, and to repeal certain Acts relating thereto," approved March 23, 1891, as amended, being section 6447 N. C. L. 1929.

Mr. Cooper moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

Without objection Mr. Speaker signed Assembly Joint Resolution No. 7.

By Mr. Hussman :

Assembly Bill No. 57—An Act relating to insurance companies, providing a tax on premiums thereof, and other matters relating thereto.

Mr. Hussman moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on State Institutions.

Carried.

By Mr. Cahill:  
Assembly Bill No. 58.

Without objection this bill was rereferred to Mr. Cahill to insert enacting clause in the bill.

By Mr. Tandy (by request):

Assembly Bill No. 59—An Act to amend an Act entitled "An Act concerning annulment of marriage," approved March 24, 1931.

Mr. Tandy moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to a Select Committee of the Assembly consisting of Messrs. Brown, Hatton, Kenny and Dunseath.

Carried.

By Messrs. Kenny and Cahlan:

Assembly Bill No. 60—An Act to amend section 45 of an Act entitled "An Act concerning the courts of justice in this State and judicial officers," approved January 26, 1865, being section 8407 N. C. L. 1929, as amended by Statutes of 1931, page 247.

Mr. Kenny moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Messrs. Kenny and Cahlan:

Assembly Bill No. 61—An Act to repeal sections 2 and 3 of an Act entitled "An Act to amend an Act entitled 'An Act concerning the courts of justice of this State and judicial officers,' approved January 26, 1865, as amended, by amending section 45 thereof, and by adding two additional sections to said Act, known as sections 45a and 45b," approved March 25, 1931.

Mr. Kenny moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

Mr. Goodin granted permission to revert to order of business No. 8.

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Goodin moved that Assembly Joint Resolutions Nos. 8 and 9 be placed on top of the file for third reading and final passage.

Carried.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copy of Assembly Joint Resolution No. 11, hereto attached, is correct copy of the triplicate thereof in its possession.

DOUG. H. TANDY, *Chairman.*

## MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Bill No. 31, which has this day passed the Senate by the following vote: Yeas, 14; nays, 3.

Also, Assembly Bill No. 35, which passed: Yeas, 17; nays, none.

LENA GALE,

*Assistant Secretary of the Senate.*

## GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 8.

Remarks by Mr. Hamlin.

Roll call on Assembly Joint Resolution No. 8:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Howard, Heward, Hussman, Johnson, Kenny, Lage, Malone, Moore, Murphy, Noble, O'Connor, Persson, Rayercraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—38.

NAYS—None.

Absent—Messrs. Butler and McAuliffe—2.

Assembly Joint Resolution No. 8 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Joint Resolution No. 9.

Remarks by Messrs. Goodin and Taber.

Roll call on Assembly Joint Resolution No. 9:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Howard, Johnson, Kenny, Lage, Malone, Moore, Noble, O'Connor, Persson, Rayercraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Tandy, Wheelwright and Mr. Speaker—34.

Absent—Messrs. Butler, Hussman and McAuliffe—3.

Not voting—Mr. Murphy.

Assembly Joint Resolution No. 9 having received a constitutional majority, Mr. Speaker declared it passed.

At 11:48 a. m. Mr. Noble moved that the Assembly adjourn until 2:30 p. m.

Carried.

## HOUSE IN SESSION

At 2:30 p. m.

Mr. Tandy in the chair.

Quorum present.

## SPECIAL ORDER OF BUSINESS

Assembly Bill No. 2.

Remarks by Messrs. Hamlin, Cahill, McAuliffe and Smith.

Amendment proposed by Mr. Smith: Amend section 4 of Assembly Bill No. 2 by adding a proviso to section 4 of the Act as follows, to wit: *Provided, however*, that nothing in this Act shall be construed to apply to any contract now in force between the State of Nevada, or any political subdivision thereof, and any person, firm, association, company or corporation.

Mr. Smith moved adoption of amendment.

Carried.

Remarks on Assembly Bill No. 2 by Messrs. Hatton, Dunseath, Brown and McAuliffe.

Roll call on Assembly Bill No. 2:

YEAS—Messrs. Barnes, Beverly, Bugbee, Cahlan, Carroll, Cobb, Cooper, Dunseath, Johnson, Lage, McAuliffe, Malone, Moore, O'Connor, Raycraft, Reynolds, Roberts, Smith and Tandy—19.

NAYS—Messrs. Anderson, Black, Blundell, Brown, Cahill, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Murphy and Stewart—13.

Absent—Messrs. Butler, Keuny, Noble, Persson, Strosnider, Taber, Wheelwright and Mr. Speaker—8.

Assembly Bill No. 2 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Mr. Hamlin gave notice that on the next legislative day he would move for a reconsideration of the vote of Assembly Bill No. 2.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

The minority Committee on Federal Relations has had Assembly Joint Resolution No. 11 under consideration, and begs leave to report unfavorably on the same, with recommendation that it do not pass.

ERNEST S. BROWN.

*Mr. Speaker:*

The majority Committee on Federal Relations has had Assembly Joint Resolution No. 11 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

A. E. CAHLAN.

*Mr. Speaker:*

Your Committee on Enrollment has carefully compared Assembly Joint Resolution No. 7, Joint Resolution recommending the selection of George Russell, Jr., of Nevada, for the position of the Secretary of the Interior, with the engrossed copy, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. H. BARNES, *Chairman.*

#### INTRODUCTION AND FIRST READING

By Mr. Cahill:

Assembly Bill No. 58—An Act to amend an Act entitled "An Act to create a State Board of Finance, defining its powers and duties, and other matters connected therewith, and repealing all Acts and parts of Acts in conflict herewith," approved March 25, 1919.

Mr. Cahill moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Banks and Banking.

Carried.

By Mr. Cahill:

Assembly Bill No. 62—An Act to regulate banking in the State of Nevada; to provide a means of incorporating banks and trust companies; to authorize banks and trust companies to conduct certain kinds of business; to provide for the control and regulation of such corporations and such business; to provide for the appointment and

fix the powers and duties of a Bank Examiner; to provide that the State Board of Finance shall be the State Banking Board; to conform the charters of banks and trust companies now operating under the law of the State of Nevada to the provisions of this Act, with certain exceptions; to provide for the licensing of banks and trust companies; to incorporate herein the provisions of certain other Acts, as amended; to provide for the liquidation of banks and trust companies and appointment of a receiver or receivers in certain cases; to repeal certain Acts and parts of Acts, and other matters relating to banks and trust companies.

Mr. Cahill moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Banks and Banking.

Carried.

By Mr. Moore (by request):

Assembly Bill No. 65—An Act to amend section 372 of an Act entitled "An Act to regulate proceedings in civil cases in this State, and to repeal all other Acts in relation thereto," approved March 17, 1911, being, as amended, section 9361 of the Nevada Compiled Laws of 1929.

Mr. Moore moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Cahlan:

Assembly Bill No. 64—An Act declaring an emergency, and to amend the title of, and to amend an Act entitled "An Act authorizing the incorporation of the assets of insolvent banks and providing for the distribution of the stock of such corporation to the creditors and depositors of such banks," approved March 24, 1917, by amending sections 1 and 2 thereof, and by adding new sections thereto to be known as sections 4, 5, 6 and 7.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Banks and Banking.

Carried.

By Mr. Murphy:

Assembly Bill No. 63—An Act to amend an Act entitled "An Act to provide for the payment of retirement salaries to public school teachers of this State, and all matters properly connected therewith," approved March 23, 1915, as amended.

Mr. Murphy moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on State Institutions.

Carried.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 45.

Remarks by Mr. Carroll.

Roll call on Assembly Bill No. 45:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hatton, Heward, Hussman, Johnson, Lage, McAuliffe, Malone, Moore, Murphy, O'Connor, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosinder and Tandy—31.

NAYS—None.

Absent—Messrs. Bugbee, Butler, Hamlin, Kenny, Noble, Persson, Taber, Wheelwright and Mr. Speaker—9.

Roll call on adoption of preamble to Assembly Bill No. 45:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hatton, Heward, Hussman, Johnson, Lage, McAuliffe, Malone, Moore, Murphy, O'Connor, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosinder and Tandy—31.

NAYS—None.

Absent—Messrs. Bugbee, Butler, Hamlin, Kenny, Noble, Persson, Taber, Wheelwright and Mr. Speaker—9.

Assembly Bill No. 45, together with the preamble, having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 28.

Amendments proposed by Committee on Judiciary: Amendment No. 1—On page 2, line 25 of section 1, strike out the word "twenty," and insert in lieu thereof the word "ten."

Mr. Dunseath moved adoption of amendment.

Carried.

Amendment No. 2—On page 2, line 29 of section 1, strike out the word "ten," and insert in lieu thereof the word "five."

Mr. Dunseath moved adoption of amendment.

Carried.

Amendment No. 3—On page 3, line 1 of section 1, strike out the word "twenty-day," and insert in lieu thereof "ten-day."

Mr. Dunseath moved adoption of amendment.

Carried.

Amendment No. 4—Strike out all of section 2 on page 3.

Mr. Dunseath moved adoption of amendment.

Carried.

Amendment No. 5—On page 3, line 9, strike out the word and figure "SEC. 3," and insert in lieu thereof "SEC. 2."

Mr. Dunseath moved adoption of amendment.

Carried.

Amendment No. 6—Strike out all of section 4 of the bill.

Mr. Dunseath moved adoption of amendment.

Mr. Speaker ruled that said amendment should be taken up on the bill as a whole.

Amendment No. 7—Add a new section to the bill to be known as section 3, reading as follows: SEC. 3. This Act shall take effect immediately upon its passage and approval.

Mr. Dunseath moved adoption of amendment.

Carried.

Mr. Dunseath moved that the bill be amended as a whole by striking out all of section 4 of the bill.

Carried.



At 3:40 p. m. house at ease to give Mr. Brown an opportunity to offer amendment to Assembly Bill No. 28.

## HOUSE IN SESSION

At 3:55 p. m.

Mr. Speaker in the chair.

Quorum present.

## GENERAL FILE AND THIRD READING

Amendment proposed by Mr. Dunseath to Assembly Bill No. 28: Amend Assembly Bill No. 28 by adding on page 3, line 22, after the word "act": "and the provisions thereof shall be applicable to proceedings in Justice Courts and to Constables in execution proceedings."

Mr. Dunseath moved adoption of amendment.

Carried.

Remarks by Mr. Brown regarding section 4 of the bill.

Mr. Dunseath moved that Assembly Bill No. 28 be rereferred to the Committee on Judiciary to clarify this matter.

Carried.

Senate Bill No. 7.

Remarks by Messrs. Hamlin and Hatton.

Roll call on Senate Bill No. 7:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Lage, McAuliffe, Malone, Moore, Murphy, O'Connor, Rayercraft, Roberts, Smith, Stewart, Strosnider and Tandy—32.

NAYS—None.

Absent—Messrs. Bugbee, Butler, Kenny, Noble, Persson, Taber, Wheelwright and Mr. Speaker—8.

Senate Bill No. 7, together with preamble, having received a constitutional majority, Mr. Speaker declared it passed.

Senate Concurrent Resolution No. 7.

Remarks by Mr. Cahill.

Mr. Cahill moved adoption of resolution.

Resolution adopted.

Assembly Bill No. 40.

Amendment proposed by Committee on Judiciary: Amendment No. 1—On page 1, line 12, strike out the words and figures "and section 77."

Mr. Dunseath moved adoption of amendment.

Carried.

Amendment No. 2—Beginning on line 12, page 1, strike out the words and figures "as amended by chapter 95, Statutes 1931, page 159."

Mr. Dunseath moved adoption of amendment.

Carried.

Amendment No. 3—On page 2, line 3, strike out the word "twenty," and insert in lieu thereof the word "fifteen."

Mr. Dunseath moved adoption of amendment.

Carried.

Remarks by Mr. Dunseath.

Roll call on Assembly Bill No. 40:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Lage, McAuliffe, Maloue, Moore, Murphy, O'Connor, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Tandy and Mr. Speaker—33.

NAYS—None.

Absent—Messrs. Bugbee, Butler, Kenny, Noble, Persson, Taber and Wheelwright—7.

Assembly Bill No. 40 having received a constitutional majority, Mr. Speaker declared it passed.

At 4:20 p. m. Mr. Moore moved that the Assembly adjourn until Friday, February 3, 1933, at 11 a. m.

Carried.

Approved:

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,

*Chief Clerk of the Assembly.*

## THE NINETEENTH DAY

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CARSON CITY (Friday), February 3, 1933.

Assembly called to order at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present.

Prayer by Rev. Hersey.

On motion of Mr. O'Connor the reading of the Journal was dispensed with, and Mr. Speaker and the Chief Clerk were authorized to make necessary corrections.

Without objection Mr. Speaker signed Assembly Bill No. 31 and Assembly Bill No. 35.

### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Goodin moved that when the Assembly adjourn today that it adjourn until 11 o'clock Monday morning for the reason that the State Association of County Commissioners is holding an important meeting tomorrow, at which time they are going to give special attention to the discussion of the gas tax, etc.

Mr. Tandy moved to amend by striking out the words "Monday morning," and inserting in lieu thereof the words "tomorrow morning."

Remarks by Messrs. Cobb, Tandy, McAuliffe, Malone and Goodin.

Roll call on amendment asked for by Mr. Tandy, seconded by Messrs. Malone and Goodin :

YEAS—MESSRS. Black, Brown, Bugbee, Hatton, Hussman, Murphy, Stewart, Strosnider, Taber and Tandy—10.

NAYS—MESSRS. Anderson, Barnes, Beverly, Blundell, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Heward, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith and Wheelwright—29.

Not voting—Mr. Speaker.

Amendment lost.

Remarks by Messrs. Cahlan, Smith, Alward and Tandy.

Mr. Tandy moved previous question.

Mr. Tandy withdrew motion.

Roll call on original motion asked for by Mr. Persson, seconded by Messrs. Noble and Taber :

YEAS—MESSRS. Anderson, Barnes, Beverly, Blundell, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Noble, O'Connor, Persson, Reynolds, Roberts, Smith and Wheelwright—27.

NAYS—MESSRS. Black, Brown, Bugbee, Hatton, Heward, Hussman, Murphy, Raycraft, Stewart, Strosnider, Taber and Tandy—12.

Not voting—Mr. Speaker.

Original motion having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Hamlin moved that the Assembly do now reconsider the vote on Assembly Bill No. 2.

Roll call asked for by Messrs. Hamlin, Noble and Malone:

YEAS—Messrs. Barnes, Beverly, Bugbee, Cahlan, Carroll, Cobb, Cooper, Dunseath, Hamlin, Johnson, Lage, McAuliffe, Malone, Moore, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Tandy and Wheelwright—22.

NAYS—Messrs. Anderson, Black, Blundell, Brown, Butler, Cahill, Ebert, Goodin, Hatton, Heward, Hussman, Kenny, Murphy, Noble, Stewart, Strosnider and Taber—17.

Not voting—Mr. Speaker.

Motion carried.

Mr. Taber moved that Assembly Bill No. 2 be laid on the table.

Roll call asked for by Messrs. McAuliffe, Hamlin and Cobb:

YEAS—Messrs. Anderson, Black, Blundell, Butler, Cahill, Cahlan, Ebert, Hatton, Heward, Hussman, Moore, Murphy, Stewart, Strosnider and Taber—15.

NAYS—Messrs. Barnes, Beverly, Brown, Bugbee, Carroll, Cobb, Cooper, Dunseath, Goodin, Hamlin, Johnson, Kenny, Lage, McAuliffe, Malone, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Tandy and Wheelwright—24.

Not voting—Mr. Speaker.

Motion lost.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 2.

Amendment proposed by Mr. Cahill: Amend section 4 of Assembly Bill No. 2 by striking out after the word "repealed," in line 5, page 3, all the remainder of said line, and all of line 6, and insert in lieu thereof the words: "and this Act shall not take effect until one year after passage."

Mr. Cahill moved adoption of amendment.

Remarks by Messrs. Cahill, Hamlin, McAuliffe, Tandy and Dunseath.

Mr. Speaker declared the amendment out of order.

Remarks on final passage of bill by Messrs. Taber, Hamlin, Cahill, Cahlan, McAuliffe, Tandy, Cobb and Malone.

Mr. Dunseath moved previous question, seconded by Messrs. Persson and Cobb.

Roll call on Assembly Bill No. 2:

YEAS—Messrs. Barnes, Beverly, Bugbee, Cahlan, Carroll, Cobb, Cooper, Dunseath, Hamlin, Johnson, Lage, McAuliffe, Malone, Moore, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Tandy and Wheelwright—22.

NAYS—Messrs. Anderson, Black, Blundell, Brown, Butler, Cahill, Ebert, Goodin, Hatton, Heward, Hussman, Kenny, Murphy, Noble, Stewart, Strosnider and Taber—17.

Not voting—Mr. Speaker.

Assembly Bill No. 2, as amended, having received a constitutional majority, Mr. Speaker declared it passed.

Without objection Mr. Speaker announced that he would sign Senate Bill No. 7.

At 12:02 p. m. Mr. Dunseath moved that Assembly recess until 2:30 p. m.

Carried.

## HOUSE IN SESSION

At 2:30 p. m.

Mr. Speaker in the chair.

Quorum present.

The Speaker announced that yesterday afternoon he, in company with the Committee on Rules and Legislation, visited the Penitentiary, and on account of a number of very important matters then under consideration by the committee, it was impossible to return in time for the afternoon session. The Warden of the Penitentiary invited all members of the Legislature to visit that institution.

Mr. Speaker announced the appointment of a special committee from the Committee on Banks and Banking as follows: Messrs. Cahlan, Anderson and Brown.

## REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 52, 53, 63, 61, 54, 60, 58, 57, 56, 55, 59, 64 and 65, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

*Mr. Speaker:*

Your Committee on Enrollment has carefully compared Assembly Enrolled Bills Nos. 31 and 35, with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. H. BARNES, *Chairman.*

*Mr. Speaker:*

Your Committee on Mines and Mining has had Assembly Joint Resolution No. 10 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

FRANK BUGBEE, *Chairman.*

*Mr. Speaker:*

Your Committee on State Institutions has had Assembly Bill No. 51 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass with the following amendments: Amend section 1 of Assembly Bill No. 51 by placing a period after the word "educator," in line 13, page 2 of the printed bill, and strike out all of the remainder of line 13 and lines 14, 15, 16, 17, 18, 19 and 20. Amend section 1 of Assembly Bill No. 51 by striking out in line 12, page 2 of the printed bill, the following: "be indorsed as to," and inserting in lieu thereof the following: "possess satisfactory evidence of."

FRANK BUGBEE, *Chairman.*

## MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 9, which this day passed the Senate by the following vote: Yeas, 17; nays, none.

Also, Senate Bill No. 10, which this day passed, as amended: Yeas, 16; nays, none; not voting, 1. Amend as follows: Page 2, lines 1, 11, 12, 17 and 18, change words and figures from "seven hundred and fifty (\$750) dollars" to "five hundred dollars (\$500)."

LENA GALE,

*Assistant Secretary of the Senate.*

## MOTIONS, RESOLUTIONS AND NOTICES

Mr. Kenny asked the consent of his colleague, Mr. Cahlan, to withdraw Assembly Bills Nos. 60 and 61.

Mr. Bugbee moved that Assembly Joint Resolution No. 10 be declared an emergency measure, and placed on top of the file for third reading and final passage.

By Mr. Johnson :

Assembly Resolution No. 10, relative to the advisability or necessity of requiring the Sierra Pacific Power Company to construct and maintain auxiliary power plants.

Mr. Johnson moved adoption of resolution.

Carried.

#### INTRODUCTION AND FIRST READING

By Mr. Dunseath :

Assembly Joint Resolution No. 12, relative to amending section 2 of article IV of the Constitution of the State of Nevada.

Mr. Dunseath moved that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Dunseath :

Assembly Joint Resolution No. 13, relative to amending section 3 of article IV of the Constitution of the State of Nevada.

Mr. Dunseath moved that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. McAuliffe :

Assembly Joint Resolution No. 14.

Mr. McAuliffe moved that the Clerk make necessary corrections, changing it from a Joint to Concurrent Resolution.

Carried.

By Mr. McAuliffe :

Assembly Concurrent Resolution No. 3, urging the employers of the State of Nevada to pay their pay rolls in gold coin as a means of giving to all citizens in practice as free access in the monetary gold stock of the Nation as is enjoyed by the bankers.

WHEREAS, The gold resources of the people of the United States have been marshaled together and trusteeed to the banking system of the Nation to furnish a base for its financial structure as a means of facilitating trade, and the financial leadership of the country has burdened the national financial structure with such a volume of stocks and bonds of doubtful value that the investing public has lost confidence in a large percentage of such credits, and prefers to protect accumulated capital by holding their funds, and due to this collapse of the credit structure the safest manner for protection of funds is to acquire gold; and

WHEREAS, Under the laws of United States the lowliest individual is entitled to as free access to the monetary gold stock as the biggest banker, but in practice the common people are discriminated against through the banking system discouraging and making it difficult to get gold coin into circulation; therefore be it

*Resolved by the Assembly of the State of Nevada, the Senate concurring.* That to make the monetary gold as freely available to the common people as

it is to the bankers it is necessary that the gold be put in circulation, and the most effective manner in which this can be done is for employers to pay their employees in gold coin; it is further

*Resolved*, That all employers in the State of Nevada are urged to pay their pay rolls in gold coin, and the State Industrial Commission of Nevada and Labor Commission are hereby instructed to conduct a campaign among the employers of labor in the State of Nevada to secure payment of pay rolls in gold coin.

Without objection the resolution was referred to Committee on Mines and Mining.

#### INTRODUCTION AND FIRST READING

By Mr. Heward:

Assembly Bill No. 66—An Act to repeal an Act entitled "An Act relating to the use of water for watering live stock, the acquisition and proof of the right to such use, making certain actions a misdemeanor, and prescribing a penalty therefor," which became a law April 1, 1925.

Mr. Heward moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Live Stock.

Carried.

By Mr. Hamlin:

Assembly Bill No. 67—An Act to amend an Act entitled "An Act supplemental to an Act entitled 'An Act relating to the State University and matters properly connected therewith,' approved February 7, 1887, approved March 16, 1895," as amended in 1925, adding new section thereto, and making an appropriation therefor, and other matters properly relating thereto.

Mr. Hamlin moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Joint Committee composed of Committees on Mines and Mining and Ways and Means.

Carried.

By Mr. McAuliffe:

Assembly Bill No. 68—An Act providing for payment of public pay rolls in gold coin, defining the duties of certain officers and persons in regard thereto, and other matters relating thereto.

Mr. McAuliffe moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Mines and Mining.

Carried.

Senate Bill No. 9.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Counties and County Boundaries.

Carried.

Senate Bill No. 10.

Mr. Tandy moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by

title, and referred to a Select Committee consisting of the Committee on Judiciary and the Lander County Delegation.

Carried.

By Mr. Carroll:

Assembly Bill No. 69 (Assembly Substitute for Assembly Bill No. 18)—An Act to amend section 4 of an Act entitled "An Act relating to marriage and divorce," approved November 28, 1861, as amended, being section 4052 of Nevada Compiled Laws 1929.

Mr. Carroll moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Public Morals.

Carried.

#### GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 10.

Remarks by Mr. Bugbee.

Roll call on Assembly Joint Resolution No. 10:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Hamlin, Hatton, Heward, Hussman, Johnson, Kehny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Taber, Tandy, Wheelwright and Mr. Speaker—38.

NAYS—None.

Absent—Messrs. Goodin and Strosnider—2.

Assembly Joint Resolution No. 10 having received a constitutional majority, Mr. Speaker declared it passed.

At 3:17 p. m. house recessed.

#### HOUSE IN SESSION

At 3:30 p. m.

Mr. Speaker in the chair.

Quorum present.

#### GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 11.

Remarks by Messrs. Cahlan, Brown, Tandy, Moore, Smith, Taber and Cooper.

Roll call on Assembly Joint Resolution No. 11:

YEAS—Messrs. Anderson, Barnes, Bugbee, Butler, Cahlan, Carroll, Cooper, Ebert, Goodin, Johnson, Kenny, Lage, McAuliffe, Moore, Noble, O'Connor, Persson, Raycraft, Roberts and Smith—20.

NAYS—Messrs. Beverly, Black, Blundell, Brown, Cahill, Cobb, Dunseath, Hamlin, Hatton, Heward, Hussman, Malone, Murphy, Reynolds, Stewart, Taber, Tandy, Wheelwright and Mr. Speaker—19.

Absent—Mr. Strosnider.

Assembly Joint Resolution No. 11 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Assembly Bill No. 51.

Amendment proposed by Committee on State Institutions: Amend section 1 of Assembly Bill No. 51 by placing a period after the word



"educator" in line 13, page 2 of the printed bill, and strike out all the remainder of line 13 and lines 14, 15, 16, 17, 18, 19 and 20.

Mr. Cobb moved adoption of amendment.

Carried.

Proposed by Committee on State Institutions: Amend section 1 of Assembly Bill No. 51 by striking out in line 12, page 2 of the printed bill, the following: "be indorsed as to," and inserting in lieu thereof the following: "possess satisfactory evidence of."

Mr. Cobb moved adoption of amendment.

Carried.

Remarks by Messrs. Malone, Cahlan, Dunseath, Taber, Brown, Smith and Bugbee.

Roll call on Assembly Bill No. 51, as amended:

YEAS—Messrs. Anderson, Barnes, Bugbee, Butler, Cahill, Carroll, Cobb, Cooper, Ebert, Hussman, Johnson, Murphy, Reynolds, Roberts, Stewart and Taber—16.

NAYS—Messrs. Beverly, Black, Blundell, Brown, Cahlan, Dunseath, Goodin, Hamlin, Hatton, Heward, Kenny, Lage, McAuliffe, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Smith, Tandy and Wheelwright—22.

Absent—Mr. Strosnider.

Not voting—Mr. Speaker.

Assembly Bill No. 51 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

At 4:15 p. m. Mr. Kenny moved that the Assembly adjourn until Monday, February 6, 1933, at 11 a. m.

Motion withdrawn in order to take care of further business.

Mr. Tandy moved that Mr. Carroll be returned Assembly Bill No. 18 to be changed from a substitute to a regular bill.

Carried.

Mr. Carroll returned Assembly Bill No. 18.

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Carroll moved that Assembly Bill No. 18 be withdrawn and returned to the introducer.

Carried.

At 4:20 p. m. Mr. Kenny moved that the Assembly adjourn until Monday, February 6, 1933, at 11 a. m.

Approved:

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,

*Chief Clerk of the Assembly.*

## THE TWENTY-SECOND DAY

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CARSON CITY (Monday), February 6, 1933.

Assembly called to order at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Mr. Strosnider.

Prayer by Rev. Porter.

On motion of Mr. Persson, the reading of the Journal was dispensed with, and Mr. Speaker and the Chief Clerk were authorized to make any necessary corrections.

Mr. Cahlan reported that the committee appointed to join with a similar committee of the Senate to contemplate Senate Concurrent Resolution No. 6 met yesterday, organized, and the investigation will get under way tomorrow afternoon at 2 o'clock in the Senate Chamber. A. S. Henderson was named chairman of the committee. The recommendation of the committee is that both houses take up in the morning at 10 o'clock and work through to clean up the files, and then adjourn for the period of the investigation which will probably run from 2 to 5 or later, the idea being that several members of the House and Senate made requests that the hours be fixed so that they can be in attendance. The advice and suggestions of each member of this body are welcomed.

### MESSAGES FROM THE GOVERNOR

Letter of transmittal with the general appropriation bill received.

### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Bill No. 23 which this day passed the Senate, as amended, by the following vote: Yeas, 17; nays, none. Amend as follows: Amend section 1 by adding, in line 1, after word "Act," the following: (N. C. L. 1929, paragraph 1119). Add, in line 2, after word "know," the letter "n" (to read "known"). Add, in line 8, after word "some," the word "competent," and strike out the words "possessing the requisite qualification." Strike out, in line 9, the words "and qualification." Strike out, in line 10, after word "election," the period, and substitute a comma, and add the words "and his qualification." Also, amend title by substituting period for comma after "section 19½" in next to last line, and striking out the last line.

Also, Assembly Bill No. 22, which passed, as amended: Yeas, 16; nays, 1. Amend title as follows: After the figures "1911," change comma to a period, and strike the remainder of the title.

Also, Assembly Bill No. 41, which passed: Yeas, 17; nays, none.

LENA GALE,

*Assistant Secretary of the Senate.*

## MOTIONS, RESOLUTIONS AND NOTICES

Mr. Kenny moved that the Assembly concur in Senate amendment to Assembly Bill No. 22.

Carried.

Mr. Kenny moved that the Assembly concur in Senate amendment to Assembly Bill No. 23.

Carried.

Without objection, Assembly Bills Nos. 60 and 61 were withdrawn from the Chief Clerk's desk.

Mr. Cahlan moved that when the Assembly adjourn this afternoon it do so until 10 o'clock tomorrow morning.

Carried.

House at ease 11:16 a. m.

## HOUSE IN SESSION

At 11:21 a. m.

Mr. Speaker in the chair.

Quorum present.

## INTRODUCTION AND FIRST READING

By Mr. McAuliffe:

Assembly Bill No. 70—An Act to amend section 9 of an Act entitled "An Act concerning District Attorneys," approved March 11, 1865, being section 2078 of Nevada Compiled Laws 1929.

Mr. McAuliffe moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Messrs. Kenny and Cahlan:

Assembly Bill No. 71—An Act to amend an Act entitled "An Act concerning the courts of justice of this State and judicial officers," approved January 26, 1865, as amended, by amending section 45 thereof, and by adding two additional sections to said Act, to be known as sections 45a and 45b, approved March 25, 1931, and repealing certain sections thereof.

Mr. Kenny moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Kenny (by request):

Assembly Bill No. 72—An Act to amend an Act entitled "An Act to regulate proceedings in criminal cases in this State, and to repeal all other Acts in relation thereto," approved March 17, 1911, by adding another section thereto to be known as section 445½.

Mr. Kenny moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Cahill:

Assembly Bill No. 73—An Act to amend an Act entitled “An Act creating the office of State Engineer; making provision for conducting same, and repealing sections 10 and 13 of the water law of Nevada, which is fully identified by title in this Act,” approved March 28, 1919, as amended March 25, 1929.

Mr. Cahill moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to a Joint Committee on Ways and Means and Irrigation.

Carried.

Mr. Dunseath:

Assembly Joint Resolution No. 14, requesting Congress to enlarge the Charles Sheldon Wild Life Refuge in northern Washoe County, Nevada, and prohibit grazing thereon, so as to protect antelope and other wild animals.

Mr. Dunseath moved that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Fish and Game.

Carried.

Mr. Blundell was granted permission to revert to order of business No. 8.

#### MOTIONS, RESOLUTIONS AND NOTICES

Without objection Assembly Bill No. 34 was withdrawn.

Mr. Tandy moved that all bills which have been in committees for ten days be returned to the house.

Remarks by Messrs. Kenny and Tandy.

Mr. Hamlin amended the motion by adding the words “excepting such bills where further time is requested by the chairman of the committee.”

Remarks by Messrs. Black, Kenny, Tandy, Cahlan, Smith.

Amendment carried.

Original motion, as amended, carried.

Mr. Bugbee asked that Assembly Joint Resolution No. 3 be withdrawn from the Committee on Judiciary.

Discussion resumed, on Mr. Hamlin's amendment to Mr. Tandy's motion, by Messrs. Tandy, Hamlin, Noble and Hussman.

Mr. Speaker explained that the motion, as amended, meant that the chairmen of the various committees are obliged to bring out all bills with the exception of those needing more time for consideration; thus preventing the pocketing of all bills in committees, the only exception being if the bill, for some specific reason, is held for further consideration.

At 11:46 a. m. Mr. Kenny moved that the Assembly adjourn until 2 p. m.

Carried.

## HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the chair.

Quorum present.

## REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Joint Resolutions Nos. 12 and 13, and Assembly Bills Nos. 66, 67, 68 and 69, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

## MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker announced that earlier in the session a Committee on Acoustics, consisting of Messrs. Malone, Johnson and Brown, was appointed, and at this time Controller Peterson has valuable information on acoustics, and that the committee get in touch with Mr. Peterson and report back results.

Mr. Speaker also announced that Mr. Tandy's motion was very much in order this morning, but the purpose of the amendment was to expedite matters in getting out dilatory bills. He asked that all chairmen submit a list of bills in their possession and date received.

Mr. Malone moved that Senate Bill No. 8 be taken from the table and referred to the Committee on Judiciary.

Carried.

Mr. Strosnider asked to have his name marked present on the roll call this morning.

Request granted.

Without objection Assembly Bill No. 50 was withdrawn by Mr. Anderson.

Without objection Assembly Bills Nos. 38 and 39 were withdrawn by Mr. Beverly.

## INTRODUCTION AND FIRST READING

By Mr. Goodin (by request) :

Assembly Bill No. 74—An Act providing for and requiring licensing and regulating of operators of milk-gathering stations, manufactories and plants, providing penalties for the violation hereof, and other matters properly connected therewith.

Mr. Goodin moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Agriculture.

Carried.

By Messrs. Wheelwright and Beverly :

Assembly Bill No. 75—An Act to amend an Act entitled "An Act providing for the manufacture of metal automobile license plates and road signs for the use of the State of Nevada, or other States, designating the Warden of the Nevada State Prison to carry out the provisions

of this Act, providing an appropriation therefor, and other matters relating thereof," approved March 30, 1931.

Mr. Beverly moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on State Prison and Insane Asylum.

Carried.

By Mr. Cahill:

Assembly Bill No. 76—An Act to repeal an Act entitled "An Act to provide for cooperative agricultural and home economics extension work in the several counties in accordance with the Smith-Lever Act of Congress, approved May 8, 1914; providing for the organization of County Farm Bureaus; for county and State cooperation in support of such work; making an annual appropriation therefor, levying a tax and for other purposes," approved April 1, 1919, being section 347 et seq. of Compiled Laws of Nevada 1929, and repealing all Acts and parts of Acts in conflict herewith.

Mr. Cahill moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to a Joint Committee on Ways and Means and Live Stock.

Carried.

By Mr. Taber (by request):

Assembly Bill No. 77—An Act to amend section 29 of an Act entitled "An Act to incorporate the town of Elko, in Elko County, and defining the boundaries thereof, and to authorize the establishing of a city government therefor, and other matters relating thereto," approved March 14, 1917.

Mr. Taber moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Elko County Delegation.

Carried.

Mr. Bugbee was granted permission to revert to order of business No. 4.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on State Institutions has had Assembly Bill No. 63 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

FRANK BUGBEE, *Chairman.*

At 2:17 p. m. house recessed.

#### HOUSE IN SESSION

At 2:23 p. m.

Mr. Speaker in the chair.

Quorum present.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Counties and County Boundaries has had Senate Bill No. 9 under consideration, and begs leave to report favorably on the same.

CLYDE P. JOHNSON, *Chairman.*

## MOTIONS, RESOLUTIONS AND NOTICES

Mr. McAuliffe moved that 300 copies of Assembly Concurrent Resolution No. 3 be printed.

Carried.

Mr. Cahlan moved that all bills reported back from committees be placed on top of the file for third reading and final passage.

Mr. Tandy, Chairman of Committee on Engrossment, arose to a point of parliamentary procedure regarding the preparation of bills, the brackets and asterisks being omitted in many instances.

Mr. Speaker announced that it was very essential that the bills should appear according to the rules.

## INTRODUCTION AND FIRST READING

By Mr. Tandy (by request):

Assembly Bill No. 78—An Act to amend section 25 of an Act entitled "An Act to make uniform the law of partnerships," approved March 12, 1931 (chap. 74, Statutes of 1931, page 112).

Mr. Tandy moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Cahill:

Assembly Bill No. 79—An Act to amend sections 9, 11, 12 and 13 of an Act entitled "An Act concerning public schools, and repealing certain Acts relating thereto," approved March 20, 1911, being sections 5658, 5660, 5661 and 5662 N. C. L. 1929, and repealing all Acts and parts of Acts in conflict herewith.

Mr. Cahill moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to a Joint Committee on Education and Ways and Means.

Carried.

## GENERAL FILE AND THIRD READING

Assembly Bill No. 63.

Remarks by Mr. Taber.

Roll call on Assembly Bill No. 63:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—38.

NAYS—None.

Absent—Mr. Kenny.

Not voting—Mr. Perrson.

Assembly Bill No. 63 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 9.

Remarks by Mr. Cahlan.

Roll call on Senate Bill No. 9:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Rayercraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—39.

NAYS—None.

Absent—Mr. Wheelwright.

Senate Bill No. 9 having received a constitutional majority, Mr. Speaker declared it passed.

Without objection Mr. Speaker signed Assembly Bill No. 22.

#### PRESENTATION OF PETITIONS

A letter from the Leisure Hour Club was read and filed.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Judiciary and Lander County Delegation has had Senate Bill No. 10 under consideration, and report favorably on the same, with the recommendation that it do pass.

G. J. KENNY, *Chairman.*

*Mr. Speaker:*

Your Committee on Judiciary has had under consideration Assembly Bill No. 43, and beg leave to report same with the following amendments:

Amendment No. 1—On page 1, line 4, strike out the word "city."

Amendment No. 2—On page 2, line 1, strike out the word "city."

Amendment No. 3—On page 2, line 3, strike out the words "or any city therein."

Amendment No. 4—On page 2, line 3, after the word "county" insert a comma and strike out the word "thereof," and insert thereafter the words "municipality or school districts."

Also, Assembly Bill No. 17, and reports unfavorably on the same, with the recommendation that it do not pass.

Also, Assembly Bill No. 28, and reports favorably on the same, with the recommendation that it do pass with the following amendments:

Amendment No. 1—On page 2, line 25 of section 1, strike out the word "twenty," and insert in lieu thereof "ten."

Amendment No. 2—On page 2, line 29 of section 1, strike out the word "ten," and insert in lieu thereof the word "five."

Amendment No. 3—On page 3, line 1 of section 1, strike out the words "twenty-day," and insert in lieu thereof "ten-day."

Amendment No. 4—Strike out all of section 2 on page 3.

Amendment No. 5—On page 3, line 9, strike out the word and figure "Sec 3," and insert in lieu thereof "SEC. 2."

Amendment No. 6—Strike out all of section 4 of the bill.

Amendment No. 7—Add a new section to the bill to be known as section 3 reading as follows: SEC. 3. This Act shall take effect immediately upon its passage and approval.

Amendment No. 8—Strike out all of section 4.

Also, Assembly Joint Resolution No. 5, and reports unfavorably on the same, with the recommendation that it do not pass.

G. J. KENNY, *Chairman.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Cahlan moved that the bills reported back from the committees be placed on top of the file for third reading and final passage.

Carried.

Mr. Tandy asked that Senate Bill No. 10 be placed on top of the file.



## GENERAL FILE AND THIRD READING

Senate Bill No. 10.

Remarks by Mr. Tandy.

Roll call on Senate Bill No. 10:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—40.

NAYS—None.

Senate Bill No. 10 having received a constitutional majority, Mr. Speaker declared it passed.

Without objection Mr. Speaker signed Assembly Bills Nos. 23 and 41.

Mr. Strosnider moved that Assembly Bill No. 17 be laid on the table. Carried.

Assembly Bill No. 43.

Remarks by Messrs. Tandy, Murphy and Dunseath.

Amendments proposed by Committee on Judiciary:

Amendment No. 1—On page 1, line 4, strike out the word "city."

Mr. Kenny moved adoption of amendment.

Carried.

Amendment No. 2—On page 2, line 1, strike out the word "city."

Mr. Kenny moved adoption of amendment.

Carried.

Amendment No. 3—On page 2, line 3, strike out the words "or any city therein."

Mr. Kenny moved adoption of amendment.

Carried.

Amendment No. 4—On page 2, line 3, after the word "county" insert a comma and strike out the word "thereof," and insert there-after the words "municipality or school districts."

Mr. Kenny moved adoption of amendment.

Amendment proposed by Mr. Taber to Judiciary Committee Amendment No. 4: Amend Judiciary Committee Amendment No. 4 to Assembly Bill No. 43 by striking out the words in said amendment: "and strike out the word thereof."

Remarks by Messrs. Kenny, Dunseath and McAuliffe.

Mr. Kenny moved that Assembly Bill No. 43 be rereferred to the Committee on Judiciary.

Carried.

Assembly Bill No. 28.

Remarks by Mr. Dunseath stating that bill had been previously read down to last section.

Amendments proposed by Committee on Judiciary:

Amend No. 7—Add a new section to the bill to be known as section 3 reading as follows: SEC. 3. This Act shall take effect immediately upon its passage and approval.

Mr. Dunseath moved adoption of amendment.

Carried.

Amendment No. 8—Strike out all of section 4 of the bill.

Mr. Dunseath moved adoption of amendment.

Carried.

Roll call on Assembly Bill No. 28:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Stro-sider, Taber, Tandy, Wheelwright and Mr. Speaker—39.

NAYS—None.

Absent—Mr. Noble.

Assembly Bill No. 28 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Joint Resolution No. 5.

Mr. Kenny moved that Assembly Joint Resolution No. 5 be laid on the table.

Carried.

Mr. Smith moved that the Assembly adjourn until 10 o'clock tomorrow morning.

Mr. Dunseath asked that order of business No. 10 be referred to.

Mr. Smith withdrew motion.

#### INTRODUCTION AND FIRST READING

By Washoe County Delegation:

Assembly Bill No. 80—An Act to establish commissioner districts in the county of Washoe, and providing for the election of members of the Board of County Commissioners thereof.

Mr. Dunseath moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Washoe County Delegation.

Carried.

At 4:05 p. m. Mr. Smith moved that the Assembly adjourn until Tuesday, February 7, 1933, at 11 a. m.

Carried.

Approved:

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,

*Chief Clerk of the Assembly.*

## THE TWENTY-THIRD DAY

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CARSON CITY (Tuesday), February 7, 1933.

Assembly called to order at 11 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Cahlan, Dunseath, Hussman and Smith.

Prayer by Rev. Porter.

On motion of Mr. Persson the reading of the Journal was dispensed with, and Mr. Speaker and the Chief Clerk authorized to make any necessary corrections.

### PRESENTATION OF PETITIONS

Without objection the petitions that were delivered to the Assembly yesterday by the Governor were referred to the Committee on Ways and Means.

### INTRODUCTION AND FIRST READING

By Mr. Carroll:

Assembly Joint Resolution No. 15, memorializing Congress in favor of the early passage of Senate Bill No. 3606, known as the Pittman bill.

Mr. Carroll moved that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Mines and Mining.

Carried.

By Mr. Stewart:

Assembly Joint Resolution No. 16, memorializing Congress and the Secretary of Agriculture of the United States for relief in the matter of grazing fees for live stock upon the national forests.

Mr. Stewart moved that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Live Stock.

Carried.

At 10:13 a. m. Mr. Cobb moved that Assembly recess for an hour to permit committees to bring out some bills.

Carried.

### HOUSE IN SESSION

At 11:30 a. m.

Mr. Speaker in the chair.

Quorum present.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copy of Assembly Bill No. 62, hereto attached, is correct copy of the triplicate thereof in its possession.

Attention is called to page 30, line 30, at first parenthesis, change (a) to (b) of original, triplicate and bound copy on motion of introducer.

DOUG. H. TANDY, *Chairman.*

Without objection the Chief Clerk was instructed to make corrections on copies of Assembly Bill No. 62.

*Mr. Speaker:*

Your Committee on Trades and Manufactures has had Assembly Bill No. 27 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

A. BLUNDELL, *Chairman.*

*Mr. Speaker:*

Your Committee on Enrollment has carefully compared Assembly Enrolled Bills Nos. 22, 23 and 41, with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. H. BARNES, *Chairman.*

*Mr. Speaker:*

Your Select Committee on Assembly Bill No. 59 has had said bill No. 59 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

ERNEST S. BROWN, *Chairman.*

Without objection Mr. Speaker signed Senate Bills Nos. 9 and 10.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 59.

Mr. Kenny moved that Assembly Bill No. 59 be indefinitely postponed.

Roll call on motion to indefinitely postpone:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Carroll, Cobb, Cooper, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—38.

NAYS—None.

Absent—Messrs. Cahlan and Dunseath—2.

The motion having received a constitutional majority, Mr. Speaker declared the bill indefinitely postponed.

Mr. Noble asked that Mr. Dunseath be excused for the day.

Request granted.

Assembly Bill No. 29.

Mr. Dunseath being absent, this bill was not read.

#### PRESENTATION OF PETITIONS

A petition regarding the American Indian was referred to the Committee on Military and Indian Affairs.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 70, 71, 72, 73, 74, 75, 76, 77, 78 and 79, and Assembly Joint Resolution No. 14, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

Mr. Speaker asked Mr. Noble to take the chair.

Mr. Noble in the chair.

At 11:47 a. m. house at ease.

### HOUSE IN SESSION

At 11:57 a. m.

Mr. Speaker in the chair.

Quorum present.

Remarks by Mr. Tandy that only two committees are functioning.

Mr. Cahlan asked to be marked present.

At 11:55 a. m. house at ease until chairmen of committees submit reports on bills.

### HOUSE IN SESSION

At 11:58 a. m.

Mr. Speaker in the chair.

Quorum present.

At 11:59 a. m. Mr. Black moved that the Assembly recess until 1 p. m.

Carried.

### HOUSE IN SESSION

At 1:05 p. m.

Mr. Speaker in the chair.

Quorum present.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 77 and 80, and Assembly Concurrent Resolution No. 3, hereto attached, are correct copies of the triplicates thereof in its possession.

Doug. H. TANDY, *Chairman.*

*Mr. Speaker:*

Your Committee on Judiciary has had Assembly Bill No. 48, and Senate Bill No. 8 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

Also, has had under reconsideration Assembly Bill No. 43, and begs leave to report favorably on the same, with the following additional amendment: On page 2, line 3, after the word "county" insert a comma, and trike out the word "thereof," and insert thereafter the words "municipality or school district therein."

G. J. KENNY, *Chairman.*

*Mr. Speaker:*

We, the majority of your Committee on Judiciary, having had Assembly Joint Resolution No. 2 under consideration, beg leave to report favorably on the same with the recommendation that it do pass with the following amendments: Beginning on page 1, line 6, after the word "government," strike out all of the words next following, to and including the word "prescribe," on line 8, page 1, and insert in lieu thereof the words "in the city of Las Vegas, county of Clark, and in the city of Elko, county of Elko."

ERNEST S. BROWN,      WILLIAM F. TABER,  
HARRY DUNSEATH,      L. F. ANDERSON,  
FRED STROSNIDER,      WM. D. HATTON,

*Majority Judiciary Committee.*

*Mr. Speaker:*

The minority of your Committee on Judiciary, having had Assembly Joint

Resolution No. 2 under consideration, begs leave to report favorably on the same with the recommendation that it do pass with the following amendment: Beginning on page 1, line 6, after the word "government," strike out all the words next following, to and including the word "prescribe," on line 8, page 1, and insert in lieu thereof the words "and in the city of Las Vegas, county of Clark."

G. J. KENNY,  
*Minority Judiciary Committee.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Without objection Assembly Bill No. 53 was withdrawn and returned to Messrs. Kenny and Cahlan.

Without objection Assembly Bill No. 44 was withdrawn and returned to Mr. Cahlan.

Mr. Tandy arose to a point of parliamentary procedure, that when bills are returned from the Committee on Engrossment the Bill Clerk should take bills to the committees immediately thereafter and take the receipts of the various chairmen.

Mr. Kenny moved that Senate Bill No. 8 be an emergency measure, and that it be placed on top of the file for third reading and final passage.

Mr. Taber moved that Assembly Bill No. 43, and all other bills returned from committees, be placed on top of the file for third reading and final passage.

#### INTRODUCTION AND FIRST READING

By Mr. Anderson:

Assembly Bill No. 81—An Act to amend an Act entitled "An Act relating to bonds issued by counties, cities, towns, school districts, and other municipal corporations, and repealing all Acts and parts of Acts in conflict therewith," approved March 23, 1927.

Mr. Anderson moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title and referred to Committee on Counties and County Boundaries.

Carried.

By Messrs. Cahlan and Kenny:

Assembly Bill No. 82—An Act to amend an Act entitled "An Act to provide and regulate procedure in certain matters relating to actions for divorce," approved March 30, 1931.

Mr. Kenny moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

#### GENERAL FILE AND THIRD READING

Senate Bill No. 8.

Remarks by Messrs. Tandy and Kenny.

Roll call on Senate Bill No. 8:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee,

Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—38.

NAYS—None.

Absent—Messrs. Dunseath and Johnson—2.

Senate Bill No. 8 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 43.

Bill read third time.

Amendment proposed by Committee on Judiciary: Amendment No. 1—On page 1, line 4, strike out the word "city."

Mr. Taber moved adoption of amendment.

Carried.

Amendment No. 2—On page 2, line 1, strike out the word "city."

Mr. Taber moved adoption of amendment.

Carried.

Amendment No. 3—On page 2, line 3, strike out the words "or any city therein."

Mr. Taber moved adoption of amendment.

Carried.

Amendment No. 4—On page 2, line 3, after the word "county" insert a comma, and strike out the word "thereof," and insert thereafter the words "municipality or school district therein."

Mr. Kenny moved adoption of amendment.

Carried.

Remarks by Messrs. Tandy and Taber.

Roll call on Assembly Bill No. 43:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Ebert, Goodin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Dunseath, Hamlin and Johnson—3.

Assembly Bill No. 43 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Bill No. 48.

Bill read third time.

Remarks by Mr. Black.

Roll call on Assembly Bill No. 48:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—38.

NAYS—None.

Absent—Messrs. Dunseath and Johnson—2.

Assembly Bill No. 48 having received a constitutional majority, Mr. Speaker declared it passed.

At 1:50 p. m. Mr. Black moved that the Assembly adjourn until Wednesday, February 8, 1933, at 10 a. m.

Carried.

Approved:

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,

*Chief Clerk of the Assembly.*



**THE TWENTY-FOURTH DAY**

CARSON CITY (Wednesday), February 8, 1933.

Assembly called to order at 10 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Hatton, Johnson, McAuliffe and Taber. Messrs. McAuliffe and Johnson excused.

Prayer by Rev. Hersey.

On motion of Mr. Persson the reading of the Journal was dispensed with, and Mr. Speaker and the Chief Clerk authorized to make any necessary corrections.

**PRESENTATION OF PETITIONS**

A petition from the Public Service Commission of Nevada was filed, with accompanying documents, for future reference.

A petition from the National Association of Finance at Chicago was referred to the Committee on Ways and Means.

**MOTIONS, RESOLUTIONS AND NOTICES**

House Joint Resolution No. 2 was referred to the Committee on Ways and Means.

Mr. Smith moved that Assembly Bill No. 27 be rereferred to the Committee on Trade and Manufactures.

Mr. Lage stated that the mailing room reports that one thousand copies of the bills are insufficient for the mailing list, and moved that an extra hundred copies be printed.

Carried.

**INTRODUCTION AND FIRST READING**

By Committee on Ways and Means:

Assembly Bill No. 83—An Act making appropriation for the support of the civil government of the State of Nevada for the fiscal years ending June 30, 1934-1935.

Mr. Cahill moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Engrossment.

Carried.

At 10:15 a. m. house recessed for one hour to give committees an opportunity to bring out some bills.

**HOUSE IN SESSION**

At 11:45 a. m.

Mr. Speaker in the chair.

Quorum present.

Without objection Mr. Speaker signed Senate Bill No. 8.

## INTRODUCTION AND FIRST READING

By Mr. Cahlan:

Assembly Bill No. 84—An Act authorizing and empowering Boards of County Commissioners to pass ordinances regulating the speed, use and operation of motor vehicles on public roads and highways in their respective counties, and to declare a violation of such ordinances a misdemeanor, and other matters properly connected therewith.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Roads and Highways.

Carried.

By Mr. Dunseath:

Assembly Bill No. 85—An Act to amend section 7 of an Act entitled "An Act to regulate surveyors and surveying," approved November 29, 1861, being section 2170 N. C. L. 1929.

Mr. Dunseath moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Persson:

Assembly Bill No. 86—An Act to amend section 2 of an Act entitled "An Act to provide surety bonds for State, district, county, township, and city officers at public expense," approved March 21, 1925, being section 4903 Nevada Compiled Laws 1929.

Mr. Persson moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

## REPORTS OF COMMITTEES

*Mr. Speaker:*

The majority of your Committee on Judiciary have had Assembly Joint Resolution No. 2 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass with the following amendments: Beginning on page 1, line 6, after the word "government," strike out all of the words next following, to and including the word "prescribe," in line 8, page 1, and insert in lieu thereof the words "in the city of Las Vegas, county of Clark, and in the city of Elko, county of Elko."

ERNEST S. BROWN,	WILLIAM F. TABER,
HARRY DUNSEATH,	L. F. ANDERSON,
FRED STROSNIDER,	WM. D. HATTON,

*Majority Judiciary Committee.*

*Mr. Speaker:*

The minority of your Committee on Judiciary have had Assembly Joint Resolution No. 2 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass with the following amendment: Beginning on page 1, line 6, after the word "government," strike out all the words next following, to and including the word "prescribe," in line 8, page 1, and insert in lieu thereof the words "and in the city of Las Vegas, county of Clark.

G. J. KENNY,

*Minority Judiciary Committee.*

Mr. Brown moved the adoption of the amendment of the majority report.

Mr. Kenny moved the adoption of the minority report.

Mr. Taber moved adoption of the majority report.

Mr. Speaker ruled that the amendments be acted on, not the reports.

Mr. Kenny moved to amend the motion of Mr. Brown by inserting the words "contained in the minority report in lieu thereof."

Remarks by Messrs. Taber and Tandy on majority report.

Remarks by Messrs. Kenny and Taber on minority report.

Amendment proposed by minority report lost.

Remarks by Messrs. Carroll and Tandy on majority report amendment.

Amendment proposed by majority report lost.

Discussion on Assembly Joint Resolution No. 2 by Messrs. Brown, Carroll and Moore.

Mr. Moore moved that Assembly Joint Resolution No. 2 be referred back to the Committee on Judiciary for further consideration.

Mr. Hamlin amended motion by referring bill to a Joint Committee on Judiciary and Ways and Means.

Remarks by Messrs. Kenny, Tandy, Moore, Hamlin and Cahlan.

Amendment proposed by Mr. Hamlin lost.

Original motion by Mr. Moore carried.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 81 and 82, and Assembly Joint Resolutions Nos. 15 and 16, hereto attached, are correct copies of the triplicates thereof in its possession.

Also, your committee hereby certifies that bound copy of Assembly Bill No. 83 is not yet in the committee, and committee suggests that the same take the usual course as to printing and reference.

DOUG. H. TANDY, *Chairman.*

*Mr. Speaker:*

Your Committee on State Prison and Insane Asylum had had Assembly Bill No. 75 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

C. L. NOBLE, *Chairman.*

Senator P. A. McCarran was escorted to the Speaker's desk and presented to the Assembly.

At 12:12 p. m. house recessed until 1:15 p. m.

#### HOUSE IN SESSION

At 1:15 p. m.

Mr. Speaker in the chair.

Quorum present.

Mr. Tandy moved that the house now resolve itself into a quasi committee of the whole and invite Hon. P. A. McCarran to address the Assembly.

Without objection house resolved into a quasi committee of the whole.

At the conclusion of Senator McCarran's address, Mr. Kenny moved that the distinguished visitor be extended a rising vote of thanks.

So ordered.

## MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body reprint of Joint Resolution No. 9, which this day passed the Senate, as amended, by the following vote: Yeas, 15; nays, none; absent, 2. Amend as follows: On page 2, line 2, after the word "seriously," insert the words "and favorably." On page 2, line 24, after the word "once," insert the words "by the Secretary of State."

Also, to return Assembly Bill No. 5, which passed, as amended: Yeas, 14; nays, 1; absent, 2. Amend as follows: Section 1, page 1, lines 7 and 8, strike the words and figure "at the rate of 7 per cent per annum thereon in addition," and substitute the following: "thereon at the rate of not more than 7 per cent per annum unless the judgment is founded upon a written contract specifically requiring a higher rate." Page 1, line 12, after the word "before," insert "the time of." Page 1, line 13, after the word "interest," insert "at the same rate." Page 2, line 2, after the word "interest," insert "as aforesaid."

Also, to return Assembly Bill No. 20, which passed, as amended: Yeas, 15; nays, none; absent 2. Amend as follows: Amend section 1 by striking out first three lines and substituting: SECTION 1. Section 4 of the above entitled Act (N. C. L. 1929, § 9478) is hereby amended to read as follows: On page 2, line 23, change semicolon to a period. Page 2, line 24, place the figure 4 before the word "from." Page 2, line 25, change the semicolon to a period. Page 2, line 26, place the figure 5 before the word "from." Amend section 2 by striking out all of same and substituting: SEC. 2. The above-entitled Act is hereby further amended by adding thereto a new section to be known as section 12 (N. C. L. 1929, section 9486), which section shall read as follows: SEC. 12. Whenever it shall appear to the court, upon the verified petitions of both the natural and adoptive parents of the child, that the welfare of the child will be promoted by the revocation of such adoption, the court may order such revocation, and shall cause the order of revocation to be entered in the minutes of the District Court where the proceeding is had. Upon there being filed and recorded in the office of the County Recorder of the county in which the proceeding is had a certified copy of such minute entry, it shall be notice to the world of the revocation of such adoption of the child. Amend title to read: An Act to amend "An Act to provide for the adoption of children," approved February 20, 1885.

LENA GALE,

*Assistant Secretary of the Senate.*

## MOTIONS, RESOLUTIONS AND NOTICES

Without objection Messrs. Taber and Hatton were marked present on the roll call.

Mr. Kenny was granted permission to revert to order of business No. 4.

## REPORTS OF COMMITTEES

*Mr. Speaker:*

The majority of your Committee on Judiciary has had Assembly Joint Resolution No. 13 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

G. J. KENNY,	L. F. ANDERSON,
ERNEST S. BROWN,	FRED STROSNIDER,
WILLIAM F. TABER,	WM. D. HATTON,

*Majority Judiciary Committee.*

*Mr. Speaker:*

The minority of your Committee on Judiciary has had Assembly Joint Resolution No. 13 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

HARRY DUNSEATH,

*Minority of Judiciary Committee.*

*Mr. Speaker:*

Your Committee on Judiciary has had under consideration Assembly Bill No. 65, and begs leave to report favorably on the same, with the recommendation that it do pass with the following amendment: On page 2, line 4, after the word "court," insert the following: "The District Court is further authorized to allow to the prevailing party a reasonable attorney's fee for services in that court."

G. J. KENNY, *Chairman.*

*Mr. Speaker:*

The majority of your Committee on Judiciary has had Assembly Joint Resolution No. 12 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

G. J. KENNY, WILLIAM F. TABER,  
ERNEST S. BROWN, L. F. ANDERSON,  
FRED STROSNIDER, WM. D. HATTON,

*Majority Judiciary Committee.*

*Mr. Speaker:*

The minority of your Committee on Judiciary has had Assembly Joint Resolution No. 12 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

HARRY DUNSEATH,  
*Minority Judiciary Committee.*

*Mr. Speaker:*

Your Committee on Judiciary has had under consideration Assembly Bill No. 72, and begs leave to report favorably on same, with the recommendation that it do pass, with the following amendment: On page 2, line 5, strike out the word "its," and insert in lieu thereof the word "his."

G. J. KENNY, *Chairman.*

*Mr. Speaker:*

Your Committee of Washoe County Delegation has had Assembly Bill No. 80 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

HARRY DUNSEATH, *Chairman.*

Without objection Assembly Bill No. 83, the Governor's Budget, was referred to the Committee on Ways and Means as suggested by Report of Committee on Engrossment.

Remarks by Mr. Speaker asking the committees to function in order that Lincoln's birthday might be observed by the Assembly.

At 1:51 p. m. Mr. Cahlan moved that the Assembly adjourn until Thursday, February 9, 1933, at 10 a. m.

Carried.

Approved:

FRED S. ALWARD,  
*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,  
*Chief Clerk of the Assembly.*

## THE TWENTY-FIFTH DAY

CARSON CITY (Thursday), February 9, 1933.

Assembly called to order at 10 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Lage, Johnson and McAuliffe.

Messrs. Johnson and McAuliffe were excused.

Prayer by Rev. Willis.

On motion of Mr. Persson the Journal was dispensed with, and Mr. Speaker and the Chief Clerk authorized to make any necessary corrections.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Select Committee composed of the Elko County Delegation has had Assembly Bill No. 77 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

L. F. ANDERSON,  
MORLEY MURPHY,  
CHAS. E. BUTLER,  
WILLIAM F. TABER,  
*Elko County Delegation.*

*Mr. Speaker:*

Your Committee on Judiciary has had under consideration Assembly Bills Nos. 54 and 55, and begs leave to report unfavorably on the same, with the recommendation that they do not pass.

G. J. KENNY, *Chairman.*

### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Bill No. 37, which this day passed the Senate, as amended, by the following vote: Yeas, 17; nays, none. Amend as follows: On page 2, lines 8 and 14, strike the word "gross" therefrom in both lines.

Also, to present for your consideration Senate Bill No. 13, which this day passed, as amended: Yeas, 17; nays, none. Amend as follows: Section 1, page 2, by striking lines 15 and 16.

Also, Senate Bill No. 14, which passed, as amended: Yeas, 17; nays, none. Amend as follows: Page 1, line 1, strike the words "upon the passage and approval of this Act." Page 1, line 2, capitalize the word "the." Add a new section to be known as section 2 to read as follows: SEC. 2. This Act shall take effect from and after its passage and approval.

Also, Senate Bill No. 28, which passed, as amended: Yeas 17; nays, none. Amend title as follows: In first line of title, after the word "drunkenness," insert words "or the excessive use of drugs or narcotics."

LENA GALE,  
*Assistant Secretary of the Senate.*

### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Cooper moved that Assembly Bill No. 54 be laid on the table.

Remarks by Mr. Tandy.

Carried.

Mr. Cooper moved that Assembly Bill No. 56 be laid on the table.  
Carried.

Mr. Cooper moved that Assembly Bill No. 55 be laid on the table.  
Carried.

Mr. Taber moved that the bills reported out of standing and select committees be placed on top of the file for third reading and final passage.

Remarks by Mr. Tandy.

Mr. Taber withdrew motion until file is cleared of present business.

Mr. Hussman moved that Assembly Bill No. 57 be rereferred to the Committee on Ways and Means.

Carried.

#### INTRODUCTION AND FIRST READING

Senate Joint Resolution No. 9.

Mr. Kenny moved that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Federal Relations.

Carried.

By Mr. Cahlan:

Assembly No. 87—An Act to amend section 10 of an Act entitled "An Act regulating the registration of electors for general, special, and primary elections," approved March 27, 1917, being section 2369 N. C. L. 1929.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Elections.

Carried.

By Mr. Cahlan:

Assembly Bill No. 88—An Act to amend section 9 of an Act entitled "An Act creating coroner districts, making the Justices of the Peace ex officio coroners, prescribing their duties and compensation, and repealing all Acts and parts of Acts in conflict with the provisions of this Act," approved March 16, 1909, being section 11433 of Nevada Compiled Laws of 1929.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Mr. Tandy amended motion by striking out the word "Judiciary," and inserting in lieu thereof the words "Counties and County Boundaries."

Amendment adopted.

By Mr. Carroll:

Assembly Bill No. 89—An Act regulating the operation of motor trucks and trailers upon public highways of the State of Nevada, limiting the hours of service of drivers of such motor trucks, limiting the maximum speed at which such motor trucks may be driven, prescribing the number and qualification of drivers of certain trucks, limiting

the maximum gross weight, width, height and length of motor trucks, and providing penalties for violation of this Act.

Mr. Carroll moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Roads and Highways.

Carried.

By Messrs. Heward and Brown:

Assembly Bill No. 90—An Act to amend section 154 of an Act entitled "An Act concerning crimes and punishments, and repealing certain Acts relating thereto," approved March 17, 1911.

Mr. Heward moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Dunseath:

Assembly Bill No. 91—An Act to amend section 872 of an Act entitled "An Act to regulate proceedings in civil cases in this State, and to repeal all other Acts relating thereto," approved March 17, 1911, being section 9361 N. C. L. 1929.

Mr. Dunseath moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

Senate Bill No. 13.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Clark County Delegation.

Carried.

Senate Bill No. 14

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Clark County Delegation.

Carried.

Senate Bill No. 28.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

Mr. Speaker asked Mr. Noble to take the chair.

Mr. Noble in the chair.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 75.

Amendment proposed by Committee on State Prison and Insane Asylum: Amend section 1 of Assembly Bill No. 75, page 2, line 5, by striking out the word "signs."



Mr. Kenny moved adoption of the amendment.

Remarks by Mr. Kenny.

Mr. Kenny moved that the bill be amended by striking out the words "and signs" on line 4, page 2, thereof.

Carried.

Without objection Mr. Lage's name was placed on the roll as being present.

Amendment proposed by Mr. Kenny to Assembly Bill No. 75: Amend section 1 of Assembly Bill No. 75 by striking out on line 2, page 2, the words "and signs."

Mr. Kenny moved adoption of the amendment.

Remarks by Messrs. Hussman, Cahill, Smith and Lage.

Mr. Kenny moved that Assembly Bill No. 75 be rereferred to the Committee on State Prison and Insane Asylum.

Remarks by Mr. Cahlan.

Motion lost.

Further discussion by Messrs. Taber, Alward and Kenny.

Mr. Alward moved that Assembly Bill No. 75 be rereferred to the Committee on State Prison and Insane Asylum.

Remarks by Mr. Kenny.

Motion withdrawn.

Mr. Kenny moved that his amendment be withdrawn.

Carried.

Amendment proposed by Mr. Tandy to Assembly Bill No. 75: Amend section 1, page 2, by striking the period, and inserting in line 5: "providing that the copper to be used must be produced in the State of Nevada."

Mr. Tandy moved adoption of amendment.

Remarks by Messrs. Kenny and Wheelwright.

Mr. Tandy withdrew amendment.

Remarks on the bill by Messrs. Hussman, Cahill, Tandy, Kenny, Alward, Cooper, Wheelwright, Cahlan, Bugbee and Goodin.

Roll call on Assembly Bill No. 75:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Ebert, Goodin, Hamlin, Hatton, Heward, Kenny, Lage, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Wheelwright and Mr. Speaker—36.

NAYS—Mr. Hussman.

Absent—Messrs. Dunseath, Johnson and McAuliffe—3.

Assembly Bill No. 75 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Speaker in the chair.

Assembly Bill No. 80.

Remarks by Mr. Malone.

Roll call on Assembly Bill No. 80:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin,

Hatton, Heward, Kenny, Lage, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Hussman, Johnson and McAuliffe—3.

Assembly Bill No. 80 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Joint Resolution No. 12.

Remarks by Messrs. Dunseath, Brown, Hamlin, Tandy, Goodin, Moore and Taber.

Roll call on Assembly Joint Resolution No. 12:

YEAS—Messrs. Black, Blundell, Cahill, Dunseath, Ebert, Heward, Hussman, Murphy, Smith, Stewart, Strosnider and Tandy—12.

NAYS—Messrs. Anderson, Barnes, Beverly, Brown, Bugbee, Butler, Cahlan, Carroll, Cobb, Cooper, Goodin, Hamlin, Hatton, Kenny, Lage, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Taber and Wheelwright—25.

Absent—Messrs. Johnson and McAuliffe—2.

Not voting—Mr. Speaker.

Assembly Joint Resolution No. 12 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Bugbee arose to a point of personal privilege, and asked that the banking investigation committee give him two days' notice so that he can have parties here to testify on the two closed banks in Yerington.

Mr. Speaker announced that an invitation was extended from the Chamber of Commerce to the legislators and their ladies to attend a reception at 8 o'clock this evening at Leisure Hour Hall.

Mr. Speaker announced that on account of complaints received from constituents in different parts of the State that bills are not reaching them, the Mailing Committee make a thorough investigation and ascertain what is wrong.

At 11:56 a. m. house recessed until 1:15 p. m.

#### HOUSE IN SESSION

At 1:15 p. m.

Mr. Speaker in the chair.

Quorum present.

#### GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 12.

Remarks by Messrs. Taber and Dunseath.

Mr. Taber asked that other bills be acted on first.

Assembly Bill No. 77.

Remarks by Mr. Taber.

Roll call on Assembly Bill No. 77:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Kenny, Lage, Malone, Moore, Murphy, Noble, O'Connor, Persson,

Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—36.

NAYS—None.

Absent—Messrs. Bugbee, Johnson and McAuliffe—3.

Not voting—Mr. Hussman.

Assembly Bill No. 77 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 65.

Amendment proposed by Committee on Judiciary: On page 2, line 4, after the word "court," insert the following: "The District Court is further authorized to allow to the prevailing party a reasonable attorney's fee for services in that court."

Mr. Kenny moved adoption of amendment.

Remarks by Messrs. Hatton and Hamlin.

Amendment carried.

Remarks by Messrs. Hatton and Moore.

Roll call on Assembly Bill No. 65:

YEAS—Messrs. Anderson, Barnes, Beverly, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Kenny, Lage, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—35.

NAYS—None.

Absent—Messrs. Hussman, Johnson and McAuliffe—3.

Not voting—Messrs. Black and Cobb—2.

Assembly Bill No. 65 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 83, 84, 85 and 86, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 72.

Amendment proposed by Committee on Judiciary: On page 2, line 5, strike out the word "its," and insert in lieu thereof the word "his."

Mr. Kenny moved adoption of amendment.

Motion carried.

Roll call on Assembly Bill No. 72:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Kenny, Lage, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Hussman, Johnson and McAuliffe—3.

Assembly Bill No. 72 having received a constitutional majority, as amended, Mr. Speaker declared it passed.

Mr. Cahlan granted permission to revert to order of business No. 4.

## REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Clark County Delegation has had Senate Bill No. 14 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

A. E. CAHLAN, *Chairman.*

*Mr. Speaker:*

Your Committee on Contingent Expenses and Accounts has had Assembly Bill No. 10 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass, as amended.

W. H. ROBERTS, *Chairman.*

## MOTIONS, RESOLUTIONS AND NOTICES

Mr. Carroll moved that the Assembly concur with the Senate on Assembly Bill No. 5.

Carried.

Without objection Senate Bill No. 14 was placed on top of the file for third reading and final passage.

Mr. Malone moved that Assembly Bill No. 49 be withdrawn from the Committee on Judiciary, and referred to the Committee on Contingent Expenses.

Carried.

Mr. Taber gave notice that on the next legislative day he would ask for a reconsideration of the vote on Assembly Joint Resolution No. 12.

## INTRODUCTION AND FIRST READING

By Mr. Kenny (by request):

Assembly Bill No. 92—An Act to amend section 1 of an Act entitled "An Act to give foreign corporations the benefits of the statute of limitations of this State on certain conditions," approved March 29, 1907, and being section 1848 Nevada Compiled Laws 1929.

Mr. Kenny moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Cahill:

Assembly Bill No. 93—An Act to amend sections 1 and 2 of an Act entitled "An Act relating to the marketing and sale of fish to Indians under certain restrictions, and providing penalties for the violation thereof," approved March 21, 1923, being sections 3150 and 3151 N. C. L. 1929.

Mr. Cahill moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Fish and Game.

Carried.

By Mr. Stewart:

Assembly Bill No. 94—An Act to amend an Act entitled "An Act to regulate traffic on the highways of this State, to provide punishment for violation thereof, and other matters properly connected therewith," approved March 21, 1925, as amended.

Mr. Stewart moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Live Stock.

Carried.

By Mr. Cahill:

Assembly Bill No. 95—An Act to amend the title of and to repeal sections 11, 12, 83 and 90, and to amend sections 13, 14, 15, 26, 29, 30, 32, 33, 35, 38, 42, 43, 45, 46, 47, 49, 65, 66, 67, 76, 79, 80, 87, 88, 91 and 94 of an Act entitled "An Act relating to and providing for the protection, propagation, restoration, domestication, introduction, purchase, and disposition of wild animals, wild birds and fish; creating certain offices, providing the method of selecting the officers therefor, defining the powers and duties of certain officers, and other persons; defining certain terms; providing for the licensing of and regulating of hunting, trapping, game farming and game fishing; authorizing the establishment, control and regulation of private fish hatcheries, State recreation grounds, sanctuaries and refuges, and the closing, opening and shortening of hunting and fishing seasons; regulating the transportation and possession of wild animals, wild birds and game fish; providing for the condemnation of property for certain purposes; providing for instruction in the game laws of this State in the public schools of this State; establishing certain funds and regulating expenditures therefrom, providing penalties for violation thereof, and repealing certain Acts and parts of Acts in conflict therewith," approved March 29, 1929 (being sections 3045, 3046, 3117, 3124, 3047, 3048, 3049, 3060, 3063, 3064, 3066, 3067, 3069, 3072, 3076, 3077, 3079, 3080, 3081, 3083, 3099, 3100, 3101, 3110, 3113, 3114, 3121, 3122, 3125 and 3128 of N. C. L. 1929), and repealing all Acts and parts of Acts in conflict herewith.

Mr. Cahill moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Fish and Game.

Carried.

At 1:53 p. m. Mr. Cahlan moved that the Assembly adjourn until Friday, February 10, 1933, at 10 a. m.

Carried.

Approved:

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,

*Chief Clerk of the Assembly.*

## THE TWENTY-SIXTH DAY

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CARSON CITY (Friday), February 10, 1933.

Assembly called to order at 10 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. McAuliffe and Johnson.

Without objection Messrs. McAuliffe and Johnson were excused on account of illness.

Prayer by Rev. Porter.

On motion of Mr. Persson the reading of the Journal was dispensed with, and the Chief Clerk and Mr. Speaker authorized to make any necessary corrections.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

The majority of your Committee on Judiciary, having had Senate Joint Resolution No. 1 under consideration, begs leave to report favorably on the same, with the recommendation that it do pass with the following amendments:

Amendment No. 1—On page 1, line 7, after the word "law," strike out the semicolon and insert a comma, and add thereafter the words "and in all criminal cases, by the consent of both parties, expressed in open court by the defendant and his counsel."

Amendment No. 2—On page 1, line 11, strike out the words "three-fourths," and insert in lieu thereof the words "five-sixths."

G. J. KENNY,  
FRED STROSNIDER,  
ERNEST S. BROWN,  
WM. D. HATTON,  
WILLIAM F. TABER,

*Majority Judiciary Committee.*

*Mr. Speaker:*

The minority of the Judiciary Committee, having had Senate Joint Resolution No. 1 under consideration, begs leave to report unfavorably on the same, with the recommendation that it do not pass.

HARRY DUNSEATH,  
L. F. ANDERSON,

*Minority Judiciary Committee.*

*Mr. Speaker:*

Your Committee on Judiciary, having had Senate Bill No. 28 under consideration, begs leave to report favorably on the same, with the recommendation that it do pass.

G. J. KENNY, *Chairman.*

*Mr. Speaker:*

The majority of your Committee on Mines and Mining has had Assembly Bills Nos. 6 and 7 under consideration, and begs leave to report unfavorably on the same, with the recommendation that they do not pass.

FRANK BUGBEE, *Chairman.*

*Mr. Speaker:*

The minority of your Committee on Mines and Mining has had Assembly Bills Nos. 6 and 7 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

M. C. HAMLIN.

Without objections Assembly Bill No. 67 was rereferred to the Committee on Mines and Mining.

MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Joint Resolution No. 10, which this day passed the Senate, as amended, by the following vote: Yeas, 17; nays, none. Amend as follows: Add, on page 2, line 5, after the word "survey": "much of the mineral land being as yet unsurveyed and unplatted."

Also, to present for your consideration Senate Bill No. 19, which passed: Yeas, 17; nays, none.

Also, Senate Joint Resolution No. 10, which passed: Yeas, 17; nays, none.

LENA GALE,

*Assistant Secretary of the Senate.*

MOTIONS, RESOLUTIONS AND NOTICES

Without objection, upon motion of Mr. Cahlan, all bills reported out of committees were placed on top of the file for third reading and final passage.

Mr. Hamlin moved the adoption of the minority report on Assembly Bill No. 6.

Roll call asked for by Messrs. Hamlin, Tandy and Cobb.

Remarks by Messrs. Hamlin and Bugbee.

Roll call on adoption of minority report:

YEAS—Messrs. Cobb, Dunseath, Hamlin, Tandy and Wheelwright—5.

NAYS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cooper, Ebert, Goodin, Hatton, Heward, Hussman, Kenny, Lage, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider and Taber—32.

Absent—Messrs. Johnson and McAuliffe—2.

Not voting—Mr. Speaker.

Motion lost.

Without objection Assembly Bills Nos. 6 and 7 were withdrawn and returned to Mr. Hamlin.

Mr. Taber moved for a reconsideration of the vote on Assembly Joint Resolution No. 12.

Roll call asked for by Messrs. Tandy, Dunseath and Goodin.

Remarks by Messrs. Dunseath, Cahill, Tandy, Malone, Cobb, Goodin, Bugbee, Hamlin, Smith and Taber.

Roll call on whether vote on Assembly Joint Resolution No. 12 should be reconsidered:

YEAS—Messrs. Anderson, Black, Blundell, Bugbee, Butler, Cooper, Dunseath, Ebert, Goodin, Hatton, Heward, Hussman, Murphy, O'Connor, Smith, Stewart, Strosnider, Taber, Tandy and Wheelwright—20.

NAYS—Messrs. Barnes, Beverly, Brown, Cahill, Cahlan, Carroll, Cobb, Hamlin, Kenny, Lage, Malone, Moore, Noble, Persson, Raycraft, Reynolds and Roberts—17.

Absent—Messrs. Johnson and McAuliffe—2.

Not voting—Mr. Speaker.

Motion carried.

Remarks by Messrs. Cahlan, Taber, Dunseath, Brown and Tandy.

Roll call on Assembly Joint Resolution No. 12:

YEAS—Messrs. Anderson, Black, Blundell, Bugbee, Butler, Cahill, Cooper, Dunseath, Ebert, Goodin, Heward, Hussman, Murphy, O'Connor, Smith, Stewart, Strosnider, Taber, Tandy and Wheelwright—20.

NAYS—Messrs. Barnes, Beverly, Brown, Cahlan, Carroll, Cobb, Hamlin, Hatton, Kenny, Lage, Malone, Moore, Noble, Persson, Raycraft, Reynolds and Roberts—17.

Absent—Messrs. Johnson and McAuliffe—2.

Not voting—Mr. Speaker.

Assembly Joint Resolution No. 12 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Without objection Mr. Speaker signed Assembly Bill No. 5.

At 11:03 a. m. house recessed.

### HOUSE IN SESSION

At 11:15 a. m.

Mr. Speaker in the chair.

Quorum present.

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Smith moved that the Assembly extend a vote of thanks to the Carson City Chamber of Commerce for their hospitality and entertainment Thursday evening, February 9, 1933.

Mr. Dunseath moved that Assembly Joint Resolution No. 13 be taken from the general file and placed on the table.

Carried.

Assembly Concurrent Resolution No. 4:

*Resolved by the Assembly of the State of Nevada, the Senate concurring,* That the Governor of the State of Nevada be and is hereby requested to return to the Assembly, for further consideration, Assembly Bill No. 22.

Mr. Kenny moved adoption of resolution.

Carried.

#### INTRODUCTION AND FIRST READING

By Mr. Tandy (by request):

Assembly Bill No. 96—An Act to prohibit advertising of beer in the State of Nevada in newspapers, on billboards, or by hand bills, signs, moving pictures, slides or otherwise, and fixing a penalty for violation hereof.

Without objection A. B. No. 96 was read for first time and referred to Committee on Roads and Highways.

By Mr. Stewart:

Assembly Bill No. 97—An Act fixing the salaries, compensation, and mileage of the County Commissioners of Humboldt County, Nevada, and repealing all Acts and parts of Acts in conflict herewith.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Humboldt County Delegation.



By Mr. Dunseath:

Assembly Bill No. 98—An Act to regulate the professional nursing of the sick in the State of Nevada, providing for the examinations and issuing of certificates to graduate nurses, and providing penalties for the violation of this Act, and repealing all Acts and parts of Acts in conflict herewith.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

By Mr. Cahlan:

Assembly Bill No. 99—An Act to repeal section 12 of an Act entitled "An Act concerning juries," approved March 5, 1873, being section 8482 of N. C. L. 1929.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Cahlan (by request):

Assembly Bill No. 100—An Act to amend sections 1 and 2 of an Act entitled "An Act to fix the fees and mileage of witnesses and jurors, providing the manner of payment thereof, and to repeal all Acts and parts of Acts in conflict herewith," approved March 26, 1919, being sections 8490 and 8491 of N. C. L. 1929.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

#### GENERAL FILE AND THIRD READING

Senate Bill No. 14.

Remarks by Mr. Cahlan.

Roll call on Senate Bill No. 14:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, Malone, Moore, Murphy, Noble, O'Connor, Persson, Rayercraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—38.

NAYS—None.

Absent—Messrs. Johnson and McAuliffe—2.

Senate Bill No. 14 having received a constitutional majority, Mr. Speaker declared it passed.

Without objection, on motion of Mr. Dunseath, Assembly Bill No. 10 was made a special order of business for next Tuesday afternoon at 2 o'clock.

Senate Bill No. 28.

Remarks by Mr. Cahlan.

Roll call on Senate Bill No. 28:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, Malone, Murphy, Noble, O'Connor,

Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Johnson, McAuliffe and Moore—3.

Senate Bill No. 28 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Joint Resolution No. 1.

Amendments proposed by Committee on Judiciary:

Amendment No. 1—On page 1, line 7, after the word “law” strike out the semicolon and insert a comma, and add thereafter the words “and in all criminal cases, by the consent of both parties, expressed in open court by the defendant and his counsel.”

Mr. Kenny moved adoption of amendment.

Remarks by Messrs. Tandy and Kenny.

Carried.

Amendment No. 2—On page 1, line 11, strike out the words “three-fourths” and insert in lieu thereof the words “five-sixths.”

Mr. Brown moved adoption of amendment.

Remarks by Messrs. Brown and Dunseath.

Mr. Dunseath moved adoption of the minority report.

Mr. Speaker ruled that the minority report was on the bill as a whole, not on the amendment.

Further discussion on the majority amendment by Messrs. Taber, Hatton and Tandy.

Mr. Cahlan arose to a point of order asking whether remarks were on the amendment or on the bill.

Mr. Speaker declared discussion was on amendment whether it be a five-sixths or three-fourths jury.

Continuation of the discussion on the amendment by Messrs. Tandy, Brown, Kenny, Smith, and Dunseath.

Mr. Cahlan moved Assembly recess until 1:15 p. m.

Mr. Speaker declared motion out of order.

Amendment proposed by Mr. Smith to Judiciary Committee amendment: Amend section 1 of S. J. R. No. 1 by amending the amendment of the Judiciary Committee by striking out the words “five-sixths” and insert the words “a majority.”

Mr. Smith moved the adoption of the amendment to the amendment.

Motion lost.

Motion on amendment proposed by Judiciary Committee.

Carried.

At 12:13 p. m. Mr. Cahlan moved that house recess until 1:15 p. m.

Carried.

#### HOUSE IN SESSION

At 1:15 p. m.

Mr. Speaker in the chair.

Quorum present.

## REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 87, 88, 89, 90, 91, 92, 93, 94 and 95, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

## GENERAL FILE AND THIRD READING

Consideration of Senate Joint Resolution No. 1 resumed.

Remarks by Messrs. Hamlin, Malone, Kenny, Cahlan, Dunseath, Smith, Taber and Tandy.

Mr. Malone moved previous question, seconded by Messrs. Dunseath and Cahlan.

Motion carried.

Roll call on Senate Joint Resolution No. 1:

YEAS—Messrs. Blundell, Brown, Cahlan, Carroll, Ebert, Goodin, Hatton, Heward, Hussman, Kenny, Noble, Stewart, Strosnider and Taber—14.

NAYS—Messrs. Anderson, Barnes, Beverly, Black, Bugbee, Butler, Cahill, Cobb, Cooper, Dunseath, Hamlin, Lage, Malone, Moore, Murphy, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith and Tandy—22.

Absent—Messrs. Johnson, McAuliffe and Wheelwright—3.

Not voting—Mr. Speaker.

Senate Joint Resolution No. 1 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

At 2:04 p. m. Mr. Smith moved that Assembly adjourn until Saturday, February 11, 1933, at 10 a. m.

Carried.

Approved:

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,

*Chief Clerk of the Assembly.*

## THE TWENTY-SEVENTH DAY

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CARSON CITY (Saturday), February 11, 1933.

Assembly called to order at 10 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Black, Heward and McAuliffe, who were excused.

Prayer by Rev. Porter.

On motion of Mr. Persson, the reading of the Journal was dispensed with, and Mr. Speaker and the Chief Clerk instructed to make any necessary corrections.

Mr. Speaker announced that he had appointed Messrs. Dunseath and Moore to meet with the Public Service Commission, who are now in session, and report back at the proper time.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Roads and Highways has had Assembly Bill No. 84 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

W. H. GOOBIN, *Chairman.*

*Mr. Speaker:*

Your Committee on Counties and County Boundaries has had Assembly Bill No. 91 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

TOM P. EBERT, *Chairman.*

*Mr. Speaker:*

Your Committee on Live Stock has had Assembly Joint Resolution No. 16 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

L. F. ANDERSON, *Chairman.*

### MOTIONS, RESOLUTIONS AND NOTICES

By Mr. Dunseath:

Assembly Resolution No. 10—Requiring Nevada Industrial Commission to transmit to the Assembly immediately its annual report.

Mr. Dunseath moved adoption of the resolution.

Carried.

Without objection all bills reported out of committees were placed on top of the file for third reading and final passage.

Mr. Cahlan moved that a committee of three members be appointed to call on Pat McAuliffe and ascertain the status of his health, and carry the sympathy of the Assembly.

Carried.

Mr. Speaker appointed Messrs. Cahlan, Brown and Persson as the committee.

## INTRODUCTION AND FIRST READING

Senate Bill No. 19.

Mr. Persson moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Public Printing.

Remarks by Messrs. Hussman, Hamlin and Cahill.

Without objection Senate Bill No. 19 was referred to the Committee on Ways and Means.

Senate Joint Resolution No. 10.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to a Joint Committee on Agriculture and Irrigation.

By Mr. Reynolds:

Assembly Joint Resolution No. 17, relative to amending article IV of the Constitution of the State of Nevada.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Counties and County Boundaries.

By Committee on Military and Indian Affairs:

Assembly Joint Resolution No. 18, requesting Congress to abolish the Bureau of Indian Affairs and make provision for an allotment of lands and of trust funds to the Indians, under proper safeguards.

Mr. Raycraft moved that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Federal Relations.

Carried.

By Committee on Military and Indian Affairs:

Assembly Joint Resolution No. 19, requesting Congress and the Reconstruction Finance Corporation to make immediate provision for relief of Nevada Indians.

Mr. Raycraft moved that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Federal Relations.

Carried.

By Mr. Malone:

Assembly Bill No. 101—An Act requiring contractors to furnish bonds for faithful performance of their contracts and of their subcontractors, and for payment of all claims for labor and materials by said contractors and their subcontractors for construction of buildings for residence purposes, and matters properly connected therewith.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Trade and Manufactures.

By Mr. Bugbee (by request):

Assembly Bill No. 102—An Act to amend section 22 of an Act entitled "An Act relating to marriage and divorce," being section 9460

Nevada Compiled Laws 1929, as amended March 19, 1931 (Stats. 1931, p. 161).

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Hussman:

Assembly Bill No. 103—An Act suspending the jurisdiction of the District Courts of the State of Nevada in certain cases, and other matters properly relating thereto.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Lage:

Assembly Bill No. 104—An Act requiring the marking of boundaries of patented mining claims with permanent monuments.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Mines and Mining.

By Elko County Delegation:

Assembly Bill No. 105—An Act to amend an Act entitled "An Act providing for the incorporation of cities, their classification, the establishment and alteration of their boundaries, the government and disincorporation thereof, and repealing all Acts and parts of Acts in conflict therewith," approved March 27, 1907, as amended.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Washoe County Delegation.

Remarks by Messrs. Tandy, Brown and Kenny.

Mr. Tandy amends motion referring bill to Committee on Counties and County Boundaries.

Amendment carried.

By Mr. Dunseath:

Assembly Bill No. 106—An Act to amend section 1 of an Act entitled "An Act to provide books, equipment and materials free of charge to the pupils of the public schools, and to provide for and encourage the economic use thereof, and fixing penalties for its infraction, and repealing an Act in conflict herewith," approved March 14, 1913, being section 5895 Nevada Compiled Laws 1929.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

By Mr. Goodin:

Assembly Bill No. 107—An Act to amend sections 8 and 14, and to repeal sections 8a, 8b, and 8c of an Act entitled "An Act to provide a general highway law for the State of Nevada," approved March 23, 1917, as amended, and being Nevada Compiled Laws 1929, sections 5328, 5329, 5330, 5331 and 5337, and Statutes 1931, page 155.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Roads and Highways.

## GENERAL FILE AND THIRD READING

Assembly Bill No. 81.

Remarks by Messrs. Taber, Tandy, Cahlan, Bugbee and Hamlin.

Mr. Strosnider moved that Assembly Bill No. 81 be rereferred to the Committee on Counties and County Boundaries.

Mr. Hamlin amended motion referring bill to Committee on Judiciary for construction of the law as to whether this bill is constitutional.

Amended carried.

Assembly Bill No. 84.

Remarks by Messrs. Cahlan, Cahill, Cobb, Bugbee, Lage and Cooper.

Roll call on Assembly Bill No. 84:

YEAS—Messrs. Anderson, Beverly, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cooper, Ebert, Goodin, Hamlin, Hatton, Hussman, Kenny, Lage, Malone, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—32.

NAYS—Mr. Cobb.

Absent—Messrs. Barnes, Black, Dunseath, Heward, Johnson, McAuliffe and Moore—7.

Assembly Bill No. 84 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Joint Resolution No. 16.

Remarks by Mr. Stewart.

Roll call on Assembly Joint Resolution No. 16:

YEAS—Messrs. Anderson, Beverly, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Ebert, Goodin, Hamlin, Hatton, Hussman, Lage, Malone, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—32.

NAYS—None.

Absent—Messrs. Barnes, Black, Dunseath, Heward, Johnson, McAuliffe and Moore—8.

Assembly Joint Resolution No. 16 having received a constitutional majority, Mr. Speaker declared it passed.

## MOTIONS, RESOLUTIONS AND NOTICES

Mr. Smith moved that when the Assembly adjourn today it do so until 10 a. m. Tuesday in honor of the memory of Abraham Lincoln.

Carried.

By Mr. Goodin:

Assembly Concurrent Resolution No. 5, requesting the State Board of Education, Board of University Regents and Boards of School Trustees to give preference to graduates of University of Nevada in employment of teachers.

Mr. Goodin moved adoption of resolution.

Remarks by Messrs. Goodin, Smith, Cahill and O'Connor.

Mr. O'Connor moved that the resolution be printed and referred to Committee on Education.

Motion lost.

Mr. Brown announced that an invitation had been extended to members of the Agriculture and Irrigation Committees to attend a conference next Saturday, at 10 o'clock, at the Experiment Station of the University in Reno, at which time snow survey problems will be considered.

At 11:10 a. m. Mr. Cahlan moved the Assembly recess until 1 p. m.  
Carried.

#### HOUSE IN SESSION

At 1 p. m.

Mr. Speaker in the chair.

Quorum present.

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Bugbee moved that the Assembly concur in the Senate amendment to Assembly Joint Resolution No. 10.

Carried.

At 1:05 p. m. house at ease.

#### HOUSE IN SESSION

At 1:12 p. m.

Mr. Speaker in the chair.

Quorum present.

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Brown moved that the Assembly concur in Senate amendment to Assembly Bill No. 20.

Carried.

Mr. Brown moved that the Assembly do not concur in Senate amendment to Assembly Bill No. 37, and that a conference committee be appointed to confer with a like committee of the Senate respecting the amendment to Assembly Bill No. 37.

Carried.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 96, 97, 98, 99 and 100, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

*Mr. Speaker:*

A majority of your Committee on Banks and Banking has had Assembly Bill No. 64 under consideration, and begs leave to report the same without recommendation.

BOB MOORE,  
L. F. ANDERSON,  
A. BLUNDELL,  
J. H. CAHILL,

*Majority Committee on Banks and Banking.*



*Mr. Speaker:*

A minority of your Committee on Banks and Banking has had Assembly Bill No. 64 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass with the following amendments:

Amendment No. 1—Amend section 2 of Assembly Bill No. 64 by striking out the word "met" in line 5, page 2, and substituting therefor the word "meet."

Amendment No. 2—Amend section 2 by inserting, after the word "creditors," in line 25, page 3, the word "thereof."

Amendment No. 3—Amend said section 2 by striking out the words "the difference between" in lines 25 and 26, page 3.

Amendment No. 4—Amend section 2 by striking out the word "of" in line 26, page 3, and substituting therefor the words "by which."

Amendment No. 5—Amend said section 2 by striking out the word "and" in line 27, page 3, and substituting therefor the word "exceed."

Amendment No. 6—Amend section 3 of said bill by striking out the words "the difference between" in lines 22 and 23, page 4.

Amendment No. 7—Amend said section 3 by striking out the word "of" in line 23, page 4, and substituting therefor the words "by which."

Amendment No. 8—Amend said section 3 by striking out the word "and" in line 23, page 4, and substituting therefor the word "exceed."

Amendment No. 9—Amend said section 3, line 32, page 4, by striking out the words "the difference between," and changing the word "of" in said line to "by which."

Amendment No. 10—Amend section 3, line 33, by substituting the word "exceeds" for the word "and."

A. E. CAHLAN,  
ERNEST S. BROWN,  
WM. D. HATTON,

*Minority Committee on Banks and Banking.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Cahlan moved adoption of majority report on Assembly Bill No. 64.

Mr. Speaker ruled proper time for the motion was under third reading and final passage.

Mr. Hamlin moved that Assembly Bill No. 64 be made a special order of business for Thursday afternoon at 2 o'clock.

Remarks by Messrs. Cahlan, Hamlin, Noble, Tandy, Cahill, Taber and Smith.

Mr. Smith amended Mr. Hamlin's motion setting Assembly Bill No. 64 as a special order of business for 11 o'clock Tuesday morning.

Remarks by Messrs. Hamlin, Cahlan and Tandy.

Amendment carried.

Mr. Speaker named Messrs. Brown, Kenny and Hatton as the conference committee to meet with a like committee from the Senate on Assembly Bill No. 37.

At 1:35 p. m. house adjourned until Tuesday, February 14, 1933, at 10 a. m.

Approved:

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,  
*Chief Clerk of the Assembly.*

## THE THIRTIETH DAY

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CARSON CITY (Tuesday), February 14, 1933.

Assembly called to order at 10 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Mr. McAuliffe, who was excused.

On motion of Mr. Persson the reading of the Journal was dispensed with and Mr. Speaker and the Chief Clerk were authorized to make any necessary corrections.

### MESSAGES FROM THE GOVERNOR

*To the Honorable the Assembly:*

There is returned herewith Assembly Bill No. 22, being an Act to amend section 82 of an Act entitled "An Act to regulate proceedings in civil cases in this State and to repeal all other Acts in relation thereto," approved March 17, 1911.

An inspection of section 1 of this Act discloses a typographical error has been made which would possibly have the effect of voiding the Act, in the event of its being allowed to become a law, by the use of the word "appeal" instead of "repeal," in attempting to quote the title of the Act which it is proposed to amend.

I am advised that further amendments to this section are contemplated, and this being true, no good reason appears for allowing the Act to become a law without my signature, and the statutory time for returning a bill will have expired before your honorable body will reassemble if I allowed the bill to remain in my hands for the full constitutional time limit of five days for action.

For the foregoing reasons, I therefore return to your honorable body this bill without my approval.

Respectfully submitted,

F. B. BALZAR,

*Governor.*

*To the Honorable the Assembly:*

There is returned herewith Assembly Bill No. 5, being an Act to amend section 358 of an Act entitled "An Act to regulate proceedings in civil cases in this State and to repeal all other Acts in relation thereto," approved March 17, 1911, same being section 8856 Nevada Compiled Laws 1929, and to repeal all other Acts in conflict therewith.

In view of existing distressing financial conditions obtaining within the State of Nevada, it is apparent that the purpose of this Act is highly meritorious in attempting to afford relief to debtors who have been compelled to execute mortgages upon their property.

However, an examination of the Act discloses that it is unconstitutional because it seeks to impair the obligation of a contract in violation of section 15 of article 1 of the Constitution of Nevada which provides: "No bill of attainder *ex post facto law*, or law impairing the obligation of contracts, shall ever be passed."

In my opinion, the redemption statute in force and effect at the time of the execution of a mortgage (being section 8856 Nevada Compiled Laws 1929) becomes a part of the mortgage contract, and the Legislature cannot change this redemption as to existing mortgages without impairing the obligation of contracts which, of course, is unconstitutional.

The Supreme Court of California, in the case of *Haynes v. Treadway et al.*,

65 P. 892, held: "It is thus patent, upon its face, that a statute extending the right of possession in the mortgagor to a period of twelve months is a substantial impairment and obligation of a contract limiting the right of possession to six months, and this is confirmed by the Supreme Court of the United States in the case of *Barnitz v. Beverly*, 163 U. S. 118, 16 Sup. Ct. 1042, 41 Law Ed. 93, in which it was held: 'Without pursuing the subject further we hold that a statute which authorizes the redemption of property sold upon foreclosure of a mortgage, where no right of redemption previously existed, or which extends the period of redemption beyond the time formerly allowed, cannot constitutionally apply to a sale under a mortgage executed before its passage.'"

It is assumed that the intention of the author of this Act was to afford relief to mortgagors who executed mortgages under the terms of existing law, by extending the time for redemption of property sold on foreclosure sale from six months to one year, but, in view of the decision of the United States Supreme Court hereinabove referred to, I have no alternative but to decline to approve this law.

Assembly Bill No. 5 is therefore returned to your honorable body without my approval.

Very truly yours,

F. B. BALZAR,  
*Governor.*

Mr. Hamlin moved that the vetoed bills from the Governor become a special order of business for Friday morning at 11 o'clock.

Carried.

#### PRESENTATION OF PETITIONS

A resolution regarding the American Indian was referred to the Committee on Military and Indian Affairs.

A letter from the Nevada Federation of Women's Clubs relating to delinquent youth was referred to Committee on State Institutions.

A letter from the Nevada Federation of Women's Clubs relating to the gambling law was referred to Committee on Public Morals.

#### REPORT OF SELECT COMMITTEES

The Committee appointed to call on Pat McAuliffe reported Mr. McAuliffe much improved, and that he will attend the sessions as soon as he can.

At 10:15 house recessed for one half hour to permit committees to function.

#### HOUSE IN SESSION

At 10:55 a. m.

Mr. Speaker in the chair.

Quorum present.

Prayer by Father Smith.

*Mr. Speaker:*

Your Committee on Enrollment has carefully compared Assembly Enrolled Bill No. 5 with the engrossed copy, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. H. BARNES, *Chairman.*

#### SPECIAL ORDER OF BUSINESS

Assembly Bill No. 64.

Amendments proposed by Mr. Taber:

Amendment No. 1—Amend section 2 of said bill on page 2, beginning at line 3, by striking out the words "whenever the actual value

of the assets of any bank is insufficient to pay its liabilities, or when it," and insert in lieu thereof the words "whenever any bank."

Amendment No. 2—Amend section 2 of said bill, lines 10 and 11, page 2, by striking out the words and figures "ten per cent (10%)," and inserting in lieu thereof the words and figures "forty per cent (40%)."

Amendment No. 3—Amend section 2 of said bill, page 3, by striking out the last sentence of the first paragraph of said section.

Amendment No. 4—Amend section 2 of said bill, line 14, page 3, by striking out the words and figures "ten per cent (10%)," and inserting in lieu thereof the words and figures "forty per cent (40%)."

Mr. Taber moved adoption of amendments.

Remarks by Messrs. Cahlan, Hamlin and Tandy.

Mr. Speaker announced that all amendments will be read, in order to get them in mind before a vote is taken.

Amendment proposed by Mr. Cahill: Amend section 2, page 4, line 9, by striking out the period following the word "formed," and inserting in lieu thereof a semicolon, and adding the words: "*provided*, that the articles of incorporation shall provide that the corporation shall not issue any stock or any certificates of stock, but in lieu of such stock and stock certificates the corporation shall keep a record showing the names of depositors and other creditors of the bank, and shall file a copy of such record with the court which appointed the three persons to sign and acknowledge the articles of incorporation."

Amendment proposed by Mr. Malone: Amend section 2 of Assembly Bill No. 64 by striking out in line 10, page 2 of printed bill, the word "ten," and insert in lieu thereof the words "not less than twenty-five," and by striking out in line 11, page 2 of printed bill, the figures "10" and insert in lieu thereof the figures "25," and by striking out in line 14, page 3 of printed bill, the word "ten" and the figures "10," and inserting in lieu thereof the words "not less than twenty-five" and figures "25."

Amendments proposed by Mr. Black:

Amend section 2 of Assembly Bill No. 64 by inserting after the word "receiver," line 2, page 3 of the printed bill, the words "or receivers."

Insert after the word "preference," line 3, page 3, the words "in appointment."

Insert after the word "person" in line 3, page 3 of the printed bill, the words "or corporation legally qualified to act as such."

Strike out in lines 3 and 4, page 3, the word "ten" and insert in lieu thereof "fifty-one."

Insert in line 4, page 3, after the word "of," where it occurs the first time in said line, the words "deposits in amount of."

Strike out the period after the word "bank," line 5, page 3, and insert a comma and the following: "other than bank deposits, public or preferred deposits."

Strike out after the comma following the word "provided," line 7,

page 3, all the remainder of line 7, all of lines 8, 9, 10, and 11 and down to and including the word "creditors" in line 12.

Strike out in line 14, page 3, the word "ten" and insert in lieu thereof the word "fifty-one," and in the same line strike out the figures "10" and insert in lieu thereof the figures "51."

Insert after the word "receiver" at the end of line 18, page 3, the words "or receivers."

In lines 10 and 11 strike out "(10%) ten per cent" and insert in lieu thereof "fifty-one per cent (51%)."

Mr. Taber moved that due to confusion from so many amendments, Assembly Bill No. 64 be rereferred to the Committee on Banks and Banking.

Remarks by Messrs. Cahlan and Black.

Mr. Taber withdrew motion.

Mr. Black suggested that the whole bill be read before any action was taken on amendments.

Without objection Mr. Speaker signed Senate Bills Nos. 14 and 28.

At 11:31 a. m. house at ease.

#### HOUSE IN SESSION

At 11:34 a. m.

Mr. Speaker in the chair.

Quorum present.

Amendments proposed by Committee on Banks and Banking to section 3 of Assembly Bill No. 64:

No. 6—Amend section 3 of said bill by striking out the words "the difference between," in lines 22 and 23, page 4.

No. 7—Strike out the word "of" in line 23, page 4, and substitute therefor the words "by which."

No. 8—Strike out the word "and" in line 23, page 4, and substitute therefor the word "exceed."

No. 9—Line 32, page 4, strike out the words "the difference between," and change the word "of" in said line to "by which."

No. 10—Line 33, substitute the word "exceeds" for the word "and."

Amendment proposed by Mr. Cahill: Amend section 3, page 5, line 11, by striking out the period following the word "corporations," and inserting in lieu thereof a semicolon, and the following: "*provided*, that the corporation shall make monthly reports of its affairs to the court which appointed the three persons to sign the articles of incorporation, shall liquidate in full within three years from the date of incorporation and distribute the proceeds of such liquidation pro rata to the depositors and other creditors of the bank and, in the event there is a balance after such depositors and other creditors are paid in full, then to the stockholders or other owners of said bank, all in accordance with the orders of said court."

Amendment proposed by Mr. Cahill: Amend section 4, page 5, line 17, by striking out the period following the word "closed," and inserting in lieu thereof a semicolon, and the following: "*provided*, that the

provisions of this Act shall not apply to any deposits or claims by the State of Nevada or by any county, city or town in the State in any bank which now is closed."

Amendment proposed by Mr. Cahlan to the bill as a whole: Amend Assembly Bill No. 64 by adding a new section to be known as section 5a, to read as follows: SEC. 5A. Section 3 of said Act is hereby repealed.

Amendments proposed by Mr. Tandy to the bill as a whole: Amend Assembly Bill No. 64 by striking out all after the enacting clause, and inserting in lieu thereof the following:

SECTION 1. The State Board of Finance, upon application of the officers or directors or on demand of any person or persons representing 51 per cent of the total amount due the depositors and unsecured creditors of any State bank, savings bank or trust company or private bank doing a banking business, shall take over the management of any such bank or trust company, and shall manage the same either by its officers or a part thereof or by any suitable person or persons said board may select for such purpose. Such management, however, not to exceed beyond one year from the taking possession except with the consent of the State Board of Finance. During the period of such management by the board, all the remedies at law or in equity of any creditor or stockholder shall be suspended, and the statute of limitations against such claim shall be suspended during such period.

SEC. 2. Whenever the management of any banking institution shall have been taken over as provided in section 1 of this Act, the board shall proceed to wind up the affairs of such institution as provided by the law; or may continue the operation of the same, holding all deposits in the same, taking in deposits and carrying on the same under such rules and regulations as the board may make for the conduct of its business, and deem for the best interest of the debtors and creditors of such institution. If such institution is kept open for business under the management of the banking department, and new deposits are received, such deposits shall be segregated, and any new assets acquired on account of such deposits shall be segregated and held in trust especially for such new deposits.

SEC. 3. If in the opinion of the State Board of Finance, it is deemed advisable to reorganize any banking institution as set out in section 1 hereof, the board shall have power so to do on such terms and conditions as the board may prescribe, including the right to issue stock upon such conditions as the board may prescribe for such stock, and which shall be nonassessable.

SEC. 4. Nothing in this Act shall prevent the voluntary adoption of any form of depositors' agreement, not now nor heretofore in contravention of the statutes thereto provided, and under any such agreement the percentages as provided by law shall be fully applicable.

SEC. 5. If, in the opinion of the State Board of Finance, it is advisable to sell, hypothecate or pledge or exchange any or all of the assets of such banking institutions, the said board is given the power so to do with the Reconstruction Finance Corporation or with any other party the board may select.

SEC. 6. In so far as the provisions of this Act may conflict with other Acts or parts thereof, the provisions of this Act shall control.

SEC. 7. This Act shall be in full force and effect from and after its passage and approval.

Mr. Hamlin moved that Assembly Bill No. 64, together with the amendments, be rereferred to the Committee on Banks and Banking, and that the amendments be ordered printed.

Remarks by Messrs. Cahlan, Hamlin, Hatton, Tandy, Goodin, Brown and Cahill.

Mr. Speaker ruled that remarks be confined to the motion, not the merits of the bill.

Motion carried.

Without objection Mr. Speaker signed Assembly Joint Resolution No. 10.

At 12:04 p. m. Mr. Dunseath moved house recess until 1 o'clock.

Carried.

### HOUSE IN SESSION

At 1 p. m.

Mr. Speaker in the chair.

Quorum present.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Agriculture and Irrigation has had Senate Joint Resolution No. 10 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

CHAS. E. BUTLER,

*Chairman Committee on Agriculture.*

FRED STROSNIDER,

*Chairman Committee on Irrigation.*

*Mr. Speaker:*

Your Committee on Judiciary has had Assembly Bills Nos. 78 and 91 under consideration, and begs leave to report unfavorably on the same, with the recommendation that they do not pass.

Also, Assembly Bills Nos. 81 and 92, and reports favorably on the same, with the recommendation that they do pass.

G. J. KENNY, *Chairman.*

*Mr. Speaker:*

The majority of your Committee on Judiciary has had Assembly Bill No. 82 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

G. J. KENNY, *Chairman.*

*Mr. Speaker:*

The minority of your Committee on Judiciary has had Assembly Bill No. 82 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

HARRY DUNSEATH, *Minority Member.*

### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Concurrent Resolution No. 9, which was this day adopted by the Senate.

Also, to return Assembly Bill No. 13, which passed: Yeas, 10; nays, 7.

Also, Assembly Bill No. 14, which passed: Yeas, 11; nays, 6.  
 Also, to present Senate Bill No. 18, which passed: Yeas, 16; nays, none;  
 absent, 1.

Also, Senate Bill No. 26, which passed: Yeas, 17; nays, none.

LENA GALE,

*Assistant Secretary of the Senate.*

#### MOTIONS, RESOLUTIONS AND NOTICES

On motion of Mr. Cahlan all bills reported out of committees were placed on top of the file for third reading and final passage.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 101, 102, 103, 104, 105, 106, and 107, and Assembly Joint Resolutions Nos. 17, 18, and 19, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

#### INTRODUCTION AND FIRST READING

By Mr. Blundell:

Assembly Bill No. 108—An Act regulating the changes of location of offices, machine shops, roundhouses and terminals of railroad companies in the State of Nevada.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Corporations and Railroads.

By Mr. Reynolds:

Assembly Joint Resolution No. 20, relative to repealing section 7 of article II of the Constitution of the State of Nevada.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Reynolds:

Assembly Bill No. 109—An Act to amend section 99 of an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada, and to repeal certain Acts relating thereto," approved March 23, 1891.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Roads and Highways.

By Mr. Cooper:

Assembly Bill No. 110—An Act to amend section 5 of an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada, and to repeal certain Acts relating thereto," as amended by an Act approved March 24, 1931.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.



## GENERAL FILE AND THIRD READING

Senate Joint Resolution No. 10.

Remarks by Mr. Strosnider :

Roll call on Senate Joint Resolution No. 10 :

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—38.

NAYS—None.

Absent—Messrs. Goodin and McAuliffe—2.

Senate Joint Resolution No. 10 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 78.

Mr. Kenny moved that Assembly Bill No. 78 be laid on the table.

Mr. Tandy amended motion by striking out the words "laid on the table," and inserting in lieu thereof the words "indefinitely postponed."

Roll call on motion of Mr. Tandy :

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Hatton, Heward, Hussman, Johnson, Kenny, Lage, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—37.

NAYS—Mr. Hamlin.

Absent—Messrs. Goodin and McAuliffe—2.

The motion having received a constitutional majority, Mr. Speaker declared the bill indefinitely postponed.

Assembly Bill No. 81.

Mr. Bugbee moved that Assembly Bill No. 81 be made a special order of business for Wednesday afternoon at 1 o'clock.

Remarks by Mr. Taber.

Motion carried.

Assembly Bill No. 82.

Remarks by Messrs. Dunseath, Cahlan and Kenny.

Roll call on Assembly Bill No. 82 :

YEAS—Messrs. Anderson, Barnes, Beverly, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Ebert, Goodin, Hatton, Hussman, Kenny, Malone, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Wheelwright—31.

NAYS—Messrs. Black, Dunseath, Heward, Johnson, Lage and Moore—6.

Absent—Messrs. Hamlin and McAuliffe—2.

Not voting—Mr. Speaker.

Assembly Bill No. 82 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 91.

Mr. Dunseath moved that Assembly Bill No. 91 be placed on the table.

Carried.

Assembly Bill No. 92.

Roll call on Assembly Bill No. 92:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Stro-snyder, Taber, Tandy, Wheelwright and Mr. Speaker—39.

NAYS—None.

Absent—Mr. McAuliffe.

Assembly Bill No. 92 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Dunseath granted permission to revert to order of business No. 8.

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Dunseath moved that Assembly Bill No. 10 be taken from the top of the file and made a special order of business for 10:30 a. m. Friday.

Remarks by Mr. Hamlin.

Mr. Dunseath moved that the special order be vacated.

Carried.

Upon motion of Mr. Dunseath Assembly Bill No. 10 was made a special order of business for next Monday at 10:30 a. m.

Mr. Cahlan moved that when the Assembly adjourn it do so until Wednesday, February 15, 1933, at 10 a. m.

Carried.

Mr. Goodin granted permission to revert to order of business No. 4.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

The majority of your Committee on Roads and Highways has had Assembly Bill No. 96 under consideration, and begs leave to report favorably on the same, with the recommendation that it be returned to the introducer for correction, as there seems to be a conflict between the title of the bill and section 1.

W. H. GOODIN, *Chairman.*

*Mr. Speaker:*

The minority of your Committee on Roads and Highways has had Assembly Bill No. 96 under consideration, and begs leave to report favorably on the same, with the recommendation that it do not pass.

BOB MOORE.

#### INTRODUCTION AND FIRST READING

Senate Bill No. 18.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Senate Bill No. 26.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

At 1:55 p. m. Assembly adjourned until Wednesday, February 15, 1933, at 10 a. m.

Approved:

FRED S. ALWARD,  
*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,  
*Chief Clerk of the Assembly.*

## THE THIRTY-FIRST DAY

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CARSON CITY (Wednesday), February 15, 1933.

Assembly called to order at 10 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Mr. McAuliffe, who was excused.

Prayer by Father Smith.

On motion of Mr. Persson the reading of the minutes was dispensed with, and Mr. Speaker and the Chief Clerk authorized to make any necessary corrections.

### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Cahlan announced that the banking investigation would start at 1 o'clock instead of 2, to clean up testimony of Mr. Seaborn.

Without objection and upon motion of Mr. Strosnider, Assembly Bill No. 30 was withdrawn from Committee on Ways and Means and returned to Lyon County Delegation.

Mr. Cahlan moved that a committee of three be appointed to consult with the Capitol Commissioners to find out what happened to the heat.

Mr. Speaker announced that the furnace was out of order and was being repaired.

By Mr. Tandy:

Assembly Resolution No. 11:

*Resolved by the Assembly of the Nevada State Legislature, That all lobbyists, all legislative agents, and all persons employed by or representing any board, association, organization or corporation in either case, whether paid or unpaid, directly or indirectly, seeking to influence the Assembly or any member thereof, for or against the passage of any motion, resolution, memorial or bill, within the Capitol, are hereby directed forthwith to submit to the Chief Clerk of the Assembly at his desk for filing, a statement in writing, setting out their name, the name of the board, association, organization or corporation which they represent or by which they are employed, the amount, if any, of the payments made or to be made for services rendered by them, or to be rendered, and by whom paid or to be paid, whether the said payments are paid or to be paid directly or indirectly.*

Mr. Tandy moved adoption of resolution.

Carried.

By Mr. Roberts:

Assembly Resolution No. 12:

*Resolved by the Assembly of the State of Nevada, That the State Controller be, and he is hereby, authorized to draw his warrants on the Legislative Fund in favor of the various firms or persons named below for the amounts set*

opposite their names, as per statement herein, and the State Treasurer is hereby directed to pay the same:

Bell Telephone Company.....	\$8.55
L. K. Gregory, money advanced for post-office box and two keys..	1.40
	\$9.95

REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Contingent Expenses has had Assembly Resolution No. 12 under consideration, and begs leave to report that it has examined the items making the total named in said resolution, finds the same correct, and recommends the adoption of the resolution and the payment of the claims.

W. H. ROBERTS, *Chairman.*

Mr. Roberts moved adoption of resolution.

Remarks by Messrs. Kenny and Tandy.

Roll call on Assembly Resolution No. 12:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Stro-snyder, Taber, Tandy, Wheelwright and Mr. Speaker—39.

NAYS—None.

Absent—Mr. McAuliffe.

Assembly Resolution No. 12 having received a constitutional majority, Mr. Speaker declared it adopted.

Assembly Resolution No. 13:

By Committee on Contingent Expenses:

*Resolved by the Assembly of the State of Nevada,* That the State Controller be and he is hereby authorized to draw his warrant on the Legislative Fund in favor of the firm named below for the amount set opposite its name, as per statement herein, and the State Treasurer is hereby directed to pay same:

T. and D. Jr. Enterprises, Inc.....	\$15.00
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Mr. Roberts moved adoption of resolution.

Roll call on Assembly Resolution No. 13:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Stro-snyder, Taber, Tandy, Wheelwright and Mr. Speaker—39.

NAYS—None.

Absent—Mr. McAuliffe.

Assembly Resolution No. 13 having received a constitutional majority, Mr. Speaker declared it adopted.

Mr. Tandy moved that the Assembly continue to regular order of business this afternoon.

Mr. Cahlan arose to a point of information, that if the Assembly has regular session this afternoon, will the members of the banking committee be excused.

Mr. Speaker announced that the committee would be excused irrespective of the Legislature.

Mr. Tandy's motion carried.

Without objection, Mr. Speaker signed Assembly Bill No. 20.

#### INTRODUCTION AND FIRST READING

By Messrs. Strosnider, Bugbee and Carroll:

Assembly Bill No. 111—An Act to amend sections 32, 34, 36, 39, 45, 53, and 54 of an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada, and to repeal certain Acts relating thereto," approved March 23, 1891, being, respectively, sections 6440, 6442, 6444, 6447, 6453, 6460, and 6461 Nevada Compiled Laws 1929.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Cooper:

Assembly Bill No. 112—An Act to amend section 1 of an Act entitled "An Act exempting property of veterans," approved March 10, 1917.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

By Mr. Moore (by request):

Assembly Bill No. 113—An Act to amend sections 1 and 4 of an Act entitled "An Act to prohibit the employment of any person except a native-born or naturalized citizen of the United States by an officer of the State of Nevada, or any political subdivision of the State, or by any person acting under or for such officer, or by any contractor with the State of Nevada, or with any political subdivision of the State, in the construction of public works, or in any office or department of the State or in any office or department of any political subdivision of the State; providing penalties for violations of this Act, and other matters relating thereto," approved March 28, 1919, being sections 6173 and 6176 N. C. L. 1929.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Labor.

By Mr. Moore (by request):

Assembly Bill No. 114—An Act to amend section 5 of an Act entitled "An Act to establish the Nevada State Teachers' Employment Bureau, making the Superintendent of Public Instruction administrator of the same; providing for the registration of teachers seeking positions in this State, and establishing a fund for the payment of expenses of the bureau," approved March 17, 1923, being section 5995 N. C. L.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

By Mr. Lage:

Assembly Bill No. 115—An Act to amend sections 1, 8 and 19 of an Act entitled "An Act providing for the creation of a State Barbers' Health and Sanitation Board, defining the powers and duties of said board, defining certain terms, prescribing the terms upon which licenses or certificates of registration, health and sanitation may be issued to practitioners of barbering, creating County Boards and declaring their powers and duties, prescribing penalties for the violation hereof, repealing all Acts or parts of Acts inconsistent herewith, and other matters relating thereto," approved March 26, 1929, as amended by Stats. 1931, pages 26 and 349.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Trade and Manufactures.

By Mr. Lage:

Assembly Bill No. 116—An Act authorizing and empowering Boards of County Commissioners and Boards of Trustees or City Councils of incorporated cities and towns to limit the number of licenses granted for business purposes, repealing all Acts or parts of Acts in conflict herewith, and other matters relating thereto.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Trade and Manufactures.

By Messrs. Dunseath and Kenny:

Assembly Joint Resolution No. 21, relative to amending section 14, article V, of the Constitution of the State of Nevada.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Judiciary.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 108, 109 and 110, and Assembly Joint Resolution No. 20, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Bill No. 63, which this day passed the Senate by the following vote: Yeas, 17; nays, none.

Also Assembly Bill No. 42, which passed, as amended: Yeas, 16; nays, none; not voting, 1. Amend as follows: Amend section 2, page 2, line 3, by inserting after the word "day" the words "of November."

Also, Assembly Concurrent Resolution No. 4, which was this day adopted by the Senate.

LENA GALE,

*Assistant Secretary of the Senate.*

At 11:35 a. m. house recessed for five minutes to permit members to stir around.

## HOUSE IN SESSION

At 11:45 a. m.

Mr. Speaker in the chair.

Quorum present.

## MOTIONS, RESOLUTIONS AND NOTICES

Mr. Cahlan moved that the Assembly resolve itself into a Committee of the Whole to honor Mr. Rollen L. Stitser, of Winnemucca, known as the "Voice of Nevada."

Carried.

Mr. Anderson moved that Assembly Bill No. 81 be withdrawn and made a special order of business at this time.

Mr. Speaker declared motion out of order as no special order can be advanced.

At 11:55 a. m. house recessed until 1 p. m.

## HOUSE IN SESSION

At 1 p. m.

Mr. Speaker in the chair.

Quorum present.

## SPECIAL ORDER OF BUSINESS

Assembly Bill No. 81.

Amendment proposed by Mr. Bugbee: Amend section 1 of Assembly Bill No. 81 by striking out at the end of line 8 of the printed bill the period, inserting in lieu thereof a semicolon, and adding the following proviso: *provided*, that the provisions of this section shall not apply to irrigation district bonds.

Mr. Bugbee moved adoption of amendment.

Remarks by Mr. Taber.

Roll call on Assembly Bill No. 81:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Bugbee, Butler, Cahill, Carroll, Cobb, Cooper, Ebert, Goodin, Hamlin, Hatton, Heward, Johnson, Kenny, Lage, Malone, Moore, Noble, Murphy, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber and Wheelwright—32.

NAYS—None.

Absent—Messrs. Anderson, Brown, Cahlan, Dunseath and McAuliffe—5.

Not voting—Messrs. Hussman, Tandy and Mr. Speaker—3.

Assembly Bill No. 81 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

## PRESENTATION OF PETITIONS

An invitation was extended to the Assembly by the Leisure Hour Club to attend an entertainment and talk on agriculture this evening.

A letter from the Nevada Industrial Commission regarding report was filed for future reference.

A letter from the Public Service Commission of Nevada regarding power charges mentioned in Assembly Resolution No. 6 was received.



Remarks by Mr. Dunseath, stating he would submit written report regarding meeting held.

Without objection this petition was placed on file to be considered on next legislative day.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Education has had Assembly Bill No. 106 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

BOB MOORE, *Chairman.*

*Mr. Speaker:*

Your Committee on Federal Relations has had Assembly Joint Resolution No. 18 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

A. E. CAHLAN, *Chairman.*

*Mr. Speaker:*

Your Committee on Trade and Manufactures has had Assembly Bill No. 101 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

A. BLUNDELL, *Chairman.*

*Mr. Speaker:*

Your Committee on Judiciary has had Assembly Bills Nos. 86, 99 and 100 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

G. J. KENNY, *Chairman.*

#### MOTIONS, RESOLUTIONS AND NOTICES

On motion of Mr. Smith all bills reported out of committees were placed on top of the file for third reading and final passage.

Mr. Taber moved that the Assembly concur in the Senate amendment to Assembly Bill No. 42.

Carried.

Mr. Smith moved that when the Assembly adjourns it do so until 10 o'clock tomorrow morning.

Carried.

#### INTRODUCTION AND FIRST READING

By Mr. Murphy (by request):

Assembly Bill No. 117—An Act to amend sections 1, 2 and 3 of an Act entitled "An Act to regulate the use of public roads and highways under certain conditions," approved March 21, 1925, being sections 5439 and 5440 N. C. L. 1929.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Counties and County Boundaries.

By Mr. Anderson (by request):

Assembly Bill No. 118—An Act to repeal section 24 of an Act entitled "An Act to create a public corporation to be known as 'State Bar of Nevada,' to provide for its organization, government, membership and powers, to regulate the practice of law, and to provide penalties for violation of said Act," approved January 31, 1928, being section 563 N. C. L. 1929.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Stewart (by request) :

Assembly Bill No. 119—An Act to amend section 8 of an Act entitled “An Act to provide for the selection and sale of lands that have been or may hereafter be granted by the United States to the State of Nevada,” approved March 12, 1885, as amended.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Live Stock.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 86.

Remarks by Messrs. Persson and Tandy.

Roll call on Assembly Bill No. 86 :

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Bugbee, Butler, Cahill, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Heward, Hussman, Johnson, Kenny, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—34.

NAYS—None.

Absent—Messrs. Anderson, Brown, Cahlan, Hatton, Lage and McAuliffe—6.

Assembly Bill No. 86 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 101.

Remarks by Mr. Malone.

Roll call on Assembly Bill No. 101 :

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Bugbee, Butler, Cahill, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Heward, Hussman, Johnson, Kenny, Lage, Malone, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright, Moore and Mr. Speaker—35.

NAYS—None.

Absent—Messrs. Anderson, Brown, Cahlan, Hatton and McAuliffe—5.

Assembly Bill No. 101 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 106.

Amendment proposed by Mr. O'Connor: Amend section 1 of Assembly Bill No. 106 by striking out period after word “classes,” in line 12, and adding the words: “*provided*, that no provision of this Act shall apply to schools with an average daily attendance of less than twenty pupils.”

Remarks by Messrs. Dunseath, O'Connor, Goodin, Tandy and Noble.

Amendment lost.

Roll call on Assembly Bill No. 106 :

YEAS—Messrs. Barnes, Black, Blundell, Bugbee, Cahill, Carroll, Cooper, Dunseath, Ebert, Goodin, Hamlin, Heward, Hussman, Johnson, Kenny, Lage, Malone, Moore, Murphy, Persson, Raycraft, Roberts, Stewart and Taber—24.

NAYS—Messrs. Beverly, Butler, Cobb, O'Connor, Reynolds, Tandy and Wheelwright—7.

Absent—Messrs. Anderson, Brown, Cahlan, Hatton and McAuliffe—5.

Not voting—Messrs. Noble, Smith, Strosnider and Mr. Speaker—4.

Assembly Bill No. 106 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Joint Resolution No. 18.

Mr. Tandy moved to strike out preamble.

Remarks by Messrs. Dunseath, Tandy and Goodin.

Motion carried.

Roll call on Assembly Joint Resolution No. 18:

YEAS—Messrs. Barnes, Beverly, Bugbee, Butler, Cahill, Carroll, Cobb, Cooper, Dunseath, Heward, Malone, Murphy, O'Connor, Raycraft, Roberts, Smith, Strosnider and Taber—18.

NAYS—Messrs. Black, Blundell, Ebert, Goodin, Hamlin, Hussman, Johnson, Kenny, Lage, Moore, Noble, Persson, Reynolds, Stewart, Tandy and Wheelwright—16.

Absent—Messrs. Anderson, Brown, Cahlan, Hatton and McAuliffe—5.

Not voting—Mr. Speaker.

Assembly Joint Resolution No. 18 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Assembly Joint Resolution No. 19.

Remarks by Messrs. Tandy, Hamlin and Dunseath.

Roll call on Assembly Joint Resolution No. 19:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Bugbee, Butler, Cahill, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Heward, Hussman, Johnson, Kenny, Lage, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Wheelwright, Tandy and Mr. Speaker—35.

NAYS—None.

Absent—Messrs. Anderson, Brown, Cahlan, Hatton and McAuliffe—5.

Assembly Joint Resolution No. 19 having received a constitutional majority, Mr. Speaker declared it passed.

At 2:15 p. m. house recessed.

## HOUSE IN SESSION

At 2:25 p. m.

Mr. Speaker in the chair.

Quorum present.

### GENERAL FILE AND THIRD READING

Assembly Bill No. 100.

Mr. Speaker announced that in the absence of Mr. Cahlan, Mr. Kenny would take care of Assembly Bills Nos. 99 and 100.

Remarks by Mr. Kenny.

Roll call on Assembly Bill No. 100:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Bugbee, Butler, Cahill, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Heward, Hussman, Johnson, Kenny, Lage, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft,

Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—34.

NAYS—None.

Absent—Messrs. Anderson, Brown, Cahlan, Hamlin, Hatton and McAuliffe—6.

Assembly Bill No. 100 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 99.

Remarks by Mr. Kenny.

Roll call on Assembly Bill No. 99 :

YEAS—MESSRS. Barnes, Beverly, Black, Blundell, Bugbee, Butler, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Heward, Johnson, Kenny, Lage, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—32.

NAYS—None.

Absent—Messrs. Anderson, Brown, Cahlan, Hamlin, Hatton, Hussman and McAuliffe—7.

Not voting—Mr. Cahill.

Assembling Bill No. 99 having received a constitutional majority, Mr. Speaker declared it passed.

At 2 : 37 p. m. Mr. Smith moved that Assembly adjourn until Thursday, February 16, 1933, at 10 a. m.

Carried.

Approved :

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,

*Chief Clerk of the Assembly.*

## THE THIRTY-SECOND DAY

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CARSON CITY (Thursday), February 16, 1933.

Assembly called to order at 10 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Mr. McAuliffe, who was excused.

Prayer by Father Smith.

On motion of Mr. Persson the reading of the Journal was dispensed with, and Mr. Speaker and the Chief Clerk authorized to make necessary corrections.

### PRESENTATION OF PETITIONS

A letter from the Public Service Commission on Assembly Resolution No. 6 was read.

Without objection, and upon motion of Mr. Johnson, the extension of time asked for was granted.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee of Clark County Delegation has had Senate Bill No. 13 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

Also, Assembly Bill No. 12, and reports unfavorably on the same, with the recommendation that it do not pass.

A. E. CAHLAN, *Chairman.*

Mr. Cahlan announced there would be a meeting of the Banking Committee in Reno at 2 o'clock on Saturday, at which time several witnesses from Reno banks will be called.

### REPORT OF SPECIAL LEGISLATIVE COMMITTEE

*To the Honorable Speaker and Members of the Nevada Assembly:*

Your committee appointed to attend the hearings had before the Public Service Commission on Assembly Resolution No. 6, relative to a reduction in rates charged by the Sierra Power Co., attended a morning and afternoon session of these hearings on Saturday, February 11, 1933.

We found the officials of the Sierra Pacific Power Co. firmly opposed to any permanent reduction in its charges, its whole energy being bent on justifying the present exorbitant rates. We believe, from our observation of the day's proceedings, that there is no hope of relief from these conditions other than by public ownership of these public utilities, to wit: Power, light, water and gas; that if owned by the communities that use them they will, within a few years, pay for themselves at rates which could be materially reduced immediately upon their acquisition, and that the vast sums of money which they produce will be retained in our own State and among our own people, instead of being drained into foreign coffers from whence it never returns; that such ownership would thereby and thereafter greatly lessen the heavy burden of expense imposed upon us by this company, apparently without restriction, and

also materially lighten the ever-growing and intolerable burden of taxation from which our communities are suffering. All this and more having been accomplished by the city of Pasadena, California, and many other cities under similar circumstances.

We also believe that the Public Service Commission has always possessed and is now possessed of ample power and authority under the law to have ordered a reduction of at least 25% in the rates charged by the Sierra Pacific Power Co.; that it should have made such an order long ago upon its own initiative, and such an order is still more imperative at this time; that if any investigation is necessary it should be conducted after such orders are in full force and effect and entirely at the expense of the Sierra Pacific Power Co.

That the Public Service Commission, being one of the heavy burdens which the State is carrying, should justify its existence before the close of this legislative session or be abolished and its duties transferred to an elected official who should be allowed two extra deputies to perform the duties.

We recommend that no further money be allowed at this time for investigations.

Respectfully submitted,

HARRY DUNSEATH,  
BOB MOORE,

*Committee.*

Mr. Dunseath moved adoption of report.

Remarks by Messrs. Tandy, Dunseath, Hamlin and Moore.

Mr. Hamlin amended motion to read: "that report be adopted and 500 copies of this report be printed."

Amendment carried.

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Cahlan moved that when the Assembly adjourns this afternoon it do so until 10 a. m. Friday.

Carried.

#### INTRODUCTION AND FIRST READING

By Mr. Stewart:

Assembly Bill No. 120—An Act to repeal an Act entitled "An Act creating a State Range Commission, defining its duties and powers, and providing an appropriation for the support thereof," approved March 26, 1929, being sections 5574 to 5580, both inclusive, N. C. L. 1929.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Live Stock.

By Mr. Malone (by request):

Assembly Bill No. 121—An Act to amend an Act entitled "An Act to regulate the occupations and practices of hairdressers and cosmeticians, cosmetologists, and the branches of cosmetology; to create the State Board of Cosmetology, and to provide for the issuance by said board of certificates of registration and licenses entitling the holders thereof to engage in and to teach such occupations and practices; to insure the better education of hairdressers and cosmeticians; to provide for rules regulating the proper conduct and sanitation of cosmetological establishments, schools of cosmetology, and places where the occupations of hairdressers and cosmeticians are practiced; prescribing penalties for the violation of the provisions of this Act," approved March 27, 1931.

Mr. Malone moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Trade and Manufactures.

By Mr. Dunseath:

Assembly Bill No. 122—An Act to amend an Act entitled "An Act defining the rights of husband and wife," approved March 10, 1873, by adding a new section thereto to be known as section 17½.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Dunseath:

Assembly Bill No. 123—An Act to amend section 54 of an Act entitled "An Act relating to and providing for the protection, propagation, restoration, domestication, introduction, purchase, and disposition of wild animals, wild birds and fish; creating certain offices, providing the method of selecting the officers therefor, defining the powers and duties of certain officers, and other persons; defining certain terms; providing for the licensing of and regulating of hunting, trapping, game farming and game fishing; authorizing the establishment, control and regulation of private fish hatcheries, State recreation grounds, sanctuaries and refuges, and the closing, opening and shortening of hunting and fishing seasons; regulating the transportation and possession of wild animals, wild birds and game fish; providing for the condemnation of property for certain purposes; providing for instruction in the game laws of this State in the public schools of this State; establishing certain funds and regulating expenditures therefrom, providing penalties for violation thereof, and repealing certain Acts and parts of Acts in conflict therewith" (being section 3088 N. C. L. 1929), approved March 29, 1929.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Fish and Game.

By Messrs. Black and Brown:

Assembly Bill No. 124—An Act providing for the operation, consolidation and coordination of certain departments in the State of Nevada, creating and designating certain commissions, defining the duties of certain officers and persons in relation thereto, fixing the responsibility therefor, and other matters properly relating thereto.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to a Joint Committee on Judiciary and Ways and Means.

By Mr. Brown (by request):

Assembly Bill No. 125—An Act to amend the title of and to amend an Act entitled "An Act to provide for the incorporation of domestic building and loan associations and companies and certain other domestic associations and companies, to provide for the licensing, examination and regulation of domestic and foreign building and loan

associations and companies and certain other associations and companies, to prescribe penalties for violation of the provisions hereof, to create a fund for use in carrying out the administration of this Act and to repeal certain Acts and parts of Acts," approved March 4, 1931, by adding a new section thereto, to be known as section 29a, and by amending section 2 of said Act.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Brown (by request):

Assembly Bill No. 126—An Act relating to care, management and control of school property.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

By Messrs. Ebert and Brown:

Assembly Bill No. 127—An Act to repeal an Act entitled "An Act to regulate surveyors and surveying," approved November 29, 1861, being sections 2164 to 2174, both inclusive, N. C. L. 1929.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

#### GENERAL FILE AND THIRD READING

Senate Bill No. 13.

Remarks by Messrs. Kenny, Dunseath and Cahlan.

Roll call on Senate Bill No. 13:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Malone, Moore, Murphy, Noble, O'Connor, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Lage, McAuliffe and Persson—3.

Senate Bill No. 13 having received a constitutional majority, Mr. Speaker declared it passed.

Without objection Mr. Speaker signed Assembly Bill No. 13.

At 11 a. m. house recessed until 1 p. m.

#### HOUSE IN SESSION

At 1:05 p. m.

Mr. Speaker in the chair.

Quorum present.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 12.

Mr. Carroll moved that Assembly Bill No. 12 be indefinitely postponed.

Carried.



## REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 111, 112, 113, 114, 115, 116 and 117, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

*Mr. Speaker:*

Your Committee on Counties and County Boundaries has had Assembly Bill No. 105 and Assembly Joint Resolution No. 17 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

CLYDE P. JOHNSON, *Chairman.*

*Mr. Speaker:*

Your Committee on Enrollment has carefully compared Assembly Enrolled Bill No. 20 and Assembly Joint Resolution No. 10 with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. H. BARNES, *Chairman.*

*Mr. Speaker:*

The majority of your Joint Committee on Ways and Means and Education has had Assembly Bill No. 79 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

H. E. MALONE,	ROY PERSSON,
M. C. HAMLIN,	WILLARD W. SMITH,
WILLIAM F. TABER,	BOB MOORE.

*Mr. Speaker:*

The minority of your Joint Committee on Ways and Means and Education has had Assembly Bill No. 79 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

THOMAS M. CARROLL,	GEORGE HUSSMAN,
J. H. CAHILL,	F. D. BLACK.
C. L. NOBLE,	

Mr. Smith moved that all bills reported out of committees be placed on the file for third reading and final passage.

Carried.

At 1:19 p. m. house recessed to permit signing of reports.

## HOUSE IN SESSION

At 1:28 p. m.

Mr. Speaker in the chair.

Quorum present.

## REPORTS OF COMMITTEES

*Mr. Speaker:*

The majority of your Committee on Ways and Means has had Assembly Bill No. 32 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

J. H. CAHILL,	GEORGE HUSSMAN,
FRED D. BLACK,	C. L. NOBLE.

*Mr. Speaker:*

The minority of your Committee on Ways and Means has had Assembly Bill No. 32 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

WILLARD W. SMITH,
ROY PERSSON,
THOMAS M. CARROLL.

Without objection Assembly Bill No. 32 was placed on the file for third reading and final passage.

Without objection Mr. Speaker signed Assembly Bills Nos. 14, 42 and 63.

GENERAL FILE AND THIRD READING

Assembly Bill No. 105.

Remarks by Mr. Taber.

Roll call on Assembly Bill No. 105:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Bugbee, Butler, Cahill, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Heward, Hussman, Johnson, Kenny, Lage, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—33.

NAYS—None.

Absent—Messrs. Anderson, Brown, Cahlan, Hatton, McAuliffe, Murphy and Wheelwright—7.

Assembly Bill No. 105 having received a constitutional majority, Mr. Speaker declared it passed.

Without objection and upon motion of Mr. Reynolds, Assembly Joint Resolution No. 17 was continued over until the next legislative day.

Mr. Hamlin moved that Assembly Bill No. 79 be made a special order of business for Friday morning at 10:30 o'clock.

Carried.

Assembly Bill No. 32.

Mr. Carroll moved that Assembly Bill No 32 be made a special order of business for Friday afternoon at 2 o'clock.

Remarks by Mr. Tandy.

Motion lost.

Amendment proposed by Mr. Hussman: Amend section 1 of Assembly Bill No. 32 by striking out in line 12, page 1 of printed bill, the word "practical," and insert in lieu thereof the word "available."

Mr. Hussman moved adoption of amendment.

Motion lost.

Amendment proposed by Mr. Cobb: Amend section 2 of Assembly Bill No. 32, page 1, line 16, after the word "shall" add the word "not."

Mr. Cobb moved adoption of amendment.

Remarks by Messrs. Hussman, Dunseath, Cahill, Bugbee and Tandy.

Mr. Cahlan moved that the bill be laid on the table.

Roll call asked for by Messrs. Cahlan, Tandy and Hussman on motion to lay Assembly Bill No. 32 on the table:

YEAS—Messrs. Anderson, Barnes, Blundell, Bugbee, Butler, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Johnson, Lage, Maloue, Moore, O'Connor, Persson, Raycraft, Roberts, Smith and Wheelwright—23.

NAYS—Messrs. Beverly, Black, Cahill, Heward, Hussman, Kenny, Noble, Reynolds, Stewart, Strosnider, Taber and Tandy—12.

Absent—Messrs. Brown, Hatton, McAuliffe and Murphy—4.

Not voting—Mr. Speaker.

Motion carried.

Remarks by Messrs. Tandy, Hussman, Cahill, Noble, Cobb and Bugbee on Assembly Bill No. 32.

Mr. Bugbee moved that Assembly Bill No. 102 be withdrawn and returned to the Lyon County Delegation.

Carried.

Mr. Tandy moved that after two days no further bills be introduced except by unanimous consent of the house.

Remarks by Messrs. Taber, Bugbee and Strosnider.

Mr. Tandy withdrew motion.

On motion of Mr. Hamlin the house resolved itself into a quasi committee of the whole to hear an address by Ed. Mulcahy, former Assemblyman from Washoe County, after which a vote of thanks was extended the visitor.

Mr. Speaker read an invitation from the Nevada State Democratic Labor Club inviting the members of the Assembly to a banquet and dance at Tony's Spanish Ballroom on March 8.

Mr. Speaker called Mr. Noble to the chair.

Mr. Noble in the chair.

Mr. Goodin granted permission to revert to order of business No. 4.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bill No. 118, and Assembly Joint Resolution No. 21, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

*Mr. Speaker:*

Your Committee on Roads and Highways has had Assembly Bill No. 109 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass with the following amendments:

Amendment No. 1.—On page 2, section 1, line 2, after the period following the word "territory," strike out the remainder of the section.

Amendment No. 2.—On page 2, section 2, line 5, following the word "after," strike out the remainder of the section and insert in lieu thereof the words and figures "January 1, 1934."

W. H. GOODIN, *Chairman.*

*Mr. Speaker:*

Your Committee on Ways and Means has had Senate Bill No. 19 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

J. H. CAHILL, *Chairman.*

#### INTRODUCTION AND FIRST READING

By Mr. Cooper:

Assembly Joint Resolution No. 22, memorializing Congress to increase the tariff on copper.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Mines and Mining.

By Mr. Bugbee:

Assembly Joint Resolution No. 23, relative to amending section 20 of article IV of the Constitution of the State of Nevada.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Judiciary.

By Committee on Education:

Assembly Bill No. 128—An Act to provide emergency relief to public schools of Nevada by authorizing Boards of School Trustees and Boards of Education to issue negotiable interest bearing vouchers for a limited time.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

By Mr. Blundell:

Assembly Bill No. 129—An Act to amend an Act entitled "An Act to incorporate the town of Sparks, in Washoe County, and define the boundaries thereof, and to authorize the establishment of a city government therefor, and other matters relating thereto," approved March 15, 1905, and as amended March 26, 1915, and as amended March 13, 1917, and as amended March 14, 1927, and as amended March 16, 1929, by adding to section 19 of said Act a new section to be known as section 19-1.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Sparks Delegation.

By Mr. Bugbee:

Assembly Joint Resolution No. 24, memorializing Congress for the passage of legislation for the encouragement and relief of the mining of precious metals, gold and silver, and for the making of exception for payment of income tax on the proceeds of production of such metals.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Mines and Mining.

Mr. Smith granted permission to revert to order of business No. 8.

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Smith moved that all bills reported out of committees be placed on the file for third reading and final passage.

Carried.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 109.

Amendments proposed by Committee on Roads and Highways:

Amendment No. 1—On page 2, section 1, line 2, after the period following the word "territory," strike out the remainder of the section.

Mr. Reynolds moved adoption of amendment.

Carried.

Amendment No. 2—On page 2, section 2, line 5, following the word

"after," strike out the remainder of the section and insert in lieu thereof the word and figures "January 1, 1934."

Mr. Reynolds moved adoption of amendment.

Remarks by Messrs. Moore and Reynolds.

Mr. Moore moved that bill be rereferred to a Joint Committee of Roads and Highways and Ways and Means.

Remarks by Mr. Cahill.

Mr. Cahill moved that bill be referred to the Committee on Roads and Highways.

Mr. Moore withdrew motion.

Remarks by Mr. Alward.

Mr. Alward moved that a vote be taken on the bill.

Mr. Cahill withdrew his motion.

Remarks by Messrs. Bugbee, Alward, Hussman, Reynolds and Smith.

Roll call on Assembly Bill No. 109 :

YEAS—Messrs. Bugbee, Cobb, Cooper, Kenny, Lage, O'Connor, Raycraft, Reynolds, Strosnider and Tandy—11.

NAYS—Messrs. Barnes, Beverly, Black, Blundell, Butler, Cahill, Carroll, Dunseath, Ebert, Heward, Hussman, Johnson, Malone, Moore, Murphy, Noble, Persson, Roberts, Smith, Stewart, Taber, Wheelwright and Mr. Speaker—23.

Absent—Messrs. Anderson, Brown, Cahlan, Goodin, Hatton and McAuliffe—6.

Assembly Bill No. 109 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Senate Bill No. 19.

Remarks by Messrs. Alward, Cahill and Hamlin.

Roll call on Senate Bill No. 19 :

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Bugbee, Butler, Cahill, Carroll, Cobb, Cooper, Ebert, Goodin, Hamlin, Heward, Johnson, Kenny, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Wheelwright and Mr. Speaker—30.

NAYS—None.

Absent—Messrs. Anderson, Brown, Cahlan, Dunseath, Hatton, Hussman, McAuliffe and Murphy—8.

Not voting—Messrs. Lage and Tandy—2.

Senate Bill No. 19 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Smith moved that the Assembly adjourn until Friday, February 17, 1933, at 10 a. m.

Carried.

Approved :

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,

*Chief Clerk of the Assembly.*

## THE THIRTY-THIRD DAY

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CARSON CITY (Friday), February 17, 1933.

Assembly called to order at 10 a. m.

Mr. Speaker in the chair.

Quorum present.

All present except Mr. McAuliffe, who was excused.

Prayer by Father Smith.

On motion of Mr. Persson the reading of the Journal was dispensed with, and Mr. Speaker and the Chief Clerk were authorized to make any necessary corrections.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

The majority of your Committee on Judiciary has had Assembly Bill No. 36 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass with the following amendments:

Amendment No. 1—Amend section 2 of said bill on page 2, lines 18 and 19, by striking out the words "in the possession of the legal or registered owner."

Amendment No. 2—Strike out in section 3 of said bill, page 3, beginning on line 21, the words "to the legal owner and to the registered owner of such vehicle if registered in this State, as the same appear in the registration certificate," and insert in lieu thereof the following: "To the legal owner and to the registered owner of such vehicle and all other lien holders thereon, as the same appears in the registration certificate, if registered in this State, and to all lien holders shown on the records of the county in which the lien under this Act may be acquired."

Amendment No. 3—Section 3, page 3 of said bill, insert after the word "owner," on line 30, the words "or any lien holder."

Amendment No. 4—Section 3, page 3 of said bill, beginning on line 32 strike out the words "together with interest on said sum at the rate of 10% per annum from the due date thereof, or the date when the same were advanced, until the repayment."

ERNEST S. BROWN,	WILLIAM F. TABER,
HARRY DUNSEATH,	L. F. ANDERSON,
FRED STROSNIDER,	WM. D. HATTON,

*Majority Judiciary Committee.*

*Mr. Speaker:*

The minority of your Committee on Judiciary has had Assembly Bill No. 36 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

C. J. KENNY, *Minority Member.*

### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Cahlan moved that when the Assembly adjourns today it do so until Monday at 10 a. m., the reason being there are two or three committees that have considerable work to do Saturday.

Carried.

### INTRODUCTION AND FIRST READING

Senate Concurrent Resolution No. 9.

Remarks by Messrs. Tandy and O'Connor.

Without objection, on motion of Mr. Tandy, the resolution was referred to Committee on Rules.

By Mr. Rayercraft:

Assembly Joint Resolution No. 25, memorializing the President and Congress of the United States to support or initiate a movement to stabilize the monetary and credit basis, so as to improve world commodity prices.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Mines and Mining.

By Messrs. Brown and Kenny:

Assembly Joint Resolution No. 26, relative to amending section 3, article 1, of the Constitution of the State of Nevada.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Judiciary.

By Messrs. Malone and Brown:

Assembly Bill No. 130—An Act to provide against losses to the State and its respective counties through defalcation, misappropriation of funds, or other wrongful acts on the part of officials; to provide for the issuance of surety bonds of public officials, establishing a fund therefor, and other matters relating thereto, and repealing certain Acts in conflict herewith.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

By Mr. Brown (by request):

Assembly Bill No. 131—An Act to amend section 763 of an Act entitled "An Act to regulate civil proceedings in civil cases in this State, and to repeal all other Acts in relation thereto," approved March 17, 1911, the same being section 9252 of Nevada Compiled Laws 1929.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

By Mr. Cooper:

Assembly Bill No. 132—An Act to revise and limit the number of Senators and Assemblymen in the Legislature of the State of Nevada, establishing senatorial districts, apportioning the Senators therefrom, reapportioning the Assemblymen, fixing the salaries and mileage of Senators and Assemblymen, other matters relating thereto, and repealing all Acts and parts of Acts in conflict herewith.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Elections.

By White Pine County Delegation:

Assembly Bill No. 133—An Act fixing the compensation of county

officers in White Pine County, State of Nevada, and matters pertaining to the collection and disposition of fees arising from such offices, regulating the conduct thereof, and to repeal all Acts and parts of Acts in conflict therewith.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to White Pine County Delegation.

By Mr. Moore (by request) :

Assembly Bill No. 134—An Act to amend section 1 of an Act entitled "An Act providing for the division of Clark County, Nevada, into educational districts, and providing for the government of the schools therein, and validating certain bonds of Educational District No. 1 of said Clark County, Nevada," approved March 29, 1919, as amended, and to add certain new sections thereto.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Clark County Delegation.

By Mr. Moore (by request) :

Assembly Bill No. 135—An Act to amend sections 77, 80, 87 and 151 3(a) of an Act entitled "An Act concerning public schools and repealing certain Acts relating thereto," approved March 20, 1911, being sections 5727, 5729, 5736 and 5798 of N. C. L. 1929.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

By Clark County Delegation :

Assembly Bill No. 136—An Act to amend an Act entitled "An Act to incorporate the town of Las Vegas, in Clark County, and defining the boundaries thereof, and to authorize the establishing of a city government therefor, and other matters relating thereto," approved March 16, 1911, as amended, by amending section 10, chapter 2 thereof, as amended.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Clark County Delegation.

By Mr. Cahlan (by request) :

Assembly Bill No. 137—An Act to amend "An Act creating coroner districts, making the Justices of the Peace ex officio coroners, prescribing their duties and compensation," approved March 16, 1909, by amending section 17 thereof, said section being section 1141 N. C. L. 1929.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

By Mr. Cahlan (by request) :

Assembly Bill No. 138—An Act to amend section 127 of an Act



entitled "An Act to regulate proceedings in criminal cases in this State and to repeal all other Acts in relation thereto," approved March 17, 1911, being section 10775 N. C. L. 1929.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

By Mr. Noble:

Assembly Bill No. 139—An Act to amend section 7 of "An Act reducing and regulating the salaries and compensation of certain State officers and attachés of the State Government of Nevada," approved February 21, 1881, being section 7552 N. C. L. 1929.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

At 10:28 a. m. house recessed.

### HOUSE IN SESSION

At 10:30 a. m.

Mr. Speaker in the chair.

Quorum present.

### SPECIAL ORDER OF BUSINESS

Assembly Bill No. 79.

Remarks by Messrs. Brown, Cahill, Moore and Dunseath.

Roll call on Assembly Bill No. 79:

YEAS—Messrs. Anderson, Barnes, Black, Bugbee, Cahill, Carroll, Cobb, Cooper, Ebert, Hussman, Johnson, Kenny, Murphy, Noble and Roberts—15.

NAYS—Messrs. Beverly, Blundell, Brown, Butler, Cahlan, Dunseath, Hamlin, Hatton, Heward, Lage, Malone, Moore, O'Connor, Persson, Raycraft, Reynolds, Smith, Stewart, Strosinder, Taber, Tandy and Wheelwright—22.

Absent—Messrs. Goodin and McAuliffe—2.

Not voting—Mr. Speaker.

Assembly Bill No. 79 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Assembly Bill No. 5 read, together with Governor's veto message.

Remarks by Messrs. Dunseath and Kenny.

Roll call on question: "Shall the bill pass notwithstanding the Governor's veto?"

YEAS—Messrs. Anderson, Barnes, Beverly, Blundell, Brown, Bugbee, Butler, Cahlan, Carroll, Cobb, Dunseath, Ebert, Hatton, Heward, Hussman, Kenny, Lage, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber and Wheelwright—30.

NAYS—Messrs. Black, Cahill, Cooper, Reynolds and Tandy—5.

Absent—Messrs. Goodin, Johnson and McAuliffe—3.

Not voting—Mr. Hamlin and Mr. Speaker—2.

Assembly Bill No. 5 having received a two-thirds majority, Mr. Speaker declared it passed over the Governor's veto.

Assembly Bill No. 22 read, together with Governor's veto message.  
Remarks by Mr. Kenny.

Roll call on question: "Shall the bill pass notwithstanding the Governor's veto?"

YEAS—None.

NAYS—Messrs. Anderson, Barnes, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Hatton, Heward, Hussman, Kenny, Lage, Malone, Moore, Murphy, Noble, O'Connor, Persson, Tandy, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber and Mr. Speaker—34.

Absent—Messrs. Beverly, Goodin, Hamlin, Johnson, McAuliffe and Wheelwright—6.

The Governor's veto on Assembly Bill No. 22 was sustained.

#### INTRODUCTION AND FIRST READING

By Mr. Ebert:

Assembly Bill No. 140—An Act authorizing payment to C. C. Carpenter of \$36.68 for lost State Controller's warrant.

Mr. Ebert moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Claims.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 120, 121, 122, 123, 124, 125 and 127, and Assembly Joint Resolution No. 22, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

*Mr. Speaker:*

Your Committee on Public Morals has had Assembly Bill No. 69 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

THOMAS M. CARROLL, *Chairman.*

#### INTRODUCTION AND FIRST READING

By Mr. Strosnider:

Assembly Joint Resolution No. 27, to amend section 19, article V, of the Constitution of the State of Nevada.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Education.

By Mr. Strosnider:

Assembly Joint Resolution No. 28, to amend section 22, article V, of the Constitution of the State of Nevada.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Education.

Without objection order of business No. 7 was referred to.

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Bill

No. 48, which this day passed the Senate by the following vote: Yeas, 17; nays, none.

Also, Assembly Bill No. 92, which passed, as amended: Yeas, 17; nays, none. Amend title as follows: Place period after figures "1907" in third line thereof, and strike remainder of title.

Also, Assembly Joint Resolution No. 16, which passed, as amended: Yeas, 17; nays, none. Amend as follows: On page 1, line 8, following the word "schedules" insert a comma, and strike the comma in line 9 after the word "values." Line 12 add letter "s" to the word "settlement"; in line 15, after the word "Assembly," insert "and the Senate," and strike out the last word of the line and the first two words in line 16 so as to read: "*Resolved by the Assembly and the Senate of the State of Nevada.*" On page 2, line 5, strike the word "bend" and insert in lieu thereof the word "use." On page 2, line 12, strike the words "properly certified."

Also, to present Senate Substitute for Senate Bill No. 27, which passed: Yeas, 17; nays, none.

Also, Senate Bill No. 34, which passed: Yeas, 16; nays, none; not voting, 1.

Also, Senate Joint Resolution No. 11, which passed: Yeas, 17; nays, none.

LENA GALE,

*Assistant Secretary of the Senate.*

#### INTRODUCTION AND FIRST READING

Senate Bill No. 34.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Senate Substitute Bill for Senate Bill No. 27.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, substitute bill read second time by title, and referred to Committee on Agriculture.

Senate Joint Resolution No. 11.

Without objection rules were suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Judiciary.

Without objection all bills reported out of committees were placed on file for third reading and final passage.

Without objection Mr. Speaker signed Senate Bill No. 13 and Senate Bill No. 19.

At 11:50 p. m. house recessed until 2 o'clock.

#### HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the chair.

Quorum present.

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Hatton, acting for Mr. Brown, moved that Assembly Bill No. 36 be made a special order of business for 11:30 o'clock Monday morning.

Carried.

## REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Roads and Highways has had Assembly Bill No. 107 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

W. H. GOODIN, *Chairman.*

*Mr. Speaker:*

Your Committee on Enrollment has carefully compared Assembly Enrolled Bills Nos. 13, 14, 42 and 63 with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. H. BARNES, *Chairman.*

## GENERAL FILE AND THIRD READING

Assembly Bill No. 69.

Remarks on section 1 by Messrs. Tandy, Carroll and Cahill.

Discussion on bill by Messrs. Hussman, Dunseath, Cahill and Kenny.

Without objection Mr. Cahill was permitted to introduce an amendment to a section.

Mr. Cahill decided not to introduce amendment.

Further discussion on bill by Messrs. Butler, Carroll, Tandy and Dunseath.

Roll call on Assembly Bill No. 69:

YEAS—Messrs. Barnes, Beverly, Blundell, Bugbee, Butler, Carroll, Cobb, Cooper, Ebert, Heward, Kenny, Lage, Malone, Murphy, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Wheelwright—24.

NAYS—Messrs. Dunseath, Hussman and Reynolds—3.

Absent—Messrs. Anderson, Brown, Cahlan, Hamlin, Hatton, McAuliffe and Moore—7.

Not voting—Messrs. Black, Cahill, Goodin, Johnson, Stewart and Mr. Speaker—6.

Assembly Bill No. 69 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Joint Resolution No. 17.

Remarks by Messrs. Hamlin, Reynolds, Taber, Dunseath and Cahill.

Roll call on Assembly Joint Resolution No. 17:

YEAS—Messrs. Barnes, Bugbee, Cahill, Carroll, Cobb, Cooper, Ebert, Goodin, Hamlin, Johnson, Kenny, Lage, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Strosnider, Tandy and Wheelwright—23.

NAYS—Messrs. Black, Blundell, Butler, Dunseath, Heward, Malone, Stewart and Taber—8.

Absent—Messrs. Anderson, Brown, Cahlan, Hatton, McAuliffe and Moore—6.

Not voting—Messrs. Beverly, Hussman and Mr. Speaker—3.

Assembly Joint Resolution No. 17 having received a constitutional majority, Mr. Speaker declared it passed.

Without objection Assembly Bill No. 107 was placed on top of file for third reading and final passage.

Assembly Bill No. 107.

Section 1 read.

Remarks by Messrs. Tandy, Goodin and Hamlin.

On motion by Mr. Tandy Assembly Bill No. 107 was rereferred to the Committee on Roads and Highways.

At 2:56 p. m. Mr. Noble moved that the Assembly adjourn until Monday, February 20, 1933, at 10 a. m.

Carried.

Approved:

FRED S. ALWARD,  
*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,  
*Chief Clerk of the Assembly.*

## THE THIRTY-SIXTH DAY

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CARSON CITY (Monday), February 20, 1933.

The Assembly called to order at 10 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Hatton, Moore and Raycraft.

Prayer by Rev. Hersey.

Upon motion of Mr. Persson the reading of the minutes was dispensed with, and Mr. Speaker and the Chief Clerk were authorized to make any necessary correction.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Public Morals has had Initiative Petition No. 1 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass—that it be rejected.

THOMAS M. CARROLL, *Chairman.*

#### REPORT OF COMMITTEE ON PUBLIC MORALS ON INITIATIVE PETITION No. 1

Said petition filed at the request of Arthur F. Lasher December 16, 1932. (Signed) W. G. Greathouse, Secretary of State.

Received by the Assembly January 18, 1933. (Signed) Julian Thruston, Assistant Chief Clerk.

Referred to Committee on Public Morals.

Said petition contains an Act prohibiting gambling or the use of any house or building for gambling purposes, prohibiting the possession and providing for the destruction of gambling devices, prescribing penalties for the violation, and providing for the enforcement of said Act, and repealing all Acts and parts of Acts in conflict therewith. The enacting clause of said Act reads "The People of the State of Nevada do enact as follows:" Thereafter said Act is detailed in nine sections.

The Committee on Public Morals reports unfavorably on said Initiative Petition No. 1, with the recommendation that it do not pass, and that it be rejected instead of ignoring it. This procedure would automatically place said petition before the people of the State to vote upon it at the next general State election. To approve said petition would at once repeal the present State gambling law. This would be unfair to the State, counties and cities, as they all receive a large revenue from the present gambling law, and at a time when this revenue is sorely needed. It would also be unfair to gambling establishments, as they have made large investments under the present gambling law, and besides they furnish a large daily pay roll which is a great benefit to every community where it exists.

The State Controller's report for the period ending June 30, 1932, shows the State received in gaming licenses \$69,109.77.

In addition, the cities and counties throughout the State collect a large revenue for their own use from gaming licenses from the present law. As an

illustration, the revenue from only one city and one county is herein mentioned, to wit:

For 1931—	
Las Vegas City.....	\$13,248.30
General Fund Clark County.....	22,295.68
Collected for the State.....	11,961.02
Total gambling fees collected in 1931....	\$47,505.00
For 1932—	
Las Vegas City.....	\$20,250.00
General Fund Clark County.....	13,865.50
Collected for the State.....	11,429.50
Total gambling fees collected in 1932....	\$45,545.00

In these two years Las Vegas and Clark County collected in gambling licenses \$93,050, of which \$23,390.52 was for the State.

Formerly a very large revenue in the form of graft was paid by gambling establishments, for law evasions and special privileges, to parties generally known as grafters, who made gambling a racketeer industry for illicit personal gains. These same grafters injected their activities into politics, to the great demoralization of politics. Some of this grafter element are now credited with urging the repeal of the present gambling law by the way of advocating the adoption of this initiative petition—which prohibits all forms of gambling except horseracing.

Accordingly we see the advocates of antigambling laws and signers of this petition working in accord with grafters and racketeers who favor the adoption of this petition.

The signers of this petition are honest, sincere and conscientious people who, on principle, are opposed to any form of gambling except horseracing, and who therefore believe in prohibition instead of the wiser form of regulation.

Prohibition, as illustrated by the 18th Amendment and the Volstead Act, never prohibits, and it would work out the same way under gambling prohibition. Prohibition laws of this class, which try to legislate morality into people, are an evil in themselves, and finally always do more harm than good.

Regulation may have its faults, but is always open to amendment. One of its greatest benefits is its freedom from fanaticism and fanatics. Those who believe in regulating licensed gambling are just as honest, as sincere, and as conscientious as those who favor prohibition, and believe that regulation is the better and more practical way for handling a very complex subject for the State and all concerned.

If this petition were enacted by the people, it would cause bootleg gambling to prevail throughout the entire State.

It prohibits even social games in the home, such as bridge, five hundred or whist, when a prize or any representative of value is a feature. In this particular, section 6 reads: "This Act shall not be construed to prohibit social games when not played, either directly or indirectly, for money, property, checks, credit or other representative of value." Social games in violation of section 6 would also be in violation of section 3, which prohibits the possession of any cards, tables, or gambling devices of any nature. Social games in the home in violation of section 4 provides for the seizure by search warrant of such cards, tables or gambling devices. In such cases section 5 would make a violation of the Act a gross misdemeanor, punishable, upon conviction, by a fine of not less than \$100 nor more than \$1,000, or by imprisonment in the county jail not less than sixty days nor more than a year, or by both such fine and imprisonment. Upon a second conviction, then it becomes mandatory on the court to impose the prison sentence, either with or without the fine.

Under sections 3, 4, 5 and 6 social games in the home played for a prize, or

other representative of value, or a home game of poker, would subject the players to arrest upon complaint of any neighbor fanatic who wants to prohibit gambling.

The same sections, 3, 4, 5 and 6, in more detail are also directed against the commercial or professional gamblers. Against this class the history of gambling proves they are going to gamble anyway, and under prohibition gambling laws they have to lean on somebody, and the result is you find them leaners upon the grafter and the racketeer and corrupted officials. In such case, the graft revenue goes to the grafter, the racketeer and to the corrupt officials, and the State, the cities and the counties lose the legitimate revenue.

THOMAS M. CARROLL,  
R. H. BARNES,  
F. L. BEVERLY,  
JOE S. COOPER,  
FRED D. BLACK,

*Committee on Public Morals.*

Upon motion of Mr. Carroll the petition of the Committee on Public Morals was ordered copied into the Journal of the Assembly.

Mr. Carroll moved that Initiative Petition No. 1 be rejected.

Mr. Hamlin moved to amend motion by striking out word "rejected" and inserting in lieu thereof the words "indefinitely postponed."

Mr. Tandy explained that an initiative petition, according to the Constitution, must be either accepted or rejected.

Mr. Brown arose to a point of order, that according to section 30, article 19 of the Constitution, Mr. Carroll's motion would be out of order, and petition would have status of a bill.

Remarks by Messrs. Cahill, Cahlan, Black, Hamlin and Carroll.

Mr. Hamlin's amendment lost.

Roll call on motion asked for by Messrs. Malone, Noble and Hussman.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 129, 126 and 128, and Assembly Joint Resolutions Nos. 23 and 24, hereto attached, are correct copies of the triplicates thereof in its possession.

D. H. TANDY, *Chairman.*

#### SPECIAL ORDER OF BUSINESS

Assembly Bill No. 10.

Mr. Kenny moved that the Assembly now resolve itself into Committee of the Whole for consideration of Assembly Bill No. 10.

Carried.

Mr. Speaker appointed Mr. Kenny as Chairman of the Committee of the Whole House.

At 10:37 a. m. Assembly in Committee of Whole.

At 12:05 p. m. Mr. Dunseath moved that house recess until 2 o'clock.

Mr. Brown moved that the special order set for this morning for consideration of Assembly Bill No. 36 be vacated.

Carried.

Mr. Brown moved that Assembly Bill No. 36 be made a special order of business for 10:30 Tuesday morning.

Carried.



Mr. Cahill amended Mr. Dunseath's motion that Assembly recess until 1:30 p. m.

Amendment carried.

### HOUSE IN SESSION

At 1:30 p. m.

Mr. Speaker in the chair.

Quorum present.

### REPORT OF COMMITTEE OF THE WHOLE

*Mr. Speaker:*

Your Committee of the Whole House has had Assembly Bill No. 10 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass, with the following amendments:

Amendment No. 1—In section 22, page 8, at the end of line 13, strike out the word "one," and in line 13, page 8, after the word "exceeding" insert the following words: "five hundred dollars, or undergo imprisonment not exceeding one."

Amendment No. 2—In section 22, line 12, page 8, insert the word "gross" between the article "a" and the word "misdemeanor."

Amendment No. 3—In section 28, page 9, in line 13, strike out the figures "1931," and insert in lieu thereof the figures "1933."

Amendment No. 4—Amend section 32, page 10, by striking out the words: "This Act shall take effect immediately," and substitute in lieu thereof the following: "The County Commissioners of the different counties in this State shall cause to be published in some newspaper published in their respective counties the amount of the pension and the names of the persons to whom such pension has been allowed; *provided*, that in counties where there are no papers published the Board of County Commissioners shall cause to be posted by the Clerk of said board at the door of the courthouse in said county the names of the pensioners and the amount of the pension provided for in this Act. The names and amounts of said pensions shall be published quarterly each year."

Amendment No. 5—Add a new section to be known as section 33: SEC. 33. This Act shall take effect immediately upon its passage and approval.

G. J. KENNY, *Chairman.*

Mr. Kenny moved adoption of report.

Carried.

Mr. Raycraft and Mr. Hatton were marked present.

### GENERAL FILE AND THIRD READING

Assembly Bill No. 10.

Bill read third time.

Amendment proposed by Committee on Contingent Expenses and Accounts: Amend section 22 of Assembly Bill No. 10 by striking out the word "one" at the end of line 13, page 8, and insert after the word "exceeding" in line 13, page 8, the following words: "five hundred dollars, or undergo imprisonment not exceeding one."

Amendment proposed by Mr. Dunseath: Amend section 22 of Assembly Bill No. 10 by inserting the word "gross" in line 12, page 8, between the article "a" and the word "misdemeanor."

Amendment proposed by Mr. Dunseath: Amend section 32 of Assembly Bill No. 10 by striking out the words: "This Act shall take effect immediately," and substituting in lieu thereof the following: "The County Commissioners of the different counties in this State shall

cause to be published in some newspaper published in their respective counties, the amount of the pension and the names of the persons to whom such pension has been allowed; *provided*, that in counties where there are no papers published the Board of County Commissioners shall cause to be posted by the Clerk of said board at the door of the courthouse in said county the names of the pensioners and the amount of the pension provided for in this Act. The names and amounts of said pensions shall be published quarterly each year.

Amendment proposed by Mr. Dunseath: Amend Assembly Bill No. 10 by adding a new section to be known as section 33: SEC. 33. This Act shall take effect immediately upon its passage and approval.

Remarks by Messrs. Dunseath, Cobb, Cahill, McAuliffe, Bugbee, Smith, Hamlin and Tandy.

Roll call on Assembly Bill No. 10:

YEAS—Messrs. Barnes, Beverly, Blundell, Brown, Bugbee, Butler, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Johnson, Kenny, Lage, McAuliffe, Malone, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Taber, Tandy and Wheelwright—31.

NAYS—Messrs. Anderson, Black, Cahill, Hussman, Murphy and Stewart—6.  
Absent—Mr. Moore.

Not voting—Messrs. Strosnider and Mr. Speaker—2.

Assembly Bill No. 10 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Mines and Mining has had Assembly Bill No. 104 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

FRANK BUGBEE, *Chairman.*

*Mr. Speaker:*

Your Committee on Federal Relations has had Senate Joint Resolution No. 9 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

A. E. CAHLAN, *Chairman.*

*Mr. Speaker:*

Your Committee on Judiciary has had Assembly Bills Nos. 103 and 122, and Senate Bill No. 34 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

Also, Assembly Joint Resolution No. 20, and reports unfavorably on the same, with the recommendation that it do not pass.

G. J. KENNY, *Chairman.*

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 130, 131, 132, 133, 134, 135, 136, 137, 138, 139 and 140, and Assembly Joint Resolutions Nos. 25, 26, 27 and 28, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

Mr. A. E. McBride, Speaker of the Assembly in 1915, was escorted to the Speaker's desk.

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Carroll asked for a call of the house on Initiative Petition No. 1, which was under consideration this morning.

Remarks by Messrs. Tandy and Malone.

Mr. Carroll withdrew motion.

Mr. Malone moved for a call of the house.

Motion lost.

Roll call on original motion of Mr. Carroll that Initiative Petition No. 1 be rejected:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Bugbee, Butler, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Heward, Johnson, Lage, Persson, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber and Tandy—24.

NAYS—Messrs. Kenny, McAuliffe, Malone, Noble, O'Connor and Praycraft—6. Absent—Messrs. Anderson, Brown, Cahlan, Hatton, Moore and Wheelwright—6.

Not voting—Messrs. Cahill, Hussman, Murphy and Mr. Speaker—4.

The motion having received a constitutional majority, Mr. Speaker declared it adopted.

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Bill No. 80 which has this day passed the Senate, as amended, by the following vote: Yeas, 14; nays, none; absent 1; not voting, 2. Amend as follows: Strike all of section 2, and insert in lieu thereof the following: "At the general election in 1934 and at each general election thereafter there shall be elected in District 2 a commissioner who shall serve for two years. At the general election in 1934 and at each general election thereafter there shall be elected in District 1 a commissioner who shall serve for four years."

Also, Assembly Bill No. 72, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: In title, place period after figures 1911, and strike remainder of sentence. Page 1, line 4, strike the word "another," and insert in lieu thereof the words "a new." Page 2, line 3, strike the word "memorandums," and insert in lieu thereof the word "memoranda."

Also, Assembly Bill No. 45, which passed, as amended: Yeas, 15; nays, none; absent, 2. Amend as follows: Amend section 1, page 2, line 1, by striking out the words "land described in the preamble hereto," and inserting in lieu thereof: "Southeast quarter of northeast quarter, the east half of southwest quarter of northeast quarter, and the east half of northeast quarter of southeast quarter of section 33, township 16 south, range 68 east, Mt. Diablo Meridian, containing 80 acres in the county of Clark, State of Nevada." Amend section 2, page 2, line 6, by inserting after word "land" a comma, and the words: "after payment of all necessary cost of conveyance."

Also, to present Senate Concurrent Resolution No. 10, which was adopted by the Senate, as amended. Amend as follows: By striking the period at the end of the word "board" and adding the words "in the event a statute covering such emergency be enacted."

Also, Senate Bill No. 22, which passed, as amended: Yeas, 14; nays, 1; absent, 1; not voting, 1. Amend as follows: Page 1, line 2, strike the figures "116" and insert in lieu thereof the figures "185."

Also, Senate Bill No. 29, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Strike out on page 2, line 4, the words "described in the preamble hereto," and substitute the words "acquired from the Estate of Henry Wood, deceased."

Also, Senate Bill No. 45, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 1, in the title strike the comma after the word "become" and insert the comma after the word "hereafter." Page 1, line 1, strike all the words after the word "any" down to the word "shall," and insert the word "person." Page 1, line 4, commencing after the semicolon strike all the lines 5, 6, 7, 8, 9 and 10 up to the word "that." Page 2, line 1, after the word "penalties" insert the words "and costs." Page 2, line 9, after the word

"therefor," insert the following: "*provided*, no ore or valuable mineral, in excess of five hundred (500) pounds, shall be removed from any mining claim or claims until title thereto shall have been acquired by said citizen, as is hereinafter provided."

Also, Senate Bill No. 50, which passed: Yeas, 12; nays, 3; absent, 1; not voting, 1.

Also, Senate Bill No. 53, which passed, as amended: Yeas, 15; nays, none; absent, 2. Amend as follows: In line 5, page 1, section 1, after the word "of" add the following: "Pyramid Lake, District No. 1, Topaz Lake, District No. 11." Line 14, page 2, strike out the figures "1929" and "1930," and insert in lieu thereof the figures "1933" and "1934," and further amend on page 2, line 1, by striking out the figure and letters in parentheses "(1st)," and in line 2 strike out the letters and figure in parentheses "(1st)." On page 2, line 8, change the figures "31" to "30."

Also, Senate Bill No. 56, which passed, as amended: Yeas, 15; nays, none; absent, 1; not voting, 1. Amend the title to read as follows: "An Act authorizing the Boards of County Commissioners of the various counties of the State of Nevada to issue certificates of indebtedness under certain conditions, and providing the redemption thereof." Amend further on page 4, line 15, by changing the word "executor" to "executors," "administrator" to "administrators," and strike the word "agent."

Also, to advise your honorable body that the Senate has this day recessed from its amendments to Assembly Bill No. 37.

V. R. Merialdo,  
*Secretary of the Senate.*

At 2:45 p. m. house recessed.

### HOUSE IN SESSION

At 3:07 p. m.

Mr. Speaker in the chair.

Quorum present.

#### MOTIONS, RESOLUTIONS AND NOTICES

Without objection, and upon motion of Mr. Dunseath, Assembly Joint Resolution No. 14 was withdrawn.

Without objection, and upon motion of Mr. Malone, Senate Joint Resolution No. 9 was placed on the general file for third reading and final passage.

Mr. Noble moved that Senate Bill No. 27 be withdrawn from Committee on Agriculture and referred to Committee on Irrigation.

Carried.

Without objection, upon motion of Mr. Lage, Assembly Bill No. 104 was withdrawn.

Mr. Stewart moved that Assembly Joint Resolution No. 16 be placed on general file for third reading and final passage.

Carried.

Mr. Cooper moved that Assembly Bills Nos. 110 and 112 be rereferred to Committee on Military and Indian Affairs.

Carried.

Mr. Smith moved that when the Assembly adjourns it do so until 10 o'clock Tuesday morning.

Carried.

## INTRODUCTION AND FIRST READING

By Mr. McAuliffe.

Assembly Bill No. 141—An Act to amend section 22 of an Act entitled "An Act regulating the nomination of candidates for public office in the State of Nevada," approved March 23, 1917, being section 2425 N. C. L. 1929.

Mr. McAuliffe moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Elections.

Carried.

By Lincoln County Delegation.

Assembly Bill No. 142—An Act concerning Lincoln County officers, their deputies, and their duties and compensation.

Mr. Smith moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to select committee consisting of Lincoln County Delegation.

Carried.

By Mr. Cahlan (by request):

Assembly Bill No. 143—An Act for the relief of William Royle.

Mr. Smith moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Claims.

Carried.

By Mr. Murphy:

Assembly Bill No. 144—An Act to amend an Act entitled "An Act relating to elections," approved March 24, 1917, as amended.

Mr. Murphy moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Elections.

Carried.

By Mr. Murphy:

Assembly Bill No. 145—An Act to amend sections 4 and 5 of an Act entitled "An Act in relation to money of account and interest," approved November 28, 1861, being sections 4322 and 4323 N. C. L. 1929.

Mr. Murphy moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Banks and Banking.

Carried.

By Mr. Black:

Assembly Bill No. 146—An Act providing for quarantine against the importation into or transportation through the State of Nevada of certain agricultural and horticultural crops, products, seeds, plants, trees or shrubs, or any article infected with, or which may have been exposed to infectious, contagious or destructive diseases, or infested with parasites, or insect pests, or the eggs or larvæ thereof, dangerous

to any industry in the State, or any foodstuffs or commodities intended for human consumption where the same do not comply with certain standards, providing for the enforcement of this Act and a penalty for the violation of the provisions thereof, and other matters relating thereto.

Mr. Black moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Roads and Highways.

Carried.

By Mr. Black:

Assembly Bill No. 148—An Act to amend section 1 of an Act entitled "An Act authorizing the Governor and State Land Register to transfer in trust that certain property in the State of Nevada, commonly known as and called 'Fort Churchill,' and the land incident thereto, to the Daughters of the American Revolution," approved March 24, 1931 (Stats. 1931, page 224).

Mr. Black moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Public Lands.

Carried.

By Mr. Black:

Assembly Bill No. 147—An Act to amend an Act entitled "An Act to regulate proceedings of civil cases in this State, and to repeal all other Acts in relation thereto," approved March 17, 1911.

Mr. Black moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Heward:

Assembly Bill No. 149—An Act limiting the employment of and compensation to attorneys for the Bank Examiner of the State of Nevada in the performance of any of his duties as such Bank Examiner, or any other duties required by law of the person holding the office of Bank Examiner.

Mr. Heward moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Banks and Banking.

Carried.

By Mr. Kenny (by request):

Assembly Bill No. 150—An Act to amend section 82 of an Act entitled "An Act to regulate proceedings in civil cases in this State, and to repeal all other Acts in relation thereto," approved March 17, 1911, and being section 8580 Nevada Compiled Laws 1929.

Mr. Kenny moved that rules be suspended, reading so far had considered first readings, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Committee on Roads and Highways:

Assembly Bill No. 151—An Act to provide an excise tax on the sale of motor vehicle fuel; to provide for the collection thereof; to provide for the licensing of dealers engaged in the distribution of motor vehicle fuel and the filing of bonds by such dealers; to provide for the keeping of records by dealers and retailers of motor vehicle fuel, and the examination thereof; to provide for reports of carriers of motor vehicle fuel; to provide for the administration and enforcement thereof by the Vehicle Commissioner and fixing his duties in relation thereto; to fix a penalty for the violation of the provisions of this Act; to provide for the disposition of the said tax; to define certain words, terms and phrases herein, and to repeal all other Acts or parts of Acts in conflict herewith.

Mr. Goodin moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Roads and Highways.

Carried.

By Mr. Anderson:

Assembly Bill No. 152—An Act to amend an Act entitled "An Act to create a public corporation to be known as 'State Bar of Nevada,' to provide for its organization, government, membership and powers, to regulate the practice of law, and to provide penalties for violation of said Act," approved January 31, 1928, and repealing certain sections thereof.

Mr. Butler moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

Senate Bill No. 29.

Mr. Carroll moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

Senate Bill No. 45.

Mr. Roberts moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Mines and Mining.

Carried.

Senate Bill No. 50.

Mr. McAuliffe moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to a Joint Committee on Judiciary and Ways and Means.

Carried.

Senate Bill No. 53.

Mr. Hamlin moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Fish and Game.

Carried.

Senate Bill No. 56.

Mr. Hamlin moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to a Joint Committee on Ways and Means and Counties and County Boundaries.

Carried.

Senate Bill No. 22.

Mr. Smith moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Mines and Mining.

Carried.

By Mr. Goodin (by request):

Assembly Bill No. 153—An Act declaring the purpose and policy of the Legislature relative to use of the public highways of the State in the carrying of persons and property thereon in motor vehicles, defining such vehicles and public highways, providing for the licensing of certain carriers thereon by the Public Service Commission of Nevada, and providing and defining its duties in relation thereto, providing license fees for the operation of motor vehicles in carrier service for hire and other service on the public highways of the State, providing liability insurance in certain cases, providing for an official inspector and salary and allowances therefor, providing penalties for the violation hereof and other civil actions for the recovery of license fees herein, providing for the weighing of motor vehicles for license purposes by public weighmasters, and repealing all Acts and parts of Acts and certain Acts of the Legislature in conflict herewith; and other matters properly connected therewith.

Mr. Goodin moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Roads and Highways.

Carried.

Without objection, upon motion of Mr. Smith, all bills reported out of committees were placed on the general file for third reading and final passage.

#### GENERAL FILE AND THIRD READING

Senate Joint Resolution No. 9.

Remarks by Messrs. Tandy, Malone, Dunseath, Taber and Cahill.

Roll call on Senate Joint Resolution No. 9:

YEAS—MESSRS. Barnes, Beverly, Blundell, Bugbee, Butler, Cahill, Carroll, Cobb, Cooper, Ebert, Goodin, Hamlin, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—33.

NAYS—Mr. Dunseath.

Not voting—Mr. Black.

Absent—Messrs. Anderson, Brown, Cahlan, Hatton and Moore—5.

Senate Joint Resolution No. 9 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Dunseath stated that he protested the adoption of the resolution.



Senate Bill No. 34.

Roll call on Senate Bill No. 34:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Bugbee, Butler, Cahill, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Heward, Hussman, Johnson, Kenny, Lage, Malone, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—33.

NAYS—None.

Absent—Messrs. Anderson, Brown, Cahlan, Hatton, McAuliffe, Moore and Wheelwright—7.

Senate Bill No. 34 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 103.

Mr. Hussman moved that Assembly Bill No. 103 be placed on general file for tomorrow.

Carried.

Assembly Bill No. 122.

Remarks by Messrs. Dunseath and Lage.

Roll call on Assembly Bill No. 122:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Bugbee, Butler, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Heward, Johnson, Kenny, McAuliffe, Malone, Murphy, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber and Tandy—29.

NAYS—None.

Absent—Messrs. Anderson, Brown, Cahlan, Hatton, Moore, Reynolds and Wheelwright—7.

Not voting—Messrs. Cahill, Hussman, Lage and Mr. Speaker—4.

Assembly Bill No. 122 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Joint Resolution No. 20.

Mr. Kenny moved, in the absence of Mr. Reynolds, author of the resolution, that it be laid on the table.

Without objection order of business No. 3 was reverted to.

#### PRESENTATION OF PETITIONS

HON. FRED S. ALWARD, *Speaker of the Assembly, Carson City, Nevada.*

DEAR SIR: I have the honor to present herewith to your honorable body a Joint Memorial to the Honorable the Senate and House of Representatives of the United States of America, in Congress assembled, from the 86th Legislative Session of the State of Maine.

The Legislature of the State of Maine respectfully requests that, in accordance with the resolve of this memorial, that the Legislature of this State shall pass and present a similar memorial to Congress.

Very truly yours,

W. G. GREATHOUSE,  
*Secretary of State.*

Mr. Tandy moved that the petition go over until Tuesday, and then be acted upon.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Judiciary has had Assembly Bill No. 111 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass, with the following amendments:

Amendment No. 1—Amend section 1, page 2, line 7, after the word "cent" insert the words "on said first installment."

Amendment No. 2—Section 1, page 2, line 21, strike out the semicolon, and insert in lieu thereof a period, and strike out all the rest of the section beginning with the word "and" and ending with the word "sale," line 29, page 2.

Amendment No. 3—Section 4, page 5, line 24, strike out the word "three" and insert in lieu thereof the word "two."

Amendment No. 4—Section 7, page 8, line 31, strike out the word "three" and insert in lieu thereof the word "two."

Amendment No. 5—Section 7, page 9, line 6, before the word "original" insert the words "judgment and."

Amendment No. 6—Strike out all of the words of section 8, page 9, lines 15 and 16, and insert in lieu thereof the words: "All Acts and parts of Acts in conflict herewith are hereby repealed."

Amendment No. 7—Strike out all of the words of section 9, page 9, lines 17 and 18, and insert in lieu thereof the words: "This Act shall take effect from and after its passage and approval."

G. J. KENNY, *Chairman.*

*Mr. Speaker:*

Your Committee on Live Stock has had Assembly Bill No. 119 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass, as amended. Amend section 1 of Assembly Bill No. 119 by inserting a comma after the word "issued," page 2, line 18 of the printed bill.

Also, Assembly Bill No. 94, and reports favorably on the same, with the recommendation that it do pass.

L. F. ANDERSON, *Chairman.*

*Mr. Speaker:*

Your Committee on Rules has had Senate Concurrent Resolution No. 9 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

G. J. KENNY, *Chairman.*

*Mr. Speaker:*

Your Committee on Elections has had Assembly Bill No. 87 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

HARRY DUNSEATH, *Chairman.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Kenny moved the adoption of Senate Concurrent Resolution No. 9.

Carried.

Mr. Goodin moved that the printer be ordered to print 100 extra copies of Assembly Bill No. 151.

Carried.

Mr. Tandy moved that Senate Concurrent Resolution No. 10 go over until Tuesday, and then be referred to Committee on Ways and Means.

Carried.

At 4:34 p. m. Mr. Hamlin moved that the Assembly adjourn until Tuesday, February 21, 1933, at 10 a. m.

Carried.

Approved:

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,

*Chief Clerk of the Assembly.*

**THE THIRTY-SEVENTH DAY**

CARSON CITY (Tuesday), February 21, 1933.

Assembly called to order at 10 a. m.

Mr. Speaker in the chair.

Roll called.

All present.

Without objection Mr. Moore was excused for yesterday.

Prayer by Rev. Hersey.

Without objection Mr. Speaker signed Assembly Bill No. 48.

On motion of Mr. Perron the reading of the Journal was dispensed with, and Mr. Speaker and the Chief Clerk authorized to make any necessary corrections.

**MOTIONS, RESOLUTIONS AND NOTICES**

The joint memorial from the State of Maine to Congress, which was read yesterday, was referred to Committee on Ways and Means.

Mr. Hamlin moved that the Joint Committee on Mines and Mining and Ways and Means be instructed to report back Assembly Bill No. 67.

Discussion by Messrs. Cahill, Hamlin, Bugbee and Tandy.

Carried.

Further discussion on motion by Messrs. Cahill, Hamlin, Black, McAuliffe, Tandy and Bugbee.

Mr. Speaker ruled that the bill be reported out immediately without any further report.

**INTRODUCTION AND FIRST READING**

By Mr. Cooper:

Assembly Bill No. 154—An Act establishing a State institution to be known as the Juvenile Industrial School, fixing the location thereof and creating a Board of Governors for the control of said school, and providing for the custody, control and education of minors who have been adjudged delinquents or guilty of criminal offenses, repealing certain Acts in conflict herewith, and other matters properly connected herewith.

Mr. Cooper moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on State Institutions.

Carried.

By Mr. Roberts:

Assembly Bill No. 155—An Act to amend an Act entitled "An Act to provide an excise tax on the sale of gasoline, distillate, and other volatile and inflammable liquids produced or compounded for the purpose of operating or propelling motor vehicles; to provide for the

collection thereof; to provide a manner of ascertaining the number of gallons of gasoline, distillate and such other volatile and inflammable liquids produced or compounded for the purpose of operating or propelling motor vehicles sold or distributed in the State of Nevada; to provide for the registration of dealers engaged in the distribution of and sale of gasoline, distillate and other volatile and inflammable liquid fuels; to fix a penalty for the violation of the provisions of this Act; to define certain words, terms and phrases herein, and to repeal all other Acts or parts of Acts in conflict herewith," approved March 20, 1923, as amended.

Mr. Roberts moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Roads and Highways.

Carried.

By Clark County Delegation:

Assembly Bill No. 156—An Act to amend section 1 of an Act entitled "An Act reapportioning Senators and Assemblymen of the several counties to the Legislature of the State of Nevada," approved March 28, 1927, as amended by Statutes 1931, page 439.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Counties and County Boundaries.

Carried.

By Mr. Murphy (by request):

Assembly Bill No. 157—An Act to repeal an Act entitled "An Act to promote efficiency in the public schools by payment of transportation expenses of teachers to and from teachers' institutes," approved March 14, 1917.

Mr. Murphy moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

Carried.

By Mr. Anderson:

Assembly Bill No. 158—An Act to repeal an Act entitled "An Act creating a State Rabies Commission, and prescribing its membership and duties, and making an appropriation for the control and eradication of rabies and predatory and noxious animals within the State of Nevada in cooperation with the Bureau of Biological Survey of the United States Department of Agriculture, and repealing an Act entitled 'An Act providing for the eradication of noxious animals in the State of Nevada; for the suppression of rabies; for cooperation between the State, the counties, and the Bureau of Biological Survey, United States Department of Agriculture, in the administration thereof; for the levy of taxes therefor; for the creation of State and county boards for the purpose, and defining their duties,' approved March 21, 1921; and other matters relating thereto," approved March

8, 1923, being sections 3941 to 3944, both inclusive, of N. C. L. 1929.

Mr. Anderson moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Live Stock.

Carried.

By Mr. Brown (by request):

Assembly Bill No. 159—An Act to amend section 97 of an Act entitled "An Act to regulate proceedings in civil cases in this State, and to repeal all other Acts in relation thereto," approved March 17, 1911, and being section 8595 N. C. L. 1929.

Mr. Brown moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Hamlin:

Assembly Bill No. 160—An Act to amend an Act entitled "An Act relating to the National Guard and the enrolled militia; to provide for the custody and care of the State Armory Building and grounds; to prevent the desecration of the flag of the United States and the flag of this State; providing penalties for the violation of the provisions hereof; repealing certain Acts in conflict herewith, and other matters relating thereto," approved March 27, 1929, as amended, Statutes 1931.

Mr. Hamlin moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Military and Indian Affairs.

Carried.

By Mr. Raycraft (by request):

Assembly Bill No. 161—An Act prohibiting corporal punishment of pupils in any of the public schools of the State of Nevada, and providing a penalty for violation hereof.

Mr. Raycraft moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

Carried.

By Mr. Dunseath:

Assembly Joint Resolution No. 29, requesting Congress to enlarge the Charles Sheldon wild life refuge in northern Washoe County, Nevada, and prohibit grazing thereon, so as to protect antelope and other wild animals.

Mr. Dunseath moved that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Fish and Game.

Carried.

Messrs. Brown and Malone escorted former Assemblyman Clel Georgetta to the Speaker's desk.

## SPECIAL ORDER OF BUSINESS

Assembly Bill No. 36.

Amendment No. 1—Amend section 2 of said bill, page 2, lines 18 and 19, by striking out the words “in the possession of the legal or registered owner.”

Mr. Brown moved adoption of amendment.

Carried.

Amendment No. 2—Strike out in section 3 of said bill, page 3, beginning in line 21, the words “to the legal owner and to the registered owner of such vehicle if registered in this State, as the same appear in the registration certificate,” and insert in lieu thereof the following: “to the legal owner and to the registered owner of such vehicle and all other lien holders thereon, as the same appears in the registration certificate, if registered in this State, and to all lien holders shown on the records of the county in which the lien under this Act may be acquired.”

Mr. Brown moved adoption of amendment.

Carried.

Amendment No. 3—Section 3, page 3, insert after the word “owner,” line 30, the words “or any lien holder.”

Mr. Brown moved adoption of amendment.

Carried.

Amendment No. 4—Section 3, page 3, beginning on line 32, strike out “together with interest on said sum at the rate of 10% per annum, from the due date thereof, or the date when the same were advanced until the repayment.”

Mr. Brown moved adoption of amendment.

Carried.

Remarks on bill by Mr. Brown.

Roll call on Assembly Bill No. 36:

YEAS—Messrs. Anderson, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hatton, Hussman, Johnson, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—36.

NAYS—Messrs. Barnes, Heward and Kenny—3.

Absent—Mr. Hamlin.

Assembly Bill No. 36 having received a constitutional majority, Mr. Speaker declared it passed as amended.

## GENERAL FILE AND THIRD READING

Assembly Bill No. 103.

Amendment proposed by Mr. Black: Amend section 1 of Assembly Bill No. 103 by striking out in line 12, page 1 of the printed bill, the following: “fifty per cent of.”

Mr. Black moved adoption of amendment.

Carried.

Remarks on bill by Messrs. Hussman, Cooper, Black, Hatton, Kenny, Cahill and Bugbee.

Roll call on Assembly Bill No. 103:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Murphy, Noble, O'Connor, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Hamlin, Moore and Persson—3.

Assembly Bill No. 103 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Without objection all bills reported out favorably from committees were placed on general file for third reading and final passage.

At 11:12 a. m. house recessed.

### HOUSE IN SESSION

At 11:21 a. m.

Mr. Speaker in the chair.

Quorum present.

### GENERAL FILE AND THIRD READING

Assembly Bill No. 87.

Remarks by Messrs. Cahlan, Kenny, Hussman, Dunseath and Taber.

Amendment proposed by Mr. Cahlan: Amend section 1 of Assembly Bill No. 87 by changing, in line 8, page 1, the word "shall" to "may."

Mr. Cahlan moved adoption of amendment.

Carried.

Remarks on bill by Mr. Tandy.

Roll call on Assembly Bill No. 87:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—38.

NAYS—None.

Absent—Mr. Hamlin.

Not voting—Mr. Moore.

Assembly Bill No. 87 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Bill No. 94.

Remarks by Messrs. Dunseath, Stewart, Lage and Cooper.

Roll call on Assembly Bill No. 94:

YEAS—Messrs. Anderson, Barnes, Beverly, Butler, Cahill, Carroll, Ebert, Goodin, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Murphy, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Wheelwright—26.

NAYS—Messrs. Brown, Bugbee, Cobb, Dunseath and Malone—5.

Absent—Mr. Hamlin.

Not voting—Messrs. Black, Blundell, Cahlan, Cooper, Hatton, Moore, Reynolds and Mr. Speaker—8.

Assembly Bill No. 94 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 111.

Amendments proposed by Judiciary Committee: Amendment No. 1—Section 1, page 2, line 7, after the word “cent” insert the words “on said first installment.”

Mr. Strosnider moved adoption of amendment.

Carried.

Amendment No. 2—Section 1, page 2, line 21, strike out the semi-colon and insert in lieu thereof a period, and strike out all the rest of the section beginning with the word “and” and ending with the word “sale,” line 29, page 2.

Mr. Strosnider moved adoption of amendment.

Carried.

Remarks by Messrs. Cahill, Strosnider and Hatton.

Amendment No. 3—Section 4, page 5, line 24, strike out the word “three” and insert in lieu thereof the word “two.”

Mr. Strosnider moved adoption of amendment.

Carried.

Amendment No. 4—Section 7, page 8, line 31, strike out the word “three” and insert in lieu thereof the word “two.”

Mr. Strosnider moved adoption of amendment.

Carried.

Amendment No. 5—Section 7, page 9, line 6, before the word “original,” insert the words “judgment and.”

Mr. Strosnider moved adoption of amendment.

Carried.

Amendment No. 6—Strike out all of the words of section 8, page 9, lines 15 and 16, and insert in lieu thereof the words: “All Acts and parts of Acts in conflict herewith are hereby repealed.”

Mr. Strosnider moved adoption of amendment.

Carried.

Amendment No. 7—Strike out all of the words of section 9, page 9, lines 17 and 18, and insert in lieu thereof the words: “This Act shall take effect from and after its passage and approval.”

Mr. Strosnider moved adoption of amendment.

Carried.

Remarks on bill by Messrs. Strosnider, Carroll, Cahlan, Kenny and Hamlin.

Roll call on Assembly Bill No. 111:

YEAS—MESSRS. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—39.

NAYS—None.

Absent—Mr. Wheelwright.

Assembly Bill No. 111 having received a constitutional majority, Mr. Speaker declared it passed, as amended.



At 12:15 p. m. Mr. Kenny moved that Assembly recess until 1:30 p. m.

Carried.

### HOUSE IN SESSION

At 1:30 p. m.

Mr. Speaker in the chair.

Quorum present.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 119.

Amendment proposed by Committee on Live Stock: Insert a comma after the word "issued," page 2, line 18 of printed bill.

Mr. Anderson moved adoption of amendment.

Carried.

Remarks by Mr. Stewart.

Roll call on Assembly Bill No. 119:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hatton, Heward, Hussman, Kenny, Lage, Malone, Murphy, Noble, O'Connor, Rayercraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—35.

NAYS—None.

Absent—Messrs. Hamlin, Johnson, McAuliffe, Moore and Persson—5.

Assembly Bill No. 119 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

#### PRESENTATION OF PETITIONS

A letter from Yerington Union Schools was referred to Committee on Ways and Means.

A letter from Women's Forum of Washoe County was referred to Committee on State Institutions.

An invitation to members and officers of the Assembly to attend a meeting on February 22, 1933, at 2 o'clock, in auditorium of Washoe County Library Building, Reno, was read from Washoe County Tax-payers Association.

An invitation to attend the Legion dance this evening in Carson City was extended to the Assembly.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Enrollment has carefully compared Assembly Enrolled Bill No. 48 with the engrossed copy, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. H. BARNES, *Chairman.*

*Mr. Speaker:*

Your Committee of White Pine Delegation has had Assembly Bill No. 133 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

WALTER LAGE, *Chairman.*

*Mr. Speaker:*

Your Committee on Judiciary has had Assembly Bill No. 70, and Senate

Joint Resolution No. 11 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

Also, Assembly Bill No. 125, and reports favorably on the same, with the recommendation that it do pass with the following amendment: Section 2, page, 3, line 28, strike out the comma after the word "State," and insert a period in lieu thereof; strike out all the words following the word "State" down to and including the word "filed" on page 3, line 30.

Also, Assembly Bills Nos. 85 and 102, and reports unfavorably on the same, with the recommendation that they do not pass.

Also, Assembly Joint Resolution No. 21, and reports favorably on the same, with the recommendation that it do pass with the following amendment: On page 1, line 1, strike out the words "*Resolved by the Assembly, the Senate concurring,*" and insert in lieu thereof the words "*Resolved by the Assembly and Senate of the State of Nevada.*"

G. J. KENNY, *Chairman.*

*Mr. Speaker:*

Your Committee on Claims has had Assembly Bill No. 140 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

TOM P. EBERT, *Chairman.*

*Mr. Speaker:*

Your Committee on Fish and Game has had Senate Bill No. 53 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

Also, Assembly Bill No. 123, and reports favorably on the same, with the recommendation that it do pass, as amended: Amend section 1 of Assembly Bill No. 123 by adding at the end of line 9, page 2, the following: "No such fishing or hunting license shall be issued to such citizen over the age of 65 years unless he appears personally before the County Clerk and states under oath and proves to the satisfaction of such County Clerk that he is a citizen of the United States over the age of 65 years and has been an actual resident of the State of Nevada for the period of at least ten years immediately preceding."

ROY PERSSON, *Chairman.*

Mr. Malone, Chairman of Committee on Acoustics, reported that the State Controller had a proposition to submit to the committee which was turned over to the Committee on Ways and Means. The proposition was not accepted as it would cost \$4,025.

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Carroll moved that the Assembly concur in the Senate amendments to Assembly Bill No. 45.

Remarks by Messrs. Dunseath and Carroll.

Carried.

Without objection, upon motion of Mr. Anderson, Assembly Bill No. 52 was withdrawn.

Mr. Stewart moved that the Assembly concur in the Senate amendments to Assembly Joint Resolution No. 16.

Remarks by Mr. Dunseath.

Carried.

Mr. Cahlan moved that when the Assembly adjourns today, it do so until 10 a. m. Wednesday.

Remarks by Messrs. Black, Bugbee and Cahlan.

Mr. Cahill amended motion to read to adjourn until Thursday at 10 a. m.

Remarks by Mr. Hussman.

Amendment lost.

Original motion carried.

Mr. Tandy gave notice that on the next legislative day he would move for a reconsideration of the vote taken on Assembly Bill No. 87.

Assembly Resolution No. 14.

Mr. Tandy moved adoption of resolution.

Remarks by Messrs. Tandy and Cahill.

Carried.

Committee appointed in accord with resolution consisted of Messrs. Strosnider, O'Connor and Wheelwright.

Without objection Mr. Speaker signed Senate Joint Resolution No. 9 and Senate Bill No. 34.

Mr. Bugbee was granted permission to revert to order of business No. 4.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Mines and Mining has had Assembly Joint Resolutions Nos. 15, 22 and 24 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

FRANK BUGBEE, *Chairman.*

At 2 p. m. Mr. Brown moved that Assembly adjourn until Wednesday, February 22, 1933, at 10 a. m.

Carried.

Approved:

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,  
*Chief Clerk of the Assembly.*

## THE THIRTY-EIGHTH DAY

---

CARSON CITY (Wednesday), February 22, 1933.

Assembly called to order at 10 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Bugbee and Raycraft.

Prayer by Rev. Hersey.

On motion of Mr. Persson the reading of the Journal was dispensed with, and Mr. Speaker and the Chief Clerk authorized to make any necessary corrections.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

The majority of your Committee on Judiciary has had Assembly Bill No. 127 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

G. J. KENNY, *Chairman.*

*Mr. Speaker:*

The minority of your Committee on Judiciary has had Assembly Bill No. 127 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

WILLIAM F. TABER,  
HARRY DUNSEATH.

*Mr. Speaker:*

Your Committee on Ways and Means has had Assembly Bill No. 139 and Senate Bill No. 29 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

J. H. CAHILL, *Chairman.*

### MOTIONS, RESOLUTIONS AND NOTICES

Without objection Assembly Bill No. 160 was withdrawn by Mr. Hamlin.

Mr. Kenny moved that the Assembly concur in Senate amendments to Assembly Bills Nos. 72 and 92.

By Mr. Cobb:

Assembly Resolution No. 6, requesting the resignation of the State Bank Examiner.

*Resolved by the Assembly of the State of Nevada, the Senate concurring,* That the resignation of E. J. Seaborn, State Bank Examiner, be and the same is hereby requested.

Without objection Assembly Concurrent Resolution No. 6 was referred to the Committee on Banks and Banking.

By Mr. Hamlin:

Assembly Concurrent Resolution No. 7, providing for appointment

of joint committee with reference to proposed amendment No. 21 to the Constitution of the United States.

WHEREAS, It is necessary that a plan be devised for the calling of a convention to act on a proposed amendment to the Constitution of the United States; now, therefore, be it

*Resolved by the Assembly, the Senate concurring,* That a joint committee of the Assembly and the Senate consisting of two members of the Assembly, to be appointed by the Speaker of the Assembly, and two members of the Senate, to be appointed by the President of the Senate, be named for the purpose of formulating a plan for calling such a convention; be it further

*Resolved,* That the Attorney-General of the State of Nevada be requested to meet with this committee and assist in the formation of such plan.

Mr. Hamlin moved adoption of resolution.

Carried.

Mr. Cahlan stated that the redraft as proposed by the Committee on Banks and Banking of Assembly Bill No. 64 is completed, and moved that the redraft be printed.

Remarks by Messrs. Brown, Hamlin, Cahlan, Tandy and Noble.

Carried.

#### INTRODUCTION AND FIRST READING

By Mr. Murphy (by request):

Assembly Bill No. 162—An Act to amend an Act entitled "An Act concerning public schools, and repealing certain Acts relating thereto," approved March 20, 1911, as amended.

Mr. Murphy moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Counties and County Boundaries.

Carried.

By Mr. Taber:

Assembly Bill No. 163—An Act to amend an Act entitled "An Act authorizing and directing County Boards of Education and Boards of County Commissioners to provide certain funds to aid district high schools, and to include in the tax levy for high schools provision for the necessary funds, and other matters properly connected therewith," approved March 21, 1923.

Mr. Taber moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

By Mr. Black (by request):

Assembly Bill No. 164—An Act relating to the powers of grand juries to make expenditures to conduct investigations.

Mr. Black moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

By Mr. Blundell (by request):

Assembly Bill No. 165—An Act to amend section 1 of an Act entitled

"An Act to amend an Act entitled 'An Act to provide for the publication of the decisions of the Supreme Court of the State of Nevada and such other official advertising as is required by the State; approved March 29, 1907,' as amended, being section 6593 Nevada Compiled Laws 1929," as amended by Statutes 1931, page 275.

Mr. Blundell moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Public Printing.

Carried.

By Mr. Anderson:

Assembly Bill No. 166—An Act concerning peace officers and deputy peace officers and prohibiting arrests in certain cases, and providing a penalty for the violation thereof.

Mr. Anderson moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Live Stock.

Carried.

By Mr. Hamlin:

Assembly Bill No. 167—An Act to amend an Act entitled "An Act relating to the National Guard and the enrolled militia; to provide for the custody and care of the State Armory Building and grounds; to prevent the desecration of the flag of the United States and the flag of the State; providing penalties for the violation of the provisions hereof; repealing certain Acts in conflict herewith, and other matters relating thereto," approved March 27, 1929, as amended, Statutes 1931.

Mr. Hamlin moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Military and Indian Affairs.

Carried.

By Messrs. Anderson and Stewart:

Assembly Bill No. 168—An Act to amend an Act entitled "An Act relating to cattle, horses, hogs and other domesticated animals and poultry, excepting sheep and goats, creating a State Board of Stock Commissioners, defining their powers and duties in regulating and controlling such stock and protecting the same against loss from disease, theft, and other injurious agencies, providing for the payment of certain indemnities on live stock condemned and destroyed, providing for the payment of bounties on certain noxious animals, providing for a tax levy to carry out the provisions of this Act, providing penalties for the violation thereof, and other matters properly relating thereto," approved March 26, 1915, as amended.

Mr. Anderson moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Live Stock.

Carried.

By Mr. Anderson:

Assembly Bill No. 169—An Act to amend an Act entitled "An Act relating to and regulating the grazing of live stock on public lands of

the United States in the State of Nevada, protecting customary grazing uses thereon, making certain Acts unlawful, and prescribing penalties and liabilities for violation of the Act," approved March 30, 1931.

Mr. Anderson moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Live Stock.

Carried.

By Mr. Goodin (by request):

Assembly Bill No. 170—An Act providing for and requiring licensing and regulating of operators of milk-gathering stations, manufactories and plants, providing penalties for the violation thereof, and other matters properly connected therewith.

Mr. Goodin moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Agriculture.

Carried.

By Mr. O'Connor:

Assembly Bill No. 171—An Act to amend section 17 of an Act entitled "An Act regulating the nomination of candidates for public office in the State of Nevada," approved March 23, 1917.

Mr. O'Connor moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Elections.

Carried.

By Mr. O'Connor:

Assembly Bill No. 172—An Act to amend section 48 of an Act entitled "An Act relating to elections," approved March 24, 1917.

Mr. O'Connor moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Elections.

Carried.

By Mr. Noble:

Assembly Bill No. 173—An Act to amend section 5 of an Act entitled "An Act to regulate fees and compensation for official and other services in the State of Nevada, and to repeal all other Acts in relation thereto," approved February 27, 1883.

Mr. Noble moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Counties and County Boundaries.

Carried.

By Mr. Hussman:

Assembly Bill No. 174—An Act to amend sections 3, being section 3012 N. C. L.; 4, being section 3013 N. C. L.; 9, being section 3018 N. C. L.; 10, being section 3019 N. C. L.; 11, being section 3020 N. C. L.; 14, being section 3023 N. C. L., and to repeal section 8, being section 3017 N. C. L., of an Act entitled "An Act regulating the fiscal

management of counties, cities, towns, school districts and other governmental agencies," approved March 22, 1917, as amended April 1, 1919, March 4, 1921, March 22, 1921, February 27, 1923, February 26, 1925, March 11, 1925, March 23, 1927.

Mr. Hussman moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Strosnider:

Assembly Bill No. 175—An Act to amend section 559 of an Act entitled "An Act to regulate proceedings in civil cases in this State and to repeal all other Acts in relation thereto," approved March 17, 1911.

Mr. Strosnider moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Bugbee:

Assembly Bill No. 176—An Act for the relief of Florian Windisch.

Mr. Strosnider moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Claims.

Carried.

#### GENERAL FILE AND THIRD READING

Without objection, upon motion of Mr. Hamlin, Assembly Bill No. 67 was placed on bottom of the file.

Senate Joint Resolution No. 11.

Remarks by Messrs. O'Connor, Tandy, Cahill, Brown and Hamlin.

Mr. Tandy moved that Senate Joint Resolution No. 11 be indefinitely postponed.

Carried.

#### HOUSE IN COMMITTEE OF THE WHOLE

Upon motion of Mr. Cahlan the house was resolved into a Committee of the Whole to receive Harry C. Gravelle, of Boulder City, after which a vote of thanks was extended the visitor for his invitation to visit Boulder City.

#### GENERAL FILE AND THIRD READING

Senate Bill No. 53.

Remarks by Mr. Hamlin.

Roll call on Senate Bill No. 53:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Butler, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Bugbee and Raycraft—2.

Not voting—Mr. Cahill.

Senate Bill No. 53 having received a constitutional majority, Mr. Speaker declared it passed.



Assembly Bill No. 85.

Remarks by Messrs. Dunseath, Hatton, Hamlin, Cahlan and Tandy.  
Mr. Dunseath moved that Assembly Bill No. 85 be placed on the bottom of the file.

Carried.

Assembly Bill No. 70.

Remarks by Mr. McAuliffe.

Roll call on Assembly Bill No. 70:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Reynolds, Roberts, Smith, Stewart, Stro-snyder, Taber, Tandy, Wheelwright and Mr. Speaker—38.

NAYS—None.

Absent—Messrs. Bugbee and Raycraft—2.

Assembly Bill No. 70 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 123.

Amendment proposed by Committee on Fish and Game: Amend section 1 of Assembly Bill No. 123 by adding at the end of line 9, page 2, the following: No such fishing or hunting license shall be issued to such citizen over the age of 65 years unless he appears personally before the County Clerk and states under oath and proves to the satisfaction of such County Clerk that he is a citizen of the United States over the age of 65 years and has been an actual resident of the State of Nevada for the period of at least ten years immediately preceding.

Mr. Persson moved adoption of amendment.

Carried.

Remarks by Mr. Dunseath.

Roll call on Assembly Bill No. 123:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Reynolds, Roberts, Smith, Stewart, Stro-snyder, Taber, Wheelwright and Mr. Speaker—35.

NAYS—None.

Absent—Messrs. Bugbee, Hamlin, Hatton and Raycraft—4.

Not voting—Mr. Tandy.

Assembly Bill No. 123 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

At 11:25 a. m. house recessed.

## HOUSE IN SESSION

At 11:34 a. m.

Mr. Speaker in the chair.

Quorum present.

## REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 141, 146, 143 and 142, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

## GENERAL FILE AND THIRD READING

Assembly Bill No. 125.

Mr. Blundell moved that Assembly Bill No. 125 be withdrawn and rereferred to the Committee on Banks and Banking.

Remarks by Messrs. Kenny, Blundell and Cahill.

Carried.

Assembly Bill No. 133.

Remarks by Messrs. Lage, McAuliffe, Taber, Hamlin, Cooper and Tandy.

Roll call on Assembly Bill No. 133:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Butler, Cahill, Cahlan, Carroll, Cooper, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, Malone, Moore, Murphy, Noble, O'Connor, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Wheelwright—31.

NAYS—Messrs. Dunseath and McAuliffe—2.

Absent—Messrs. Bugbee and Raycraft—2.

Not voting—Messrs. Cobb, Johnson, Persson, Reynolds and Mr. Speaker—5.

Assembly Bill No. 133 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 140.

Mr. Tandy moved that the Assembly resolve itself into Committee of the Whole for consideration of Assembly Bill No. 140.

Mr. Speaker appointed Mr. Tandy Chairman of the Committee of the Whole.

At 11:45 a. m. Assembly in Committee of the Whole.

At 12:01 p. m. house recessed until 1:30 p. m.

## HOUSE IN SESSION

At 1:30 p. m.

Mr. Speaker in the chair.

Quorum present.

Mr. Raycraft asked that his name be marked present on the record.

Mr. Tandy moved that the Assembly resolve itself into Committee of the Whole for consideration of Assembly Bill No. 140.

Mr. Speaker appointed Mr. Tandy Chairman of the Committee of the Whole.

At 1:47 p. m. Assembly in Committee of the Whole.

## REPORT OF COMMITTEE OF THE WHOLE

*Mr. Speaker:*

Your Committee of the Whole House has had under consideration Assembly Bill No. 140, and begs leave to report the same out favorably, with the recommendation that it do pass.

DOUG. H. TANDY, *Chairman.*

Mr. Tandy moved adoption of report.

Carried.

## GENERAL FILE AND THIRD READING

Assembly Bill No. 140.

Roll called on Assembly Bill No. 140:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—39.

NAYS—None.

Absent—Mr. Bugbee.

Assembly Bill No. 140 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 29.

Roll called on Senate Bill No. 29:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Butler, Cahill, Cahlan, Carroll, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Bugbee, Cobb and Raycraft—3.

Senate Bill No. 29 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 127.

Remarks by Messrs. Dunseath and Hatton.

Without objection, upon motion of Mr. Hatton, Assembly Bill No. 127 was rereferred to the Committee on Judiciary.

Assembly Bill No. 139.

Without objection, upon motion of Mr. McAuliffe, Assembly Bill No. 139 was rereferred to Committee on Mileage.

Assembly Joint Resolution No. 15.

Remarks by Mr. Tandy.

Without objection, and upon motion of Mr. Tandy, Assembly Joint Resolution No. 15 was rereferred to Committee on Mines and Mining.

On motion of Mr. Tandy the Assembly resolved itself into a quasi Committee of the Whole to hear former Governor Colecord.

## GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 21.

Amendment proposed by Committee on Judiciary: On page 1, line 1, strike out the words "*Resolved by the Assembly, the Senate concurring,*" and insert in lieu thereof the words "*Resolved by the Assembly and Senate of the State of Nevada.*"

Mr. Kenny moved adoption of amendment.

Carried.

Roll call on Assembly Joint Resolution No. 21:

YEAS—Messrs. Beverly, Black, Blundell, Butler, Cahill, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Heward, Hussman, Johnson, Kenny, Lage,

McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft Reynolds, Roberts, Smith, Stewart, Strosinder, Taber, Tandy, Wheelwright and Mr. Speaker—33.

NAYS—None.

Absent—Messrs. Anderson, Brown, Bugbee, Cahlan, Hamlin and Hatton—6.  
Not voting—Mr. Barnes.

Assembly Joint Resolution No. 21 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Joint Resolution No. 22.

Remarks by Messrs. Cooper, Goodin and Dunseath.

Roll call on Assembly Joint Resolution No. 22:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Butler, Cahill, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Heward, Hussman, Johnson, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosinder, Taber, Tandy, Wheelwright and Mr. Speaker—34.

NAYS—None.

Absent—Messrs. Anderson, Brown, Bugbee, Cahlan, Hatton and Kenny—6.

Assembly Joint Resolution No. 22 having received a constitutional majority, Mr. Speaker declared it passed.

Without objection Mr. Speaker signed Assembly Bill No. 37 and Senate Bill No. 53.

Without objection Assembly Joint Resolution No. 24 was laid over until the next legislative day, in the absence of Mr. Bugbee.

#### PRESENTATION OF PETITIONS

A petition from the House of Representatives of the State of Utah regarding taxation was referred to Committee on Ways and Means.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Trade and Manufactures has had Assembly Bills Nos. 116 and 121 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

A. BLUNDELL, *Chairman.*

*Mr. Speaker:*

Your Committee on Roads and Highways has had Assembly Bill No. 107 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

W. H. GOODIN, *Chairman.*

*Mr. Speaker:*

Your Committee on Labor has had Assembly Bill No. 113 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

PAT MCAULIFFE, *Chairman.*

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 67, which this day passed the Senate, as amended, by the following vote: Yeas, 17; nays, none. Amend as follows: On page 1, line 7, strike the words "by direct primary."

Also, Senate Bill No. 59, which passed, as amended: Yeas, 17; nays, none. Amend as follows: Page 1, line 1, by adding, after the word "Act," the following "being chapter 21, page 23, Statutes 1931."

Also, Senate Joint Resolution No. 16, which was declared an emergency measure under the Constitution, considered engrossed, placed on general file for third reading and final passage, and passed by the following vote: Yeas, 14; nays, 1; not voting, 2.

Also, Senate Joint Resolution No. 13, which was declared an emergency measure under the Constitution, and placed on file for third reading and final passage, and passed, as amended, by the following vote: Yeas, 16; nays, 1. Amend as follows: Page 1, line 2, add the letter "s" to the word "represent." On page 2, line 6, strike the word "rush" and insert in lieu thereof the word "transmit."

Also, Senate Joint Resolution No. 14, which was, under the suspension of all rules, placed on general file for third reading and final passage, and passed the Senate, as amended, by the following vote: Yeas, 15; nays, 2. Amend as follows: On page 1, lines 10 and 11, strike the words "the Assembly concurring." On page 1, line 10, after the word "Senate" insert the word "and the Assembly."

LENA GALE,  
*Assistant Secretary of the Senate.*

At 2:30 p. m. house recessed.

### HOUSE IN SESSION

At 2:40 p. m.

Mr. Speaker in the chair.

Quorum present.

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Malone moved that the Assembly concur in Senate amendments to Assembly Bill No. 80.

Carried.

Mr. McAuliffe moved that all lobbyists be removed from floor of Assembly.

Carried.

Without objection, upon motion of Mr. Malone, Assembly Bill No. 121 was placed on top of the file for third reading and final passage.

Mr. Stewart moved that Assembly Bill No. 97 be withdrawn.

Carried.

By Mr. Hamlin:

Assembly Resolution No. 15:

*Resolved by the Assembly,* That the Committee on Contingent Expenses and Accounts be and it is hereby authorized and directed to investigate the practice of persons, firms, associations and corporations lending money at interest, with or without security, in the State of Nevada, and to report to the Assembly, on or before March 5, 1933, such recommendations as they may deem necessary or proper to procure reform of such practices.

Mr. Hamlin moved adoption of resolution.

Remarks by Mr. Hamlin.

Carried.

By Mr. Tandy:

Assembly Resolution No. 16:

The Assembly of the Nevada State Legislature, in session assembled, having in view the matter of the abolishing or the retention of the State Industrial

School at Elko, and being desirous of becoming informed in detail of all matters pro and con, which will be pertinent to a just consideration of such matter, do resolve:

That a committee of three members of this Assembly, with the Speaker of the Assembly as chairman thereof, be appointed to investigate the aforesaid matter, with power to call witnesses, books and papers, and meeting at such place or places as may be, in the opinion of the committee, decided most expedient and for the best interests of the State; and that the committee shall report its findings to the Assembly at the earliest possible time.

Mr. Tandy moved adoption of resolution.

Remarks by Mr. Tandy.

Carried.

Mr. Smith moved that Senate Joint Resolution No. 16 be declared an emergency measure and placed on top of file for third reading and final passage.

Remarks by Messrs. Tandy, Smith and Carroll.

Mr. Tandy moved that all resolutions be referred to the Committee on Mines and Mining with other resolutions already introduced.

Remarks by Messrs. Hussman, Hamlin and McAuliffe.

Motion carried.

Mr. Smith moved that when the Assembly adjourns it do so until 10 o'clock Thursday morning.

Carried.

#### INTRODUCTION AND FIRST READING

Senate Joint Resolution No. 14.

Mr. McAuliffe moved that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Mines and Mining.

Carried.

Senate Joint Resolution No. 16.

Mr. Smith moved that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Mines and Mining.

Carried.

Senate Joint Resolution No. 13.

Mr. Carroll moved that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Mines and Mining.

Carried.

Senate Bill No. 67.

Mr. Lage moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Elections.

Carried.

Senate Bill No. 59.

Mr. Strosnider moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Counties and County Boundaries.

Carried.

By Messrs Black, Blundell and Heward:

Assembly Bill No. 177—An Act to amend an Act entitled “An Act providing for the publication of all bills allowed by the Boards of County Commissioners in this State,” approved February 1, 1893, as amended, by amending the title thereof, and by adding a new section thereto.

Mr. Black moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Counties and County Boundaries.

Carried.

By Mr. Black:

Assembly Bill No. 178—An Act to amend an Act entitled “An Act requiring traveling merchants to procure a license, fixing the amount thereof, providing penalties for violation hereof, and repealing all Acts and parts of Acts in conflict herewith,” approved March 22, 1915, as amended.

Mr. Black moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Trade and Manufactures.

Carried.

By Mr. Hussman:

Assembly Bill No. 179—An Act to repeal an Act entitled “An Act relating to the number of officers and attachés of the Legislature of the State of Nevada, and to define their duties and specify their pay, and repealing all Acts in conflict therewith,” approved January 28, 1931.

Mr. Hussman moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 121.

Amendments proposed by Mr. Malone: Amend section 1 of Assembly Bill No. 121 by striking out in line 8, page 1 of the printed bill, the word “cutting.”

Mr. Malone moved adoption of amendment.

Carried.

Amendment proposed by Mr. Malone: Amend section 2 of Assembly Bill No. 121 by striking out in lines 8 and 9, page 4 of the printed bill, the words “three hundred,” and insert in lieu thereof the words “one thousand.”

Mr. Malone moved adoption of amendment.

Carried.

Amend section 4 of Assembly Bill No. 121 by striking out on page 8 of the printed bill, after the semicolon following the word “habits” in line 6, the following: “(c) who has at least two years of high school training.”

Mr. Malone moved adoption of amendment.

Carried.

Amend section 4 of Assembly Bill No. 121 by striking out after the comma following the word "habits" in lines 5 and 6, page 9 of the printed bill, the following: "and have had at least two years of high school training."

Mr. Malone moved adoption of amendment.

Carried.

Amendment proposed by Mr. Taber: Amend section 4 of Assembly Bill No. 121 by striking out the words "one thousand" on page 8, line 16, and inserting in lieu thereof the words "two hundred fifty."

Mr. Taber moved adoption of amendment.

Remarks by Messrs. Malone and Taber.

Amendment lost.

Amendment proposed by Mr. Malone: Amend section 5 of Assembly Bill No. 121 by striking out after the word "sought" in line 18, page 9 of the printed bill, all the remainder of lines 18, 19 and 20, and insert in lieu thereof a period.

Mr. Malone moved adoption of amendment.

Carried.

Amend section 12 of Assembly Bill No. 121 by striking out in line 30, page 15 of the printed bill, the words "State Controller," and insert in lieu thereof the word "treasurer."

Mr. Malone moved adoption of amendment.

Carried.

Amendment proposed by Mr. Malone: Strike out in line 31, page 15 of the printed bill, the word "treasurer" and insert in lieu thereof the word "secretary."

Mr. Malone moved adoption of amendment.

Carried.

Remarks by Messrs. Malone, Black, Smith, McAuliffe, Tandy and Lage.

Roll call on Assembly Bill No. 121:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Butler, Cahill, Carroll, Cobb, Cooper, Dunseath, Ebert, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Noble, Persson, Raycraft, Reynolds, Roberts, Stewart, Strosnider, Tandy and Wheelwright—31.

NAYS—Mr. Taber.

Absent—Messrs Bugbee, Goodin and O'Connor—3.

Not voting—Messrs. Anderson, Cahlan, Murphy, Smith and Mr. Speaker—5.

Assembly Bill No. 121 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

At 4 p. m. Mr. Hamlin moved Assembly adjourn until Thursday, February 23, 1933, at 10 a. m.

Carried.

Approved:

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,

*Chief Clerk of the Assembly.*



## THE THIRTY-NINTH DAY

CARSON CITY (Thursday), February 23, 1933.

Assembly called to order at 10 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Mr. Bugbee.

Prayer by Rev. Hersey.

Upon motion of Mr. Persson the reading of the Journal was dispensed with, and Mr. Speaker and the Chief Clerk authorized to make any necessary corrections.

### PRESENTATION OF PETITIONS

Mr. McAuliffe presented the Sergeant-at-Arms with a pick handle to be used on lobbyists and attachés who were lobbying.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Enrollment reports: Bills enrolled, 13; bills in Committee on Enrollment, 5; bills withdrawn, 21; bills tabled, 11; bills in Senate, 57; rest of bills in committee.

R. H. BARNES, *Chairman.*

*Mr. Speaker:*

Your Committee on Elections has had Assembly Bill No. 141 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass, as amended: Amend section 1 of Assembly Bill No. 141 by striking out on page 1, line 11, the bracketed words "more than two."

HARRY DUNSEATH, *Chairman.*

*Mr. Speaker:*

Your Committee on Judiciary has had Senate Bills Nos. 18 and 26 under consideration, and begs leave to report unfavorably on the same, with the recommendation that they do not pass.

Also, Senate Bill No. 50, and reports favorably on the same, with the recommendation that it do pass.

Also, Assembly Joint Resolution No. 26, and reports favorably on the same, with the recommendation that it do pass with the following amendment: On page 1, line 1, strike out the words "Resolved by the Assembly, the Senate concurring," and insert in lieu thereof the words "Resolved by the Assembly and Senate of the State of Nevada."

G. J. KENNY, *Chairman.*

*Mr. Speaker:*

Your Committee on Military and Indian Affairs has had Assembly Bills Nos. 110 and 112 under consideration, and begs leave to report unfavorably on the same, with the recommendation that they do not pass.

HUBERT RAYCRAFT, *Chairman.*

### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Bill No. 26, which has this day passed the Senate, as amended, by the following vote: Yeas, 16; nays, none; absent, 1. Amend as follows: In title after the figures "1897" strike the comma and insert a period, and strike the balance of the title. Page 1, line 1, after the figures "89" add a comma and the following:

"being section 9688 N. C. L. 1929." Page 1, line 9, change the word "proven" to the word "proved." Page 1, line 13, add a comma after the figures "126" and the following: "being section 9725 N. C. L. 1929."

Also, Assembly Bill No. 65, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: In title, strike the comma after the figures "1911," insert a period, and strike the remainder of the title. Page 1, line 1, after the word "Act" strike the word "as." Strike all of line 2 and the words and figures "Laws of 1929" in line 3, and insert in lieu thereof the following: "being par. 9361 N. C. L. 1929." Page 1, lines 7 and 8, strike all words within the bracket and insert in lieu thereof the following: "in no event in excess of fifty dollars (\$50)."

Also, Assembly Bill No. 99, which passed, as amended: Yeas, 17; nays, none. Amend as follows: Amend title by striking the comma after the figures "1873," insert a period, and strike remainder of title. On page 1, line 1, strike the balance of the line after the word "of" and up to and including the figures "1873" in line 2, and insert in lieu thereof the following: "the above-entitled Act." Page 1, line 3, strike the words "be and the same."

Also, Assembly Bill No. 100, which passed, as amended: Yeas, 17; nays, none. Amend as follows: Amend title by placing period after figures "1919," instead of comma, and strike balance of title. On page 1, line 1, after the word "Act" add the following: "being paragraph 8490 N. C. L. 1929." Page 1, line 5, strike the letter "s" from the word "cases" so that the same will read "case." Page 2, line 1, strike the word "twenty," and insert in lieu thereof the word "fifteen." Page 2, line 22, strike the word "twenty," and insert in lieu thereof the word "fifteen." Page 2, line 23, after the comma following the word "only" add "for each mile." After the word "necessarily" add the words "and actually." After the word "traveled" add "by the shortest and most practical route." Page 3, line 2, after the word "Act" add the following: "being paragraph 8491 N. C. L. 1929." Page 3, line 10, strike the word "twenty," and insert in lieu thereof the word "fifteen."

Also, to present for your consideration Senate Joint Resolution No. 18, which, under the suspension of all rules, has been declared an emergency measure under the Constitution, considered engrossed and placed on general file for third reading and final passage, and passed by the following vote: Yeas, 17; nays, none.

Also, Senate Substitute for Assembly Bill No. 3, which passed, as amended: Yeas, 17; nays, none. Amend as follows: Page 2, line 16, after the figures "1932" strike the words and figures "and will be due the first Monday in June, 1933." Page 2, line 18, strike the word "fiscal." Amend the title by striking the comma after the figures "1932," and insert a period in lieu thereof; strike balance of the title.

Also, Senate Bill No. 51, which passed, as amended: Yeas, 16; nays, 1. Amend as follows: In line 5 of the title, after the word "suspension," add the letter "s." In line 7 of the title, after the word "Act" add the words "approved March 27, 1931." Page 1, line 1, after the word "Act" insert a comma and add the words: "being chapter 212, Statutes of 1931, page 365." Page 2, line 3, strike the figures and symbol "\$20," and insert in lieu thereof the words "twenty dollars." Page 2, line 10, strike the semicolon after the word "contractor." Page 2, line 17, strike the symbol and figures "\$10" and insert in lieu thereof the words "ten dollars."

Also, Senate Bill No. 65, which passed, as amended: Yeas, 16; nays, none; not voting, 1. Amend title as follows: Strike the figures "1905" and the words to and including the word "thereto"; insert a comma after the word "amended."

Also, Senate Bill No. 33, which passed: Yeas, 17; nays, none.

Also, Senate Bill No. 37, which passed: Yeas, 16; nays, none; not voting, 1.

Also, Senate Bill No. 68, which passed: Yeas, 16; nays, 1.

LENA GALE,  
*Assistant Secretary of the Senate.*

At 10:20 a. m. house recessed.

## HOUSE IN SESSION

At 10:33 a. m.

Mr. Speaker in the chair.

Quorum present.

## MOTIONS, RESOLUTIONS AND NOTICES

Mr. Kenny moved that the Assembly concur in the Senate amendments to Assembly Bill No. 26.

Carried.

Mr. Strosnider moved that the Assembly concur in the Senate amendments to Assembly Bill No. 3.

Carried.

Mr. Cahlan moved that the Assembly concur in the Senate amendments to Assembly Bill No. 99.

Carried.

Mr. Cahlan moved that the Assembly do not concur in Senate amendments to Assembly Bill No. 100, and that a conference committee of three be appointed to confer with a like committee of the Senate on those amendments.

Carried.

Mr. Speaker appointed Messrs. Cahlan, Kenny and Taber on the committee.

Without objection, upon motion of Mr. Strosnider, Mr. Bugbee's absence for yesterday was excused.

Mr. Hussman moved that Assembly Bill No. 174 be withdrawn from the Committee on Judiciary and referred to the Committee on Ways and Means.

Carried.

Mr. Speaker announced that in pursuance with the resolution introduced by Mr. Tandy and adopted by the Assembly, he appointed Messrs. Alward, Kenny and Reynolds to investigate the Industrial School at Elko.

## INTRODUCTION AND FIRST READING

By Mr. Noble:

Assembly Bill No. 180—An Act to amend sections 3, 4 and 5 of an Act entitled "An Act to provide for the organization, management and conduct of nonprofit cooperative corporations, providing for membership therein, and matters properly connected therewith," approved March 23, 1921, being sections 1586, 1587 and 1588 N. C. L. 1929.

Mr. Noble moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Railroads and Corporations.

Carried.

By Mr. Strosnider:

Assembly Bill No. 181—An Act fixing the compensation of county

officers of Lyon County, State of Nevada, and matters pertaining to the collection and disposition of fees arising from such offices, regulating the conduct thereof, and to repeal all Acts and parts of Acts in conflict herewith.

Mr. Strosnider moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Lyon County Delegation.

Carried.

By Mr. Brown (by request) :

Assembly Bill No. 182—An Act to amend section 2 of an Act entitled “An Act to regulate the fees and compensation of the County Clerk of Washoe County, State of Nevada, and to repeal all other Acts and parts of Acts in conflict therewith,” approved March 23, 1909, as amended Statutes 1921, page 14.

Mr. Brown moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Black (by request) :

Assembly Bill No. 183—An Act amending an Act entitled “An Act relating to the manufacture and sale of ice cream, providing for the proper care of ice cream containers, and providing penalties for the violation of this Act,” approved March 24, 1931, and by adding two new sections to be known as sections 6a and 7a.

Mr. Black moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Trade and Manufactures.

Carried.

By Mr. Black :

Assembly Bill No. 184—An Act to repeal section 9 of an Act entitled “An Act creating the office of Inspector of Mines, fixing his duties and powers; providing for the appointment of a deputy and fixing the compensation of both; requiring certain reports and notices of accidents to be made to said Inspector, and defining the duties of the Attorney-General and District Attorneys in relation to suits instituted by the Inspector of Mines,” approved March 24, 1909, as amended.

Mr. Black moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

By Mr. Black :

Assembly Bill No. 185—An Act to repeal sections 4 and 5 of an Act entitled “An Act supplementary of an Act entitled ‘An Act creating the office of Inspector of Mines, fixing his duties and powers; providing for the appointment of a deputy and fixing the compensation of both; requiring certain reports and notices of accidents to be made to said Inspector, and defining the duties of the Attorney-General and District Attorneys in relation to suits instituted by the Inspector of

Mines, approved March 24, 1909,' and all Acts amendatory thereof and supplementary thereto, and extending the powers and provisions thereof to the examination and inspection of tunnels, drifts, and other underground excavations and workings, where persons are engaged at work, and to the constructors, contractors, subcontractors and others engaged or employed therein or in the operation thereof, and to the duties, obligations, liabilities and penalties imposed by that Act; and providing for the appointment of an additional Deputy Inspector of Mines and for his salary and expenses," approved March 25, 1931.

Mr. Black moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

By Mr. Raycraft:

Assembly Bill No. 186—An Act providing for fire inspection of State buildings at Carson City, making provisions for the payment therefor, and other matters relating thereto.

Mr. Raycraft moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Contingent Expenses.

Carried.

By Mr. Hatton:

Assembly Bill No. 187—An Act to amend section 26 of an Act entitled "An Act relating to the compensation of injured workmen in the industries of this State and the compensation of their dependents where such injuries result in death, creating an Industrial Insurance Commission, providing for the creation and disbursement of funds for the compensation and care of workmen injured in the course of employment, and defining and regulating the liability of employers to their employees; and repealing all Acts and parts of Acts in conflict with this Act," approved March 15, 1913, as amended.

Mr. Hatton moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Mines and Mining.

Carried.

By Mr. McAuliffe:

Assembly Bill No. 188—An Act to provide for the election of State and county committeemen.

Mr. McAuliffe moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Elections.

Carried.

By Mr. Moore (by request):

Assembly Bill No. 189—An Act to prohibit State, county, city, municipal, township and other official and school board trustees from employing or keeping in their employ any married female person whose husband is able-bodied and of sound mind, and providing penalties for the violation of this Act.

Mr. Moore moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Labor.

Carried.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 153, 159, 157, 161, 144, 145, 147, 148, 149, 150, 154, 155, 156, 157 and 152, and Assembly Joint Resolution No. 29, hereto attached, are correct copies of the triplicates thereof in its possession.

Also, that bound copy of Assembly Bill No. 158, with correction of the spelling of the word "suppression" on page 2, line 3, hereto attached, is correct copy of the triplicate thereof in its possession.

DOUG. H. TANDY, *Chairman.*

Without objection all bills reported out of committee this morning were placed on top of the file for third reading and final passage.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 116.

Remarks by Messrs. Lage and Brown.

Roll call on Assembly Bill No. 116:

YEAS—Messrs. Barnes, Blundell, Cahlan, Cooper, Hamlin, Lage, Moore, Raycraft, Reynolds, Roberts and Smith—11.

NAYS—Messrs. Anderson, Beverly, Black, Brown, Butler, Cahill, Carroll, Cobb, Dunseath, Ebert, Goodin, Hatton, Heward, Hussman, Johnson, Kenny, Malone, Murphy, Noble, O'Connor, Strosnider, Tandy and Wheelwright—23.

Absent—Messrs. Bugbee and McAuliffe—2.

Not voting—Messrs. Persson, Stewart, Taber and Mr. Speaker—4.

Assembly Bill No. 116 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Assembly Bill No. 107.

Amendments proposed by Messrs. Murphy and Taber. Amend section 1 of Assembly Bill No. 107 by adding the following new paragraph after the paragraph entitled "Route 28," which ends on page 7, line 11: Route 29. Commencing at a point on the dividing line between Elko County, Nevada, and the State of Utah, easterly from Tecoma in said Elko County, thence southwesterly through Tecoma and the towns of Montello and Cobre, to a junction with Route No. 1, as herein described, at or near Oasis on said Route No. 1.

Mr. Taber moved adoption of amendment.

Remarks by Messrs. Hamlin, Taber, Goodin, Hussman and Moore.

Mr. Moore moved that Assembly Bill No. 107 be referred back to committee.

Remarks by Messrs. Tandy and Goodin.

Mr. Moore withdrew motion.

Further discussion by Messrs. Taber, Tandy and Wheelwright.

Amendment lost.

Amendment proposed by Messrs. Murphy and Taber: Amend section 1 of Assembly Bill No. 107 by adding the following new paragraph after the paragraph entitled "Route 11," which ends on page 4, line 31:

Route 11a. Beginning at a point on the Idaho-Nevada state line at or near Owyhee, running thence in a southeasterly direction to Mountain City in Elko County, thence in a southerly direction to a junction with Route No. 11, as herein described, at or near Deep Creek in said Elko County.

Mr. Taber moved adoption of amendment.

Remarks by Mr. Taber.

Carried.

Further discussion by Messrs. Goodin, Wheelwright, Cahlan, Stewart, Hamlin and Tandy.

Mr. Dunseath moved previous question, seconded by Messrs. Malone and Brown.

Carried.

Roll call on Assembly Bill No. 107:

YEAS—Messrs. Anderson, Barnes, Beverly, Blundell, Brown, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, Malone, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber and Tandy—33.

NAYS—Messrs. Black, Dunseath, Hussman, Moore and Wheelwright—4.

Absent—Messrs. Bugbee and McAuliffe—2.

Not voting—Mr. Speaker.

Assembly Bill No. 107 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Mr. Moore was appointed to escort Mr. William McKnight, State Democratic Chairman, to the Speaker's desk.

Without objection Mr. Speaker signed Assembly Joint Resolution No. 16 and Assembly Bills Nos. 72, 92, 45, 80 and 37.

Without objection, and upon motion of Mr. Cooper, Assembly Bills Nos. 110 and 112 were withdrawn.

Assembly Bill No. 113.

Remarks by Messrs. Moore, Cahlan and Dunseath.

Roll call on Assembly Bill No. 113:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—38.

NAYS—None.

Absent—Messrs. Bugbee and Hamlin—2.

Assembly Bill No. 113 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 141:

Amendment proposed by Committee on Elections: Amend section 1 of Assembly Bill No. 141 by striking out on page 1, line 11, the bracketed words "more than two."

Mr. Dunseath moved adoption of amendment.

Amendment adopted.

Remarks by Mr. McAuliffe.

Roll call on Assembly Bill No. 141 :

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—38.

NAYS—None.

Absent—Messrs. Bugbee and Kenny—2.

Assembly Bill No. 141 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Without objection Mr. Speaker signed Senate Bill No. 29.

At 11:57 a. m. Mr. Dunseath moved that the Assembly recess until 2:30 p. m.

Carried.

### HOUSE IN SESSION

At 2:30 p. m.

Mr. Speaker in the chair.

Quorum present.

### GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 24.

Mr. Strosnider moved that, in accordance with the motion made by Mr. Tandy yesterday, Assembly Joint Resolution No. 24 be rereferred to the Committee on Mines and Mining.

Carried.

Mr. Dunseath moved that Assembly Joint Resolution No. 15 be withdrawn from the Committee on Mines and Mining and placed on top of the file for third reading and final passage.

Remarks by Messrs. Dunseath, Tandy, Hamlin, Strosnider and Smith.

Motion lost.

Assembly Joint Resolution No. 26.

Amendment proposed by Judiciary Committee: Page 1, line 1, strike out the words "Resolved by the Assembly, the Senate Concurring," and insert in lieu thereof the words "Resolved by the Assembly and Senate of the State of Nevada."

Remarks by Messrs. Hamlin, Kenny and Tandy.

Roll call on Assembly Joint Resolution No. 26 :

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Butler, Cahlan, Carroll, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, McAuliffe, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber and Wheelwright—32.

NAYS—Messrs. Cahill, Cobb, Cooper, Malone and Tandy—5.

Absent—Mr. Bugbee.

Not voting—Mr. Lage and Mr. Speaker—2.

Assembly Joint Resolution No. 26 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Senate Bill No. 18.

Remarks by Messrs. Dunseath, Cahlan, Tandy and Cahill.



Roll call on Senate Bill No. 18 :

YEAS—Messrs. Beverly, Cahlan, O'Connor and Smith—4.

NAYS—Messrs. Anderson, Barnes, Black, Blundell, Brown, Butler, Cahill, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, Persson, Raycraft, Reynolds, Roberts, Stewart, Strosnider, Taber, Tandy and Wheelwright—34.

Absent—Mr. Bugbee.

Not voting—Mr. Speaker.

Senate Bill No. 18 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Senate Bill No. 26.

Remarks by Mr. Brown.

Roll call on Senate Bill No. 26 :

YEAS—None.

NAYS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—38.

Absent—Messrs. Bugbee and Wheelwright—2.

Senate Bill No. 26 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Senate Bill No. 50.

Amendment proposed by Mr. Reynolds: Amend section 1 of Senate Bill No. 50 by striking out on page 2, lines 8 and 9, the words and figures "two thousand (\$2,000)" and insert in lieu thereof the words and figures "one thousand five hundred (\$1,500)."

Mr. Reynolds moved adoption of amendment.

Remarks by Mr. McAuliffe.

Mr. Reynolds withdrew amendment.

Remarks by Messrs. Tandy, Kenny, Cahlan, Hamlin and McAuliffe.

Roll call on Senate Bill No. 50 :

YEAS—Messrs. Anderson, Barnes, Beverly, Blundell, Brown, Butler, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider and Taber—33.

NAYS—Messrs. Reynolds, Tandy and Wheelwright—3.

Absent—Mr. Bugbee.

Not voting—Messrs. Black, Cahill and Mr. Speaker—3.

Senate Bill No. 50 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Moore was granted permission to refer to order of business No. 4.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 174, 173, 172, 171, 168, 167, 179, 166, 165, 164, 163 and 162, hereto attached, are correct copies of the triplicates thereof in its possession.

Also, Assembly Bill No. 176; strike from triplicate the first enacting clause and thus make triplicate conform to the printed copy hereto attached.

DOUG. H. TANDY, *Chairman.*

*Mr. Speaker:*

Your Committee on Counties and County Boundaries has had Senate Bill No. 59 and Assembly Bills Nos. 88 and 117 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

CLYDE P. JOHNSON, *Chairman.*

*Mr. Speaker:*

Your Committee on Claims has had Assembly Bill No. 143 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

TOM. P. EBERT, *Chairman.*

*Mr. Speaker:*

Your Committee on Education has had Assembly Bill No. 98 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass, with the following amendments:

Amendment 1—In section 3, page 2, line 28, strike out the figures "1923," and insert in lieu thereof the figures "1933."

Amendment 2—In section 4, page 2, line 31, strike out the figures "1923," and insert in lieu thereof the figures "1933."

Amendment 3—In section 10, page 4, line 17, strike out the period after the word "superintendent," insert a semicolon in lieu thereof, and add the following: "provided, that this section shall not apply to nurses actually employed in county and State institutions at the time of the passage of this Act."

BOB MOORE, *Chairman.*

*Mr. Speaker:*

Your Committee of Clark County Delegation has had Assembly Bill No. 136 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

A. E. CAHLAN, *Chairman.*

*Mr. Speaker:*

Your Committee on Roads and Highways has had Assembly Bill No. 19 under consideration, and begs leave to report it out without recommendation.

W. H. GOODIN, *Chairman.*

*Mr. Speaker:*

Your Committee on Contingent Expenses and Accounts has had Assembly Bill No. 49 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

W. H. ROBERTS, *Chairman.*

*Mr. Speaker:*

Your Committee on Banks and Banking has had Assembly Bill No. 145 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

A. E. CAHLAN, *Chairman.*

*Mr. Speaker:*

Your Committee on Elections has had Assembly Bill No. 144 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

Also, Assembly Bill No. 132, and reports said bill without recommendation.

HARRY DUNSEATH, *Chairman.*

#### INTRODUCTION AND FIRST READING

By Messrs. Kenny and Moore:

Assembly Bill No. 190—An Act to amend sections 23 and 24, and to repeal section 24a of an Act entitled "An Act regulating the nomination of candidates for public office in the State of Nevada," approved March 23, 1917.

Mr. Moore moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Elections.

Carried.

By Mr. McAuliffe :

Assembly Bill No. 191—An Act to amend section 4 of an Act entitled "An Act creating the office of Labor Commissioner of this State, providing for the appointment of such Commissioner and other employees, defining their duties and fixing their compensation, and providing a penalty for the violation of its provisions, and other matters relating thereto," approved March 24, 1915, as amended by Statutes 1931, page 55.

Mr. McAuliffe moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Labor.

Carried.

By Mr. Stewart :

Assembly Bill No. 192—An Act to amend an Act entitled "An Act to amend section 52 of an Act entitled 'An Act to provide a water law for the State of Nevada; providing a system of State control; creating the office of a State Engineer and other offices connected with the appropriation, distribution and use of water, prescribing the duties and powers of the State Engineer and other officers and fixing their compensation; prescribing the duties of water users and providing penalties for failure to perform such duties; providing for the appointment of Water Commissioners, defining their duties and fixing their compensation, providing for a fee system, for the certification of records, and an official seal for the State Engineer's office; providing for an appropriation to carry out the provisions of this Act; and other matters properly connected therewith, and to repeal all Acts and parts of Acts in conflict with this Act, repealing an Act to provide for the appropriation, distribution and use of water, and to define and preserve existing water rights, to provide for the appointment of a State Engineer, an assistant State Engineer, and fixing their compensation, duties and powers, defining the duties of the State Board of Irrigation, providing for the appointment of Water Commissioners and defining their duties, approved February 26, 1907; also, repealing an Act amendatory of a certain Act entitled "An Act to provide for the appropriation, distribution and use of water, and to define and preserve existing water rights, to provide for the appointment of a State Engineer and Assistant State Engineer, and fixing their compensation, duties and powers, defining the duties of the State Board of Irrigation, providing for the appointment of Water Commissioners and defining their duties, approved February 26, 1907, and to provide a fee system for the certification of the records of, and an official seal for the State Engineer's office, and other matters relating thereto," approved February 20, 1909,' approved March 22, 1913, as amended

by Stats. 1915, 1919 and 1921, being section 7937 Nevada Compiled Laws, 1929," as amended by chapter 209, Statutes of 1931.

Mr. Stewart moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Irrigation.

Carried.

By Mr. Persson:

Assembly Bill No. 193—An Act fixing the mileage allowances of all county officers of Humboldt County, Nevada, and repealing all Acts and parts of Acts in conflict herewith.

Mr. Persson moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Humboldt County Delegation.

Carried.

By Mr. Ebert.

Assembly Bill No. 194—An Act to amend an Act entitled "An Act to amend section 9 of an Act entitled 'An Act creating and organizing the county of Pershing out of a portion of Humboldt County, and providing for its government, and to regulate the affairs of Humboldt County and Pershing County,' approved March 18, 1919," as amended and approved March 21, 1925.

Mr. Ebert moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Counties and County Boundaries.

Carried.

By Mr. Blundell:

Assembly Bill No. 195—An Act to amend sections 33, 53, 54, 55, 65, 67, 74, and 92, and to repeal section 45 of an Act entitled "An Act relating to and providing for the protection, propagation, restoration, domestication, introduction, purchase, and disposition of wild animals, wild birds and fish; creating certain offices, providing the method of selecting the officers and other persons; defining certain terms; providing for the licensing of and regulating of hunting, trapping, game farming and game fishing; authorizing the establishment, control and regulation of private fish hatcheries, State recreation grounds, sanctuaries and refuges, and the closing, opening and shortening of hunting and fishing seasons; regulating the transportation and possession of wild animals, wild birds, and game fish; providing for the condemnation of property for certain purposes; providing for instruction in the game laws of this State in the public schools of this State; establishing certain funds and regulating expenditures therefrom, providing penalties for violation thereof, and repealing certain Acts and parts of Acts in conflict therewith," approved March 29, 1929.

Mr. Blundell moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Fish and Game.

Carried.

By Mr. Hamlin :

Assembly Bill No. 196—An Act to amend an Act entitled “An Act to authorize the Board of County Commissioners of the county of Mineral, State of Nevada, to purchase, acquire and construct an electrical power and telephone line, extending from the Lundy generating plant of the Nevada-California Power Company situated in the county of Mono, State of California, to the town of Hawthorne, Nevada, and thence via Luning and Mina to the town of Simon in the county of Mineral, State of Nevada, and branches thereof; providing for the maintenance and operation of said line as a public utility; the issuance and sale of bonds therefor; the levy and collection of taxes for the payment of such bonds, and other matters relating thereto,” approved March 4, 1921, and Acts amendatory thereof and supplementary thereto.

Mr. Hamlin moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Mineral County Delegation.

Carried.

By Mr. Hamlin (by request) :

Assembly Bill No. 197—An Act to repeal an Act entitled “An Act to establish commissioner districts in the county of Mineral, and provide for the election therefrom of members of the Board of County Commissioners,” approved March 7, 1927.

Mr. Hamlin moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Mineral County Delegation.

Carried.

By Mr. Johnson :

Assembly Bill No. 198—An Act to amend section 6 of an Act entitled “An Act to provide for the appointment of Official Reporters for the District Courts, their duties, qualifications and compensation, and to repeal all former Acts in relation thereto,” approved March 12, 1907, being section 8460 N. C. L. 1929.

Mr. Johnson moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Heward :

Assembly Bill No. 199—An Act to amend an Act entitled “An Act relating to the use of water for watering live stock, the acquisition and proof of the right to such use, making certain actions a misdemeanor and prescribing a penalty therefor,” became a law April 1, 1925.

Mr. Heward moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Live Stock.

Carried.

By Mr. Dunseath :

Assembly Bill No. 200—An Act to amend section 1 of an Act entitled

"An Act creating and providing an additional cause for divorce," approved March 23, 1931.

Mr. Dunseath moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Dunseath (by request) :

Assembly Bill No. 201—An Act to amend section 29 of an Act entitled "An Act regulating the registration of electors for general, special, and primary elections," approved March 23, 1917.

Mr. Dunseath moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Elections.

Carried.

Senate Joint Resolution No. 18.

Mr. Hussman moved that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Ways and Means.

Carried.

Senate Bill No. 68.

Mr. Cahill moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

Senate Bill No. 37.

Mr. Stewart moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Irrigation.

Carried.

Senate Bill No. 33.

Mr. Reynolds moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Banks and Banking.

Carried.

Senate Bill No. 65.

Mr. Blundell moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Washoe County Delegation.

Carried.

Senate Bill No. 51.

Mr. Blundell moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Roads and Highways.

Carried.

Without objection Senate bills and all bills reported out of committees were placed on top of the file for third reading and final passage.

At 3:52 p. m. house recessed.

## HOUSE IN SESSION

At 4:40 p. m.

Mr. Speaker in the chair.

Quorum present.

Mr. Anderson moved that the Assembly adjourn until 10 a. m. tomorrow.

Roll call asked for by Messrs. Malone, Hussman and Smith.

Roll call on motion to adjourn:

YEAS—Messrs. Anderson, Butler, Cahill, Carroll, Cobb, Cooper, Ebert, Hamlin, Heward, Johnson, Lage, McAuliffe, Moore, Murphy, Roberts and Stewart—16.

NAYS—Messrs. Barnes, Black, Blundell, Brown, Cahlan, Dunseath, Goodin, Hatton, Hussman, Kenny, Malone, Noble, O'Connor, Persson, Raycraft, Reynolds, Smith, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—22.

Absent—Messrs. Beverly and Bugbee—2.

Motion lost.

## REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 169, 170, 175, 177 and 178, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

## INTRODUCTION AND FIRST READING

By Mr. Dunseath:

Assembly Bill No. 202—An Act to amend section 10k of article XII of "An Act to incorporate the town of Reno, in Washoe County, and defining the boundaries thereof, and to authorize the establishing of a city government therefor, and other matters relating thereto," as amended by Stats. 1931, page 223.

Mr. Dunseath moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Washoe County Delegation.

Carried.

By Mr. Smith:

Assembly Bill No. 203—An Act to amend section 91 of an Act entitled "An Act relating to and providing for the protection, propagation, restoration, domestication, introduction, purchase, and disposition of wild animals, wild birds and fish; creating certain offices, providing the method of selecting the officers therefor, defining the powers and duties of certain officers and other persons; defining certain terms; providing for the licensing of and regulating of hunting, trapping, game farming and game fishing; authorizing the establishment, control and regulation of private fish hatcheries, State recreation grounds, sanctuaries and refuges, and the closing, opening and shortening of hunting and fishing seasons; regulating the transportation and possession of wild animals, wild birds and game fish; providing for the condemnation of property for certain purposes; providing for instruction in the game laws of this State in the public

schools of this State; establishing certain funds and regulating expenditures therefrom, providing penalties for violation thereof, and repealing certain Acts and parts of Acts in conflict therewith," approved March 29, 1929 (Stats. 1929, p. 300).

Mr. Smith moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Fish and Game.

Carried.

Mr. Tandy moved the Assembly adjourn until 10 o'clock Friday morning.

Motion lost.

#### GENERAL FILE AND THIRD READING

Senate Bill No. 59.

Mr. Dunseath moved that Senate Bill No. 59 be laid over until the next legislative day.

Carried.

Assembly Bill No. 49.

Remarks by Messrs. Malone and Carroll.

Mr. Carroll moved that Assembly Bill No. 49 be made a special order of business for 10:30 a. m. Friday.

Carried.

Mr. Tandy moved that the Assembly adjourn until 9 o'clock Friday morning.

Mr. Moore amended motion to 11 o'clock Friday morning.

Mr. Dunseath amended amendment to 10 o'clock.

Amendment to amendment carried.

At 5:01 p. m. Assembly adjourned until Friday, February 24, 1933, at 10 a. m.

Approved:

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,

*Chief Clerk of the Assembly.*



## THE FORTIETH DAY

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CARSON CITY (Friday), February 24, 1933.

Assembly called to order at 10 a. m.

Mr. Speaker in the chair.

Roll called.

All present.

Prayer by Rev. Hersey.

On motion of Mr. Persson the reading of the Journal was dispensed with, and Mr. Speaker and the Chief Clerk were authorized to make any necessary corrections.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Enrollment has carefully compared Assembly Enrolled Bills Nos. 45, 72 and 92, and Assembly Joint Resolution No. 16 with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. H. BARNES, *Chairman.*

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copy of Assembly Bill No. 197, hereto attached, is correct copy of the triplicate thereof in its possession.

DOUG. H. TANDY, *Chairman.*

*Mr. Speaker:*

Your Committee on Ways and Means has had Assembly Bills Nos. 137 and 138 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

J. H. CAHILL, *Chairman.*

*Mr. Speaker:*

Your Committee on Education has had Assembly Bill No. 114 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

BOB MOORE, *Chairman.*

*Mr. Speaker:*

Your Committee on Elections has had Senate Bill No. 67 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

HARRY DUNSEATH, *Chairman.*

*Mr. Speaker:*

Your Special Committee of Mineral County Delegation has had Assembly Bill No. 197 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

M. C. HAMLIN, *Chairman.*

### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Bill No. 2, which this day passed the Senate, as amended, by the following vote: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 2, line 5, strike out

the word and figure "five (\$5)" and insert in lieu thereof the word and figure "four (\$4)." Page 2, line 6, strike out the figures "62½," and insert in lieu thereof the figures "50." Page 2, line 14, strike the figures and symbol "(\$50)" in parentheses. Page 2, line 15, strike the figures and symbol "(\$150)," Page 2, line 16, strike out the word and figure "five (\$5)," and insert in lieu thereof the word and figure "four (\$4)." Page 2, line 17, strike out the figures "62½," and insert in lieu thereof the figures "50." Page 2, line 19, strike the word and figure "five (\$5)," and insert in lieu thereof the word and figure "four (\$4)." Page 2, line 20, strike out the figures "62½," and insert in lieu thereof the figures "50." Amend section 3, by striking all of section 3, and substituting therefor the following: Sec. 3. If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Also, Assembly Joint Resolution No. 17, which was lost by the following vote: Yeas, 7; nays, 9; absent, 1.

Also, to present Senate Bill No. 49, which passed, as amended: Yeas, 15; nays, none; absent, 2. Amend as follows: Amend section 3 by inserting in line 7, page 2, after the word "clerk" the words "and treasurer." Page 2, line 10, by striking out the word "of," and substituting therefor the words "to be fixed by him not exceeding." Page 2, line 30, by striking out the word "of," and substituting therefor the words "to be fixed by him not exceeding." Page 3, line 28, strike the word "and," and insert in lieu thereof the word "any."

Also, Senate Bill No. 71, which passed: Yeas, 16; nays, none; absent, 1.

Also, Senate Concurrent Resolution No. 8, which passed, as amended: Yeas, 15; nays, 1; absent, 1. Amend as follows: Page 2, line 33, change figure "1" to "6." Page 3, line 6, change figure "1" to "8." Page 3, line 16, strike "shall be in contempt of this Legislature and." Page 3, line 20, change figure "6" to "10." Page 3, line 23, strike "their written letter of acquiescence," and insert the word "reports." Page 3, line 26, place period after word "body" and strike remainder of sentence.

V. R. MERIALDO,  
*Secretary of the Senate.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Hatton moved that Assembly Bill No. 187 be withdrawn from the Committee on Mines and Mining and referred to the Committee on Labor.

Carried.

Mr. Hussman moved that all rules be suspended, Senate Joint Resolution No. 18 be considered an emergency measure, considered engrossed, and placed on top of the file for third reading and final passage.

Carried.

Mr. Hamlin moved that all bills reported out of committees be placed on top of the file for third reading and final passage.

Mr. Taber amended motion that all bills be placed on file except Assembly Bill No. 114.

Carried.

Mr. Taber moved that Assembly Bill No. 114 be made a special order of business for Monday at 10:30 a. m.

Carried.

By Mr. Dunseath:

Assembly Resolution No. 17:

*Resolved by the Assembly, That any investigation of any State institution be made by the full Standing Committee on Public Institutions only, and that it do not investigate any other than State institutions within the State of Nevada.*

Mr. Dunseath moved adoption of resolution.

Remarks by Messrs. Tandy, Cahlan, Cahill, Noble and Malone.

Mr. Tandy moved that the resolution be indefinitely postponed.

#### SPECIAL ORDER OF BUSINESS

Assembly Bill No. 49.

Bill read third time.

Mr. Blundell submitted a minority report on Assembly Bill No. 49 recommending that the bill do pass.

Remarks by Messrs. Carroll, Malone, Moore, Tandy and Taber.

Roll call on Assembly Bill No. 49:

YEAS—Messrs. Barnes, Blundell, Brown, Bugbee, Cahlan, Cooper, Ebert, Johnson, Lage, McAuliffe, Malone, Moore, Raycraft, Smith and Wheelwright—15.

NAYS—Messrs. Anderson, Beverly, Butler, Cahill, Carroll, Dunseath, Goodin, Hatton, Heward, Hussman, Kenny, Murphy, Noble, Persson, Reynolds, Roberts, Stewart, Strosnider, Taber and Tandy—20.

Absent—Mr. O'Connor.

Not voting—Messrs. Black, Cobb, Hamlin and Mr. Speaker—4.

Assembly Bill No. 49 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

#### MOTIONS, RESOLUTIONS AND NOTICES

Further discussion on Assembly Resolution No. 17 by Messrs. Bugbee, Cahill, Tandy, Dunseath, Hatton, Cooper and McAuliffe.

Roll call asked for by Messrs. Dunseath, Malone and Hatton on Mr. Tandy's motion to indefinitely postpone Assembly Resolution No. 17.

Roll called:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Ebert, Goodin, Hatton, Heward, Hussman, Johnson, Lage, Murphy, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Wheelwright—31.

NAYS—Messrs. Blundell, Dunseath and Malone—3.

Absent—Mr. Hamlin.

Not voting—Messrs. Kenny, McAuliffe, Moore, Reynolds and Mr. Speaker—5.

Motion carried.

Mr. Smith moved that when the Assembly adjourns today it do so until 10 o'clock Monday morning.

Remarks by Messrs. Smith and Hamlin.

Carried.

Mr. Hamlin moved that the Assembly refuse to concur in the Senate amendments to Assembly Bill No. 2, and that a conference committee be appointed to meet with a like committee of the Senate.

Carried.

## INTRODUCTION AND FIRST READING

Senate Bill No. 49.

Mr. Roberts moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee of Nye County Delegation.

Carried.

Senate Bill No. 71.

Mr. Brown moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Counties and County Boundaries.

Carried.

By Mr. Hamlin (by request) :

Assembly Bill No. 204—An Act to amend an Act and the title of an Act entitled "An Act to authorize the Board of County Commissioners of the county of Mineral, State of Nevada, to purchase, acquire and construct an electrical power and telephone line, extending from the Lundy generating plant of the Nevada-California Power Company situated in the county of Mono, State of California, to the town of Hawthorne, Nevada, and thence via Luning and Mina to the town of Simon in the county of Mineral, State of Nevada, and branches thereof; providing for the maintenance and operation of said line as a public utility; the issuance and sale of bonds therefor; the levy and collection of taxes for the payment of such bonds, and other matters relating thereto," approved March 4, 1921.

Without objection rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Mineral County Delegation.

By Messrs. Beverly and Goodin :

Assembly Bill No. 205—An Act to amend section 25 of an Act entitled "An Act to require the registration of motor vehicles, trailers and semitrailers, and to require the payment of fees thereupon, imposing certain duties and obligations upon the owners of motor vehicles rented without drivers, to provide for the transfer of interest in and to motor vehicles, providing for the registration of manufacturers and dealers in motor vehicles, trailers and semitrailers, regulating the use of motor vehicles by nonresidents, making and constituting County Assessors officers of the department and imposing certain duties upon them, creating a 'Motor Vehicle Fund,' and providing for the disposition thereof, to prevent the taking or injury of any vehicle without the consent of the owner; to provide for the duties and powers of Vehicle Commissioner and for the Motor Vehicle Department; to regulate court proceedings in certain civil actions arising under this Act; to provide penalties for violations of this Act and to make uniform the law relating to the subject matter of this Act; and to repeal all Acts in conflict or inconsistent therewith," approved March 27, 1931, as amended by chapter 203, Statutes of 1931, page 339.

Mr. Goodin moved that rules be suspended, reading so far had

considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Roads and Highways.

Carried.

By Mr. Kenny:

Assembly Bill No. 206—An Act making unlawful the delivery to, or acceptance by, a public officer of depository bonds for the payment of public moneys, in certain surety companies, providing penalties for the violation thereof, and other matters properly relating thereto.

Mr. Kenny moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Carroll:

Assembly Bill No. 207—An Act to amend section 49 of an Act entitled "An Act relating to officers, their qualifications, times of election, terms of office, official duties, resignations, removals, vacancies in office, and to enforce official duty," approved March 9, 1866.

Mr. Carroll moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Elections.

Carried.

By Mr. Moore (by request):

Assembly Bill No. 208—An Act to amend an Act entitled "An Act to provide for bonding counties for building and equipping county high schools and dormitories or for either one of these purposes, and other matters properly connected therewith," approved February 16, 1917, as amended.

Mr. Moore moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

Carried.

Senate Concurrent Resolution No. 8.

Mr. Tandy moved that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Judiciary.

Carried.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 19.

Remarks by Messrs. McAuliffe, Hussman, Hamlin and Cahlan.

Roll call on Assembly Bill No. 19:

YEAS—Messrs. Cooper, Johnson, Lage, McAuliffe, Malone, Moore, Murphy, O'Connor, Persson, Raycraft, Roberts and Smith—12.

NAYS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahlan, Carroll, Cobb, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Noble, Reynolds, Stewart, Strosnider, Taber and Tandy—25.

Absent—Mr. Wheelwright.

Not voting—Mr. Cahill and Mr. Speaker—2.

Assembly Bill No. 19 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Mr. Speaker appointed Messrs. Malone, McAuliffe and Hamlin as the conference committee to meet with a like committee from the Senate to consider Senate amendments to Assembly Bill No. 2.

Without objection Mr. Speaker signed Assembly Bills Nos. 3, 26 and 99, and Senate Bill No. 50.

At 11:55 house recessed until 1:30 p. m.

### HOUSE IN SESSION

At 1:30 p. m.

Mr. Speaker in the chair.

Quorum present.

A letter from the Public Service Commission of Nevada regarding Assembly Resolution No. 6 was referred to the Committee on Ways and Means.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Banks and Banking has had Senate Bill No. 33 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

Also, Assembly Bill No. 64, and reports favorably on the same, with the recommendation that it do pass with the following amendments:

Amend the title of Assembly Bill No. 64 by striking in the first line thereof the words "declaring an emergency and."

Amend Assembly Bill No. 64 by striking out everything following the enacting clause and inserting the following:

SECTION 1. The title of that certain Act of the Legislature of the State of Nevada entitled "An Act authorizing the incorporation of the assets of insolvent banks and providing for the distribution of the stock of such corporation to the creditors and depositors of such banks," approved March 24, 1917, is hereby amended to read as follows:

"An Act authorizing the appointment of receivers in certain cases, and providing for the incorporation of the assets of certain banks, and providing for the distribution of the stock of such corporation to the creditors, depositors and stockholders of such banks."

Sec. 2. Section 1 of said Act is hereby amended to read as follows:

Section 1. Whenever any bank shall suspend business or when the State Bank Examiner shall have taken possession of any bank or the assets thereof, persons representing unsecured depositor-creditors, with or without judgment, holding twenty-five per cent (25%) of the outstanding deposit indebtedness and representing ten per cent (10%) of the total number of depositors, may, by verified complaint setting forth the existence of one or more of the conditions hereinbefore mentioned, apply to the District Court of the county in which the principal office of said bank is located, for an injunction, and the appointment of a receiver or receivers of such bank, and if upon the hearing of such application, held on such notice as the court may direct, the court shall be satisfied as to the sufficiency of such application and that the material allegations of said verified complaint are true, said court may appoint a receiver or receivers to take charge of such bank and its assets, and enjoin said Bank Examiner, said bank and its officers, directors and agents from exercising any or all of his, its or their powers or privileges concerning said bank and its assets, except to transfer, assign, set over and deliver the assets, property, books and records of said bank to the receiver or receivers appointed by the court. If, at the time of the appointment of such receiver, such bank be in the hands of a Bank

Examiner, the court shall direct said Bank Examiner to forthwith deliver to said receiver or receivers so appointed all of the assets, property, books and records of said bank, and further direct said Bank Examiner to file a full and complete report of his administration of the affairs of said bank with the said court within ten days thereafter. In the appointment of such receiver or receivers, the court shall, in the absence of good cause to the contrary, give preference to any person named by the depositor-creditors filing the verified complaint as hereinbefore required.

Whenever any bank shall be placed in the hands of a receiver as in this Act provided the court shall, upon application of one or more persons representing creditors holding ten per cent (10%) or more of the total outstanding indebtedness, direct that a corporation be formed with an authorized capital equivalent to the aggregate amount due to the depositors and creditors and the paid in capital of the bank, and order the receiver to convey, assign, and set over all property, real and personal, and all stocks, bonds, notes, causes of action, books and records of said bank to said corporation so formed; and the court shall order a distribution of the stock of said corporation prorated to the unsecured creditors and depositors of said bank, and to secure creditors to the extent of the amount by which their respective claims exceed the fair value of their security, and the stockholders in said bank. Such corporation shall be formed under the General Corporation Act of this State. The court shall appoint three persons to sign and acknowledge the articles of incorporation, and shall appoint five directors, to be named in the articles, who shall serve for three months from the date of their appointment or until their successors are elected and qualified as hereinafter provided.

SEC. 3. Section 2 of said Act is hereby amended to read as follows:

Section 2. It shall be the duty of the directors appointed by the court to immediately elect a president, a vice president and a secretary and to immediately call a meeting of the stockholders of such corporation, entitled to vote, as herein provided, for the purpose of electing officers and adopting by-laws, such meeting to be held within three months from the date of incorporation and at such time and place as may be fixed by the court. For the purposes of this Act there shall be issued two classes of stock, to be known as Class A stock and Class B stock. Unsecured depositors or creditors of any such bank in the hands of a receiver, and secured creditors thereof to the extent of the amount by which their respective claims exceed the fair value of their security, shall be holders of Class A stock of the corporation so formed, and shall be entitled to one vote for each share of stock respectively held by them or to which they may be entitled on the day of the election. Every such unsecured depositor or creditor shall be entitled to one share of Class A stock for each dollar due him from such bank, and every such secured creditor shall be entitled to one share of Class A stock for each dollar of the amount by which the amount of his or its claim exceeds the fair value of the property held as security for such claim; and each stockholder of such bank shall receive one share of Class B stock for each dollar of the par value of the stock registered in his name on the stock ledger of such bank. At the meeting of the stockholders, entitled to vote as herein provided, held pursuant to order of the court as hereinbefore provided they shall elect a board of five directors and adopt by-laws for the corporation, and transact such other business as may be proper at an annual meeting of the stockholders, entitled to vote as herein provided, of a corporation under the laws of Nevada. The directors shall, immediately following their election, elect the officers of such corporation and thereafter the corporation shall be conducted in accordance with the by-laws and the laws of the State of Nevada governing corporations. The classes of stock provided for herein shall participate in dividends, distribution of assets upon liquidation, either voluntary or involuntary, or proceeds from the sale of the assets of said corporation as follows:

The holders of Class B stock shall not participate in dividends, distribution of assets upon liquidation, either voluntary or involuntary, or the proceeds of any sale of the assets of such corporation until the holders of Class A stock shall have received the par value of their stock together with interest thereon

at the rate of 3 per cent per annum from the date of the organization of said corporation by order of the court. The holders of Class B stock shall have no voting power until the holders of Class A stock shall have received the par value of their stock and interest thereon as aforesaid.

Sec. 4. Said Act is further amended by adding thereto four (4) additional sections, to be known as numbers 4, 5, 6 and 7 thereof, which said sections 4, 5, 6 and 7 shall read as follows:

Section 4. All of the terms of this Act are hereby made applicable to any bank now closed or in the hands of the State Bank Examiner.

Section 5. Each section of this Act, and every part of each section, is hereby declared to be independent of every other section and part of section, and the holding of a section or part of a section to be void or ineffectual for any cause shall not be deemed to affect any other section or part of section.

Section 6. All Acts and parts of Acts in conflict herewith are hereby repealed.

Section 7. This Act shall be in full force and effect from and after March 18, 1933.

A. E. CAHLAN, *Chairman.*

*Mr. Speaker:*

Your Committee on Agriculture has had Assembly Bill No. 170 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

CHAS. E. BUTLER, *Chairman.*

*Mr. Speaker:*

Your Committee on Judiciary has had Assembly Bill No. 150 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

G. J. KENNY, *Chairman.*

*Mr. Speaker:*

Your Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 180, 181, 188, 189, 186, 185, 184, 183, 182, 193 and 196, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Cahlan moved that Assembly Bill No. 64 be made a special order of business for Monday afternoon at 2 o'clock.

Carried.

#### INTRODUCTION AND FIRST READING

By Mr. Anderson:

Assembly Bill No. 209—An Act to amend an Act entitled "An Act fixing the compensation of certain deputies in the several offices of this State, and repealing all Acts and parts of Acts in conflict herewith," approved March 25, 1929.

Mr. Anderson moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

By Mr. Anderson:

Assembly Bill No. 210—An Act to amend an Act entitled "An Act fixing the salary of the private Secretary to the Governor, and making an appropriation therefor," approved March 22, 1909, as amended.

Mr. Anderson moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.



By Mr. Anderson:

Assembly Bill No. 211—An Act to amend an Act entitled "An Act to amend section 1 of an Act entitled 'An Act regulating the salaries of certain employees in the various State offices and departments,' approved March 30, 1929, being section 7562 N. C. L. 1929," approved March 24, 1931.

Mr. Anderson moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

By Mr. Anderson:

Assembly Bill No. 212—An Act to amend an Act entitled "An Act regulating the salaries of certain State officers of the State of Nevada," approved March 26, 1913.

Mr. Anderson moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

By Mr. Johnson:

Assembly Bill No. 213—An Act to promote the safety of employees and travelers upon railroads by limiting the length of trains, providing a penalty for the violation thereof, and other matters properly connected therewith.

Mr. Johnson moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Corporations and Railroads.

Carried.

By Mr. Blundell (by request):

Assembly Bill No. 214—An Act to amend section 1 of an Act entitled "An Act to provide for the establishment of a uniform system of road government and administration in each of the several counties of the State of Nevada; for the creation of a Board of County Highway Commissioners in each of the several counties, and defining the duties of the members thereof; to provide for the appointment of a County Road Supervisor and defining his duties; to authorize the Board of County Commissioners of each county to issue bonds and levy and collect taxes to pay the same for the purpose of creating a County Road and Bridge Fund; to authorize the expenditure of said fund for roads and bridges, and the purchasing of machinery and implements for road work; to classify the county roads of the counties, and other matters relating thereto," approved March 26, 1913.

Mr. Blundell moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

By Mr. Blundell (by request):

Assembly Bill No. 215—An Act to amend sections 1, 2 and 3 of an

Act entitled "An Act to fix the fees and mileage of witnesses and jurors, providing the manner of payment thereof, and to repeal all Acts and parts of Acts in conflict herewith," approved March 26, 1919.

Mr. Blundell moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

By Mr. Goodin (by request):

Assembly Bill No. 216—An Act to amend an Act entitled "An Act to provide under certain conditions for the partial support of mothers and their offspring, giving County Commissioners and District Courts jurisdiction thereof, and repealing all other Acts in relation thereto."

Mr. Goodin moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Brown:

Assembly Bill No. 217—An Act to amend section 85 of an Act of the Legislature of the State of Nevada entitled "An Act to regulate proceedings in civil cases in this State, and to repeal all other Acts in relation thereto," approved March 17, 1911, and all Acts amendatory thereof or supplemental thereto, the same being section 8583 of the Compiled Laws of Nevada of 1929, as said section has been heretofore amended.

Mr. Brown moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Brown:

Assembly Bill No. 218—An Act to amend section 84 of an Act of the Legislature of the State of Nevada entitled "An Act to regulate proceedings in civil cases in this State and to repeal all other Acts in relation thereto," approved March 17, 1911, the same being section 8582 of the Compiled Laws of Nevada of 1929, as said section has been heretofore amended.

Mr. Brown moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Brown:

Assembly Bill No. 219—An Act to amend section 5 of an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada, and to repeal certain Acts relating thereto," as amended by an Act approved March 24, 1931.

Mr. Brown moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Brown :

Assembly Bill No. 220—An Act to amend section 510 of an Act of the Legislature of the State of Nevada entitled "An Act to regulate proceedings in civil cases in this State, and to repeal all other Acts in relation thereto," approved March 17, 1911, and all Acts amendatory thereof or supplemental thereto, the same being section 8999 of the Compiled Laws of Nevada of 1929, as said section has been heretofore amended.

Mr. Brown moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Moore (by request) :

Assembly Bill No. 221—An Act to amend an Act entitled "An Act concerning public schools, and repealing certain Acts relating thereto," approved March 20, 1911, as amended.

Mr. Moore moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

Carried.

By Mr. Noble :

Assembly Bill No. 222—An Act to amend sections 3, 4 and 5 of an Act entitled "An Act concerning mortgages of personal property, providing for their recordation, and other matters relating thereto, and repealing all Acts or parts of Acts in conflict herewith," approved March 8, 1923.

Mr. Noble moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

#### GENERAL FILE AND THIRD READING

Senate Joint Resolution No. 18.

Roll call on Senate Joint Resolution No. 18 :

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Goodin, Hamlin, Hatton, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—36.

NAYS—Messrs. Brown and Ebert—2.

Absent—Messrs. Heward and Persson—2.

Senate Joint Resolution No. 18 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 59.

Roll call on Senate Bill No. 59 :

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Carroll, Cobb, Ebert, Goodin, Hamlin, Hatton, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Taber and Tandy—30.

NAYS—None.

Absent—Messrs. Anderson, Cahlan, Strosnider and Wheelwright—4.

Not voting—Messrs. Cahill, Cooper, Dunseath, Heward, Murphy and Mr. Speaker—6.

Senate Bill No. 59 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 67.

Remarks by Messrs. Smith, Moore, Dunseath, Kenny and Tandy.

Without objection Senate Bill No. 67 was placed on bottom of the file.

Assembly Bill No. 88.

Remarks by Mr. Moore.

Roll call on Assembly Bill No. 88:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Butler, Cahill, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Taber, Tandy, Wheelwright and Mr. Speaker—34.

NAYS—None.

Absent—Messrs. Anderson, Brown, Bugbee, Cahlan, Hatton and Stro-  
snider—6.

Assembly Bill No. 88 having received a constitutional majority, Mr. Speaker declared it passed.

At 2:17 p. m. house recessed.

## HOUSE IN SESSION

At 2:25 p. m.

Mr. Speaker in the chair.

Quorum present.

Mr. Hamlin moved that Assembly Bill No. 197 be placed on top of the file.

Carried.

### GENERAL FILE AND THIRD READING

Assembly Bill No. 197.

Remarks by Messrs. Hamlin, Malone and Tandy.

Roll call on Assembly Bill No. 197:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Butler, Cahill, Carroll, Cooper, Dunseath, Goodin, Hamlin, Heward, Hussman, Johnson, Kenny, McAuliffe, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Taber, Tandy, Wheelwright and Mr. Speaker—30.

NAYS—Mr. Malone.

Absent—Messrs. Anderson, Brown, Bugbee, Cahlan, Hatton, Lage and Stro-  
snider—7.

Not voting—Messrs. Cobb and Ebert—2.

Assembly Bill No. 197 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 98.

Amendments proposed by Committee on Education: Amendment No. 1—In section 3, page 2, line 28, strike out the figures "1923" and insert in lieu thereof the figures "1933."

Mr. Moore moved adoption of amendment.

Carried.

Amendment No. 2—In section 4, page 2, line 31, strike out the figures "1923" and insert in lieu thereof the figures "1933."

Mr. Moore moved adoption of amendment.

Carried.

Amendment No. 3—In section 10, page 4, line 17, strike out the period after the word "superintendent," insert a semicolon in lieu thereof, and add the following: "*provided*, that this section shall not apply to nurses actually employed in county and State institutions at the time of the passage of this Act."

Mr. Moore moved adoption of amendment.

Carried.

Remarks by Messrs. Dunseath, Black and Kenny.

Mr. Hamlin moved that Assembly Bill No. 98 be rereferred to Committee on Education.

Carried.

Assembly Bill No. 117.

Remarks by Mr. Murphy.

Roll call on Assembly Bill No. 117:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Taber, Tandy and Mr. Speaker—35.

NAYS—None.

Absent—Messrs. Brown, Hamlin, Hatton, Strosnider and Wheelwright—5.

Assembly Bill No. 117 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 132.

Mr. Moore moved that Assembly Bill No. 132 be indefinitely postponed.

Carried.

Assembly Bill No. 136.

Remarks by Mr. Moore for Mr. Cahlan.

Roll call on Assembly Bill No. 136:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Butler, Cahill, Carroll, Cooper, Ebert, Goodin, Hamlin, Heward, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Taber, Tandy and Mr. Speaker—29.

NAYS—None.

Absent—Messrs. Anderson, Brown, Bugbee, Cahlan, Dunseath, Hatton, Hussman, Johnson, Strosnider and Wheelwright—10.

Not voting—Mr. Cobb.

Assembly Bill No. 136 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 143.

On motion of Mr. Tandy the Assembly resolved itself into a Committee of the Whole for consideration of Assembly Bill No. 143.

Mr. Speaker appointed Mr. Black as chairman of Committee of the Whole.

At 3:10 p. m. Assembly in Committee of the Whole.

## REPORT OF COMMITTEE OF THE WHOLE

*Mr. Speaker:*

Your Committee of the Whole has had under consideration Assembly Bill No. 143, and begs leave to report the same favorably, with recommendation that it do pass.

FRED BLACK, *Chairman.*

Mr. Moore moved adoption of the report.

Carried.

## REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 190, 191, 192, 194, 195, 198, 199, 200, 201, 202 and 203, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

## GENERAL FILE AND THIRD READING

Assembly Bill No. 143.

Roll call on Assembly Bill No. 143:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Butler, Cahill, Carroll, Cobb, Cooper, Ebert, Goodin, Hamlin, Heward, Hussman, Kenny, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Taber, Tandy and Mr. Speaker—30.

NAYS—Mr. Dunseath.

Absent—Messrs. Anderson, Brown, Bugbee, Cahlan, Hatton, Johnson, Lage, Strosnider and Wheelwright—9.

Assembly Bill No. 143 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 144.

Remarks by Mr. Murphy.

Roll call on Assembly Bill No. 144:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Butler, Cahill, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Heward, Hussman, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Stewart, Taber, Tandy, Wheelwright and Mr. Speaker—31.

NAYS—None.

Absent—Messrs. Anderson, Brown, Bugbee, Cahlan, Hatton, Johnson, Kenny, Smith and Strosnider—9.

Assembly Bill No. 144 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 145.

Remarks by Mr. Murphy.

Roll call on Assembly Bill No. 145:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Butler, Cahill, Carroll, Cobb, Cooper, Dunseath, Goodin, Hamlin, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Taber, Tandy, Wheelwright and Mr. Speaker—32.

NAYS—Mr. Ebert.

Absent—Messrs. Anderson, Brown, Bugbee, Cahlan, Hatton, Johnson and Strosnider—7.

Assembly Bill No. 145 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 137.

Remarks by Messrs. Cahill and Moore.

At 3:30 p. m. house recessed.

### HOUSE IN SESSION

At 3:38 p. m.

Mr. Speaker in the chair.

Quorum present.

Mr. Moore moved that Assembly Bills Nos. 137 and 138 go over until the next legislative day.

Remarks by Messrs. Hussman and Cahill.

Carried.

Without objection Assembly Bills Nos. 150 and 170 and Senate Bill No. 33 were placed on top of the file for third reading and final passage.

Assembly Bill No. 150.

Roll call on Assembly Bill No. 150:

YEAS—Messrs. Barnes, Beverly, Blundell, Cahill, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Tandy, Wheelwright and Mr. Speaker—30.

NAYS—None.

Absent—Messrs. Anderson, Brown, Bugbee, Butler, Cahlan, Hatton, Malone, Strosnider and Taber—9.

Not voting—Mr. Black.

Assembly Bill No. 150 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 170.

Remarks by Messrs. O'Connor, Goodin, Kenny and Black.

Amendment proposed by Mr. O'Connor: Amend section of Assembly Bill No. 170 by striking out all the words of section 8 following the figure "8," and inserting in lieu thereof the following: "This Act shall not apply in counties in which there are no incorporated cities."

Mr. O'Connor moved adoption of amendment.

Carried.

Remarks by Mr. Moore.

Mr. Tandy moved that the enacting clause be stricken from the bill.

Carried.

Remarks by Mr. Goodin.

Senate Bill No. 33.

Remarks by Mr. Reynolds.

Roll call on Senate Bill No. 33:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Bugbee, Butler, Cahill, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Heward, Hussman, Johnson, Kenny, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson,

Raycraft, Reynolds, Roberts, Smith, Stewart, Taber, Tandy, Wheelwright and Mr. Speaker—34.

NAYS—None.

Absent—Messrs. Anderson, Brown, Cahlan, Hattou, Lage and Strosnider—6.

Senate Bill No. 33 having received a constitutional majority, Mr. Speaker declared it passed.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

The majority of your Committee on Judiciary has had Assembly Bill No. 127 under reconsideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

G. J. KENNY,  
ERNEST S. BROWN,  
FRED STROSNIDER,  
WM. HATTON,

*Majority Members of Committee.*

*Mr. Speaker:*

The minority of your Committee on Judiciary has had Assembly Bill No. 127 under reconsideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

HARRY DUNSEATH,  
WILLIAM F. TABER,  
L. F. ANDERSON,

*Minority Members of Committee.*

*Mr. Speaker:*

The majority of your Committee on Judiciary has had Assembly Bill No. 118 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

G. J. KENNY,  
ERNEST S. BROWN,  
HARRY DUNSEATH,  
WM. HATTON,

*Majority Members of Committee.*

*Mr. Speaker:*

The minority of your Committee on Judiciary has had Assembly Bill No. 118 under consideration, and begs leave to report on the same without recommendation.

L. F. ANDERSON,  
WILLIAM F. TABER,

*Minority Members of Committee.*

*Mr. Speaker:*

Your Committee on Enrollment has carefully compared Assembly Bills Nos. 26, 37, 80 and 99, and Senate Substitute for Assembly Enrolled Bill No. 3 with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. H. BARNES, *Chairman.*

*Mr. Speaker:*

Your Committee of Humboldt County Delegation has had Assembly Bill No. 193 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

ROY PERSSON, *Chairman.*

*Mr. Speaker:*

Your Special Committee of Mineral County Delegation has had Assembly Bill No. 196 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

M. C. HAMLIN, *Chairman.*



## MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to advise your honorable body that the Senate refuses to recede from its action on Assembly Bill No. 100, and has this day appointed a conference committee consisting of Senators Fairchild, Dolf and Tobin to meet with a like committee appointed by the Speaker.

LENA GALE,

*Assistant Secretary of the Senate.*

## INTRODUCTION AND FIRST READING

By Mr. Moore (by request):

Assembly Bill No. 223—An Act relating to elections for bond issues for counties, school districts, cities, towns and irrigation districts.

Mr. Moore moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Elections.

Carried.

By Mr. Stewart:

Assembly Bill No. 224—An Act to amend section 47 of an Act entitled "An Act for the organization and government of irrigation districts, for the irrigation and drainage of lands and other related undertakings thereby and for the acquisition and distribution of water and other property, construction, operation and maintenance of works, diversion, storage, distribution, collection and carriage of water; cooperation with the United States; and matters properly connected therewith," being section 8063 Nevada Compiled Laws 1929.

Mr. Stewart moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Irrigation.

Carried.

By Mr. Taber:

Assembly Bill No. 225—An Act relating to bond elections, providing for the manner of holding the same, defining the duties of certain persons in relation thereto, and other matters properly relating thereto.

Mr. Taber moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Elections.

Carried.

By Mr. Anderson:

Assembly Bill No. 226—An Act to amend an Act entitled "An Act fixing and regulating the salaries of certain State officers of the State of Nevada," approved March 21, 1921, as amended.

Mr. Taber, for Mr. Anderson, moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

By Mr. Anderson :

Assembly Bill No. 227—An Act to repeal an Act entitled “An Act to accept the benefits of an Act passed by the Senate and House of Representatives of the United States of America, in Congress assembled, to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment, approved June 2, 1920,” approved March 28, 1919, as amended, Stats. 1921, 286.

Mr. Taber, for Mr. Anderson, moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

By Mr. Anderson :

Assembly Bill No. 228—An Act to repeal an Act entitled “An Act to reaffirm ‘An Act to accept the benefits of an Act passed by the Senate and House of Representatives of the United States of America, in Congress assembled, to provide for the promotion of vocational education, approved February 23, 1917,’ approved March 24, 1917,” approved March 25, 1919.

Mr. Taber, for Mr. Anderson, moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

By Mr. Anderson :

Assembly Bill No. 229—An Act to repeal an Act entitled “An Act to accept the benefits of any Act that may be passed by the Senate and House of Representatives of the United States of America, in Congress assembled, to amend the vocational education Act approved February 23, 1917, so as to provide increased funds for the support of home economics education in cooperation with the States,” approved March 22, 1921.

Mr. Taber, for Mr. Anderson, moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

By Mr. Anderson :

Assembly Bill No. 230—An Act to repeal an Act entitled “An Act to provide for the administration of Vocational Education Fund,” approved March 23, 1917.

Mr. Taber, for Mr. Anderson, moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

By Mr. Cahill :

Assembly Bill No. 231—An Act to regulate the construction and

maintenance of auto camps and lodging houses, and living or residence quarters on dude ranches in unincorporated areas; to provide for the inspection and supervision of the same; to provide for the abatement thereof in certain cases; to provide penalties for the violation of the provisions hereof; and to provide for the payment of license taxes by the owners or operators of auto camps, lodging houses, and living or residence quarters on dude ranches, defining certain terms, and other matters relating thereto.

Mr. Cahill moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

By Mr. Dunseath:

Assembly Bill No. 232—An Act to amend an Act entitled "An Act to control and regulate the manufacture, sale, possession, use, and carrying of firearms and weapons, and other matters properly relating thereto," approved March 5, 1925, by adding a new section thereto and repealing all Acts in conflict therewith.

Mr. Dunseath moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Dunseath (by request):

Assembly Bill No. 233—An Act to prohibit any attorney, association of attorneys, or other person to furnish, give, or supply, secretly or otherwise, except in a judicial proceeding, any arbitrary rating of any attorney, reflecting upon his knowledge, ability, integrity, or his standing as an attorney, and providing a penalty for the violation hereof.

Mr. Dunseath moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Goodin (by request):

Assembly Bill No. 234—An Act authorizing and directing the Board of Regents of the University of Nevada to execute a deed for certain property to William Kestels, of Washoe County, Nevada, upon the payment therefor of the sum of \$250.

Mr. Goodin moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Roads and Highways.

Carried.

By Mr. Goodin (by request):

Assembly Bill No. 235—An Act authorizing the Board of Regents of the University of Nevada to deed certain lands to the State of Nevada.

Mr. Goodin moved that rules be suspended, reading so far had

considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Roads and Highways.

Carried.

By Mr. Tandy:

Assembly Bill No. 236—An Act fixing the number of officers and attachés of the Legislature of the State of Nevada, and to define their duties and specify their pay, and to repeal all Acts and parts of Acts in conflict therewith.

Mr. Tandy moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Elections.

Carried.

By Mr. Blundell (by request):

Assembly Bill No. 237—An Act to repeal an Act entitled "An Act providing for the appointment of road supervisors in counties polling three thousand votes or over, for the subdivision of said counties into road districts, and matters properly relating thereto, and to repeal all other Acts and parts of Acts in conflict therewith," approved March 24, 1911.

Mr. Blundell moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

By Mr. Blundell (by request):

Assembly Bill No. 238—An Act to repeal an Act entitled "An Act providing for the election of road supervisors, for the subdivision of counties into road districts, and matters properly relating thereto," approved March 19, 1901.

Mr. Blundell moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

By Mr. Blundell (by request):

Assembly Bill No. 239—An Act to amend section 1 of an Act entitled "An Act authorizing, empowering and directing the County Commissioners of Washoe County, Nevada, to fix the salaries and compensation of certain employees in said county, and other matters related thereto," approved March 21, 1929.

Mr. Blundell moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Washoe County Delegation.

Carried.

At 4:25 p. m. Mr. Smith moved that the Assembly adjourn until Monday, February 27, 1933, at 10 a. m.

Carried.

Approved:

FRED S. ALWARD,

Attest: GEORGE BRODIGAN,

*Speaker of the Assembly.*

*Chief Clerk of the Assembly.*

## THE FORTY-THIRD DAY

---

CARSON CITY (Monday), February 27, 1933.

Assembly called to order at 10 a. m.

Mr. Noble, Speaker pro tem., in the chair.

Roll called.

All present.

Prayer by Rev. Porter.

On motion of Mr. Persson the reading of the Journal was dispensed with, and Mr. Speaker and the Chief Clerk were authorized to make any necessary corrections.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Ways and Means has had Assembly Bill No. 164 and Senate Bill No. 68 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

J. H. CAHILL, *Chairman.*

### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Persson moved that Assembly Bill No. 193 be rereferred to the Humboldt County Delegation.

Carried.

By Mr. Bugbee:

Assembly Concurrent Resolution No. 8:

*Resolved by the Assembly, the Senate concurring,* That all members of the Assembly and Senate who voted for the Hussman Bill to limit the present session of the Legislature to forty days be consistent and refuse to accept any compensation from the State Treasury for the remainder of this session.

Mr. Cahill stated he wished to amend the resolution.

Remarks by Messrs. Cahill, Tandy and Bugbee.

Roll call on resolution asked for by Messrs. Bugbee, Dunseath and Cobb.

Remarks by Messrs. Dunseath and Cahlan.

Mr. Hussman arose to a point of order that there was nothing in Assembly Bill No. 32 that provides for a forty-day session, therefore the resolution is out of order.

Remarks by Mr. Bugbee.

Roll call on Assembly Concurrent Resolution No. 8:

YEAS—Messrs. Black, Brown, Bugbee, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hussman, Johnson, Lage, Moore, O'Connor, Persson, Raycraft, Smith, Strosnider and Tandy—21.

NAYS—Messrs. Anderson, Barnes, Beverly, Blundell, Butler, Hatton, McAuliffe, Murphy, Roberts, Taber and Wheelwright—11.

Absent—Messrs. Heward, Kenny, Malone, Reynolds and Mr. Speaker—5.

Not voting—Messrs. Hamlin, Noble and Stewart—3.

Assembly Concurrent Resolution No. 8 having received a constitutional majority, Mr. Speaker declared it passed.

#### SPECIAL ORDER OF BUSINESS

Assembly Bill No. 114.

Amendment proposed by Mr. Smith: Amend section 1 of Assembly Bill No. 114 by striking out the period at the end of line 7, page 2, and add the following: "or who have been bona fide residents of Nevada for not less than two years immediately prior to such employment:"

Mr. Smith moved adoption of amendment.

Remarks by Mr. Smith.

Roll call asked for by Messrs. Taber, Cahlan and Lage.

Remarks on the amendment by Messrs. Dunseath, Black, Smith, Cahlan and O'Connor.

At 10:35 a. m., on motion of Mr. Moore, house recessed for five minutes.

#### HOUSE IN SESSION

At 10:50 a. m.

Mr. Speaker pro tem. in the chair.

Quorum present.

Mr. Smith moved that his amendment to Assembly Bill No. 114 be withdrawn.

Amendment proposed by Mr. O'Connor: Amend section 1 of Assembly Bill No. 114 by inserting after the word "of" in line 7, page 2, the words: "the public high schools of the State of Nevada or."

Amendment proposed by Mr. Moore: Amend Assembly Bill No. 114 by adding a new section to read as follows: SEC. 2. This Act shall take effect upon its passage and approval.

Mr. O'Connor moved adoption of his amendment.

Remarks by Messrs. O'Connor, Goodin, Smith, Tandy, Malone, Black and Moore.

Amendment proposed by Mr. Taber: Amend section 1 of Assembly Bill No. 114 by striking out the last sentence of said section 1.

Mr. Taber moved adoption of amendment.

Mr. Dunseath arose to a point of order that the amendment proposed by Mr. O'Connor was before the house.

Mr. Speaker announced that the question before the house was on Mr. O'Connor's amendment.

Remarks by Mr. O'Connor.

Mr. Taber withdrew his motion.

Amendment of Mr. O'Connor was carried.

Mr. Taber asked that his amendment be considered an amendment to Mr. O'Connor's amendment.

Mr. Taber moved adoption of amendment.

Remarks by Messrs. Cahlan, Taber, Black and Blundell.

Mr. Black asked for previous question, seconded by Messrs. Black and Dunseath.

Roll call asked for by Messrs. Taber, Anderson and Murphy.

Roll called :

YEAS—Messrs. Anderson, Murphy, Taber and Tandy—4.

NAYS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hatton, Heward, Hussman, Johnson, Lage, McAuliffe, Malone, Moore, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider and Wheelwright—31.

Absent—Messrs. Hamlin, Kenny, Reynolds and Mr. Speaker—4.

Not voting—Mr. Noble.

Amendment to amendment lost.

Mr. Moore moved adoption of his amendment.

Mr. Cahlan arose to a point of order that Mr. Moore's amendment was on the bill as a whole.

Amendment proposed by Mr. Taber: Amend section 1 of Assembly Bill No. 114, page 2, line 7, by striking out the period at the end of the paragraph, inserting in lieu thereof a comma, and adding the words: "but provided also, that the provision or provisions contained in this sentence shall not apply to residents, teachers or pupils of any county having more than forty rural schools of only one teacher each at the time of the passage of this Act."

Mr. Taber moved adoption of amendment.

Remarks by Messrs. Taber, Cahlan, O'Connor, Tandy and Malone.

Mr. Dunseath moved previous question, seconded by Messrs. Black and Brown.

Roll call asked for by Messrs. Taber, Anderson and Murphy.

Roll call on amendment:

YEAS—Messrs. Anderson, Butler, Cahill, Carroll, Cobb, Murphy, Stewart, Strosnider, Taber and Tandy—10.

NAYS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Bugbee, Cahlan, Cooper, Dunseath, Ebert, Goodin, Hatton, Heward, Hussman, Johnson, Lage, McAuliffe, Malone, Moore, O'Connor, Persson, Raycraft, Roberts and Wheelwright—25.

Absent—Messrs. Hamlin, Kenny, Reynolds and Mr. Speaker—4.

Not voting—Mr. Noble.

Amendment lost.

Amendment proposed by Mr. Moore: Amend Assembly Bill No. 114 by adding a new section to read as follows: SEC. 2. This Act shall take effect upon its passage and approval.

Mr. Moore moved adoption of amendment.

Carried.

Remarks on the bill by Messrs. Taber, Bugbee, Moore, Tandy and Cahlan.

Previous question called for by Messrs. Brown, Malone and Moore.

Roll call on Assembly Bill No. 114:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Lage, McAuliffe, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider and Wheelwright—32.

NAYS—Messrs. Anderson, Cobb, Murphy, Taber and Tandy—5.

Absent—Messrs. Kenny, Reynolds and Mr. Speaker—3.

Assembly Bill No. 114 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Mr. Dunseath moved that when the Assembly does recess it recess until 2 p. m.

Carried.

Mr. Smith moved that all bills reported out of committees be placed on the general file for third reading and final passage.

Carried.

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Bill No. 69, which this day passed the Senate, as amended, by the following vote: Yeas, 15; nays, 1; absent, 1. Amend as follows: Page 1, line 1, strike, beginning with and including the words "An Act," through to line 3, through the word "section," and insert in lieu thereof the words "the above-entitled Act, being paragraph." Strike the words in line 4 "be and the same," also the words "so as" in the same line. In line 4, strike the colon after the word "read" and add "as follows." Lines 11 and 19, change the word "funds" to "fund."

Also, to present Senate Bill No. 47, which passed, as amended: Yeas, 14; nays, none; absent, 2; not voting, 1. Amend as follows: Page 1, line 5, change the word "title" to "Act." Page 1, inclose in brackets the words beginning with and including the word "but," in line 8, and ending with and including the word "same" in line 15.

Also, Senate Bill No. 48, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: On page 1, line 4, strike the word "sections" and insert in lieu thereof the word "paragraph." On page 1, line 5, strike the word "another" and insert in lieu thereof the words "a new."

Also, Senate Bill No. 72, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Section 1, line 2, after the letters "N. C. L." add the figures "1929," and strike out the words "so as." Amend title by substituting a comma for period following word "Act" in last word of title, and adding the words and figures "approved March 15, 1913."

Also, Senate Bill No. 61, which passed: Yeas, 16; nays, none; absent, 1.

Also, Senate Bill No. 74, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 1, line 2, by striking the word "section" and inserting in lieu thereof the word "paragraph." Page 1, line 9, by inserting after the word "if" the words "otherwise qualified, and it is."

LENA GALE,

*Assistant Secretary of the Senate.*

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 232, 233, 234, 235, 236, 237, 238 and 239, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

#### INTRODUCTION AND FIRST READING

Senate Bill No. 74.

Mr. Tandy moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

Carried.

Senate Bill No. 72.

Mr. Dunseath moved that rules be suspended, reading so far had



considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Labor.

Mr. Cobb moved to amend motion by striking out the word "Labor" and inserting in lieu thereof the word "Judiciary."

Remarks by Messrs. Dunseath and Cobb.

Mr. Cobb withdrew his motion.

Mr. Cahill amended motion that the bill go to Judiciary Committee. Amendment lost.

Original motion carried.

Senate Bill No. 48.

Mr. Hamlin moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

Carried.

At 12:10 p. m. Mr. Dunseath moved that house recess.

Carried.

### HOUSE IN SESSION

At 2 p. m.

Speaker pro tem. in the chair.

Quorum present.

### SPECIAL ORDER OF BUSINESS

Assembly Bill No. 64.

Bill read third time.

Remarks by Messrs. Cahlan, Tandy and Brown.

Mr. Brown moved for a five-minute recess in order that the Journal might be checked regarding the status of this bill.

At 2:11 p. m. house recessed.

### HOUSE IN SESSION

At 2:20 p. m.

Speaker pro tem. in the chair.

Quorum present.

Mr. Anderson moved to table all amendments to Assembly Bill No. 64.

Remarks by Messrs. Hussman and Cahlan.

Mr. Hussman asked for a ruling.

Roll call asked for by Messrs. Anderson, McAuliffe and Cahill.

Remarks by Mr. McAuliffe.

Mr. Tandy arose to a point of order that a motion to table is not debatable.

Roll call on Mr. Anderson's motion:

YEAS—Messrs. Anderson, Cahill, Cooper, Hamlin, Taber and Tandy—6.

NAYS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahlan, Carroll, Cobb, Dunseath, Ebert, Goodin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Strosnider and Wheelwright—31.

Absent—Messrs. Murphy and Reynolds—2.

Not voting—Mr. Speaker.

Motion lost.

Remarks by Mr. Cahlan.

Mr. Cahlan moved that all amendments proposed by the Committee on Banks and Banking to the original bill be withdrawn.

Remarks by Messrs. Tandy, Cahlan, Dunseath, Cahill and Black.

Mr. Smith moved that all reference to any amendments previously adopted on Assembly Bill No. 64 be stricken from the record.

Mr. Tandy declared motion out of order.

Mr. Speaker stated that it was agreed by the house that the amendments introduced that day should be read and should be printed before action was taken on them.

Further discussion by Messrs. Tandy and Alward.

At 2:33 p. m. house recessed.

### HOUSE IN SESSION

At 2:45 p. m.

Speaker pro tem. in the chair.

Quorum present.

Mr. Speaker announced, after Clerk read from the Journal, that no amendments to Assembly Bill No. 64 had been adopted.

Mr. Cahlan moved that all amendments proposed by the Committee on Banks and Banking, 1 to 10 inclusive, be withdrawn.

Carried.

Mr. Taber moved adoption of his amendments, 1, 2, 3 and 4, to section 2 of the bill:

Amendment No. 1—Amend section 2 of said bill, page 2, beginning at line 3, by striking out the words "Whenever the actual value of the assets of any bank is insufficient to pay its liabilities, or when it," and insert in lieu thereof the words "Whenever any bank."

Mr. Taber moved adoption of amendment.

Remarks by Messrs. Taber, Brown and Tandy.

Motion lost.

Without objection Mr. Black withdrew proposed amendments 1 to 11 to sections 1 and 2 of the bill.

Without objection Mr. Cahill withdrew amendments 1, 2 and 3 to section 2 of the bill.

Without objection Mr. Malone withdrew his proposed amendment to the bill.

Amendment No. 2—Amend section 2 of said bill in lines 10 and 11, page 2, by striking out the words and figures "ten per cent (10%)," and inserting in lieu thereof the words and figures "forty per cent (40%)."

Remarks by Messrs. Taber and Brown.

Motion lost.

Without objection Mr. Taber withdrew amendments Nos. 3 and 4 proposed by him to Assembly Bill No. 64.

Amendments to Assembly Bill No. 64 proposed by Mr. Tandy:

Strike out all after the enacting clause, and insert in lieu thereof the following:

SECTION 1. The State Board of Finance, upon application of the officers or directors or on demand of any person or persons representing 51 per cent of the total amount due the depositors and unsecured creditors of any State bank, savings bank or trust company or private bank doing a banking business, shall take over the management of any such bank or trust company and shall manage the same either by its officers or a part thereof or by any suitable person or persons said board may select for such purpose. Such management, however, not to exceed beyond one year from the taking possession except with the consent of the State Board of Finance. During the period of such management and by the board, all the remedies at law or in equity of any creditor or stockholder shall be suspended, and the statute of limitations against such claims shall be suspended during such period.

SEC. 2. Whenever the management of any banking institution shall have been taken over as provided in section 1 of this Act, the board shall proceed to wind up the affairs of such institution as provided by the law; or may continue the operation of the same, holding all deposits in the same, taking in deposits and carrying on the same under such rules and regulations as the board may make for the conduct of its business and deem for the best interest of the debtors and creditors of such institution. If such institution is kept open for business under the management of the banking department, and new deposits are received, such deposits shall be segregated, and any new assets acquired on account of such deposits shall be segregated and held in trust especially for such new deposits.

SEC. 3. If, in the opinion of the State Board of Finance it is deemed advisable to reorganize any banking institution as set out in section 1 hereof, the board shall have power so to do on such terms and conditions as the board may prescribe, including the right to issue stock upon such conditions as the board may prescribe for such stock, and which shall be nonassessable.

SEC. 4. Nothing in this Act shall prevent the voluntary adoption of any form of depositors' agreement not now nor heretofore in contravention of the statutes thereto provided and under any such agreement the percentages as provided by law shall be fully applicable.

SEC. 5. If, in the opinion of the State Board of Finance, it is advisable to sell, hypothecate or pledge or exchange any or all of the assets of such banking institutions the said board is given the power so to do with the Reconstruction Finance Corporation or with any other party the board may select.

SEC. 6. In so far as the provisions of this Act may conflict with other Acts or parts thereof, the provisions of this Act shall control.

SEC. 7. This Act shall be in full force and effect from and after its passage and approval.

Mr. Tandy moved adoption of the substitute amendment to Assembly Bill No. 64.

Remarks by Messrs. Tandy, Brown and Taber.

Roll call on Tandy substitute to Assembly Bill No. 64 asked for by Messrs. Taber, Tandy and Hamlin.

Roll called :

YEAS—Messrs. Anderson, Beverly, Butler, Cahill, Cooper, Dunseath, Hamlin, Johnson, Lage, McAuliffe, Murphy, Reynolds, Stewart, Strosnider, Taber, Tandy and Wheelwright—17.

NAYS—Messrs. Barnes, Black, Blundell, Brown, Bugbee, Cahlan, Carroll, Cobb, Ebert, Goodin, Hatton, Heward, Hussman, Kenny, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Roberts and Smith—22.

Not voting—Mr. Speaker.

Substitute amendment lost.

Substitute proposed by the Committee on Banks and Banking: Amend Assembly Bill No. 64 by striking out everything following the enacting clause and inserting the following:

SECTION 1. The title of that certain Act of the Legislature of the State of Nevada entitled "An Act authorizing the incorporation of the assets of insolvent banks and providing for the distribution of the stock of such corporation to the creditors and depositors of such banks," approved March 24, 1917, is hereby amended to read as follows:

"An Act authorizing the appointment of receivers in certain cases, and providing for the incorporation of the assets of certain banks, and providing for the distribution of the stock of such corporation to the creditors, depositors and stockholders of such banks."

SEC. 2. Section 1 of said Act is hereby amended to read as follows:

Section 1. Whenever any bank shall suspend business or when the State Bank Examiner shall have taken possession of any bank or the assets thereof, persons representing unsecured depositor-creditors, with or without judgment, holding twenty-five per cent (25%) of the outstanding deposit indebtedness and representing ten per cent (10%) of the total number of depositors, may, by verified complaint setting forth the existence of one or more of the conditions hereinbefore mentioned, apply to the District Court of the county in which the principal office of said bank is located, for an injunction, and the appointment of a receiver or receivers of such bank, and if upon the hearing of such application, held on such notice as the court may direct, the court shall be satisfied as to the sufficiency of such application and that the material allegations of said verified complaint are true, said court may appoint a receiver or receivers to take charge of such bank and its assets, and enjoin said Bank Examiner, said bank and its officers, directors and agents from exercising any or all of his, its or their powers or privileges concerning said bank and its assets, except to transfer, assign, set over and deliver the assets, property, books and records of said bank to the receiver or receivers appointed by the court. If at the time of the appointment of such receiver such bank be in the hands of a Bank Examiner, the court shall direct said Bank Examiner to forthwith deliver to said receiver or receivers so appointed all of the assets, property, books and records of said bank, and further direct said Bank Examiner to file a full and complete report of his administration of the affairs of said bank with the said court within ten days

thereafter. In the appointment of such receiver or receivers, the court shall, in the absence of good cause to the contrary, give preference to any person named by the depositor-creditors filing the verified complaint as hereinbefore required.

Whenever any bank shall be placed in the hands of a receiver as in this Act provided the court shall, upon application of one or more persons representing creditors holding ten per cent (10%) or more of the total outstanding indebtedness, direct that a corporation be formed with an authorized capital equivalent to the aggregate amount due to the depositors and creditors and the paid in capital of the bank, and order the receiver to convey, assign, and set over all property, real and personal, and all stocks, bonds, notes, causes of action, books and records of said bank to said corporation so formed; and the court shall order a distribution of the stock of said corporation prorated to the unsecured creditors and depositors of said bank, and to secured creditors to the extent of the amount by which their respective claims exceed the fair value of their security, and the stockholders in said bank. Such corporation shall be formed under the General Corporation Act of this State. The court shall appoint three persons to sign and acknowledge the articles of incorporation, and shall appoint five directors, to be named in the articles, who shall serve for three months from the date of their appointment or until their successors are elected and qualified as hereinafter provided.

SEC. 3. Section 2 of said Act is hereby amended to read as follows:

Section 2. It shall be the duty of the directors appointed by the court to immediately elect a president, a vice president and a secretary and to immediately call a meeting of the stockholders of such corporation, entitled to vote, as herein provided, for the purpose of electing officers and adopting by-laws, such meeting to be held within three months from the date of incorporation and at such time and place as may be fixed by the court. For the purposes of this Act, there shall be issued two classes of stock, to be known as Class A stock and Class B stock. Unsecured depositors or creditors of any such bank in the hands of a receiver, and secured creditors thereof to the extent of the amount by which their respective claims exceed the fair value of their security, shall be holders of Class A stock of the corporation so formed, and shall be entitled to one vote for each share of stock respectively held by them or to which they may be entitled on the day of the election. Every such unsecured depositor or creditor shall be entitled to one share of Class A stock for each dollar due him from such bank, and every such secured creditor shall be entitled to one share of Class A stock for each dollar of the amount by which the amount of his or its claim exceeds the fair value of the property held as security for such claim; and each stockholder of such bank shall receive one share of Class B stock for each dollar of the par value of the stock registered in his name on the stock ledger of such bank. At the meeting of the stockholders, entitled to vote as herein provided, held pursuant to order of the court as hereinbefore provided they shall elect a board of five directors and adopt by-laws for the corporation, and transact such

other business as may be proper at an annual meeting of the stockholders, entitled to vote as herein provided, of a corporation under the laws of Nevada. The directors shall, immediately following their election, elect the officers of such corporation and thereafter the corporation shall be conducted in accordance with the by-laws and the laws of the State of Nevada governing corporations. The classes of stock provided for herein shall participate in dividends, distribution of assets upon liquidation, either voluntary or involuntary, or proceeds from the sale of the assets of said corporation as follows:

The holders of Class B stock shall not participate in dividends, distribution of assets upon liquidation, either voluntary or involuntary, or the proceeds of any sale of the assets of such corporation until the holders of Class A stock shall have received the par value of their stock together with interest thereon at the rate of 3 per cent per annum from the date of the organization of said corporation by order of the court. The holders of Class B stock shall have no voting power until the holders of Class A stock shall have received the par value of their stock and interest thereon as aforesaid.

SEC. 4. Said Act is further amended by adding thereto four (4) additional sections, to be known as numbers 4, 5, 6 and 7 thereof, which said sections 4, 5, 6 and 7 shall read as follows:

Section 4. All of the terms of this Act are hereby made applicable to any bank now closed or in the hands of the State Bank Examiner.

Section 5. Each section of this Act, and every part of each section, is hereby declared to be independent of every other section and part of section, and the holding of a section or part of a section to be void or ineffectual for any cause shall not be deemed to affect any other section or part of section.

Section 6. All Acts and parts of Acts in conflict herewith are hereby repealed.

Section 7. This Act shall be in full force and effect from and after March 18, 1933.

Mr. Cahlan moved adoption of amendment.

Remarks by Messrs. Taber and Dunseath.

Roll call on adoption asked for by Messrs. Taber, Tandy and Stro-snyder.

Roll called:

YEAS—Messrs. Barnes, Black, Blundell, Brown, Bugbee, Cahlan, Carroll, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Raycraft, Reynolds, Roberts, Smith and Strosnider—26.

NAYS—Messrs. Anderson, Butler, Cahill, Cobb, Cooper, Dunseath, Johnson, Persson, Stewart, Taber and Tandy—11.

Absent—Mr. Beverly.

Not voting—Messrs. Wheelwright and Mr. Speaker—2.

Amendment adopted.

Amendment proposed by Mr. Dunseath:

Amend section 2 of Assembly Bill No. 64 by adding thereto on page 2 the following: Any such receiver or receivers appointed under the

provisions of this Act shall receive as full compensation for his or their services the sum of ten dollars (\$10) per day, said ten dollars (\$10) to be prorated among said receivers if there be more than one, but in no case shall his or their total compensation exceed the sum of five hundred dollars (\$500). No attorney's fees shall be allowed in any such proceeding in an amount exceeding five hundred dollars (\$500), said five hundred dollars (\$500) to be prorated among said attorneys if there be more than one.

Mr. Dunseath moved adoption of amendment.

Remarks by Mr. Dunseath.

Carried.

Amendment proposed by Mr. Taber: Amend section 2 of Assembly Banking Committee Bill No. 64 by striking out the words and figures "twenty-five per cent (25%)," appearing near the beginning of said section 2, and inserting in lieu thereof the words and figures "forty per cent (40%)."

Mr. Taber moved adoption of amendment.

Remarks by Messrs. Cahlan, Taber, Anderson, Tandy, Hussman, Blundell, Cahill, Goodin and Black.

Roll call on adoption of amendment asked for by Messrs. Tandy, Taber and Anderson.

Roll called:

YEAS—Messrs. Anderson, Butler, Cahill, Cobb, Cooper, Hamlin, Johnson, McAuliffe, Persson, Stewart, Taber and Tandy—12.

NAYS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Bugbee, Cahlan, Carroll, Dunseath, Ebert, Goodin, Hatton, Heward, Hussman, Kenny, Malone, Murphy, Noble, O'Connor, Raycraft, Reynolds, Roberts, Smith, Strosnider and Wheelwright—25.

Absent—Messrs. Lage and Moore—2.

Not voting—Mr. Speaker.

Amendment lost.

Amendment proposed by Mr. Hussman: Amend section 21 of Assembly Bill No. 64 by inserting after the word "assets" in line 9, page 2 of the substitute, the following: "which assets shall include any and all disputed claims, whether in litigation or otherwise."

Mr. Hussman moved adoption of amendment.

Remarks by Mr. Hussman.

Carried.

Remarks on Assembly Bill No. 64 by Messrs. Tandy, Brown, Anderson, Cahill and Hatton.

Roll call on Assembly Bill No. 64:

YEAS—Messrs. Barnes, Black, Blundell, Brown, Bugbee, Cahlan, Carroll, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Noble, O'Connor, Raycraft, Reynolds, Roberts and Smith—24.

NAYS—Messrs. Anderson, Beverly, Butler, Cahill, Cobb, Cooper, Dunseath, Johnson, Persson, Stewart, Taber and Tandy—12.

Absent—Messrs. Murphy, Strosnider and Wheelwright—3.

Not voting—Mr. Speaker.

Assembly Bill No. 64 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

At 4:30 p. m. house recessed.

## HOUSE IN SESSION

At 4:35 p. m.

Mr. Speaker in the chair.

Quorum present.

Mr. Anderson moved that the Assembly adjourn until 10 o'clock Tuesday morning.

Remarks by Mr. Moore.

Mr. Anderson withdrew motion.

Without objection Messrs. Moore, Kenny, Reynolds, Alward and Heward were marked present on the record.

## REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 224, 225, 226, 227, 228, 229, 230 and 231, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

Mr. Tandy read an article from the *Elko Free Press* attacking the insincerity of the members who voted for the \$400 bill introduced by Mr. Hussman.

Remarks by Messrs. Black, Hussman, Cahill, Taber, Kenny and Cahlan.

At 4:50 p. m. Mr. Moore moved that the Assembly do now adjourn until Tuesday, February 28, 1933, at 11 a. m.

Mr. Persson amended to 10 a. m.

Amendment carried.

Approved:

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,

*Chief Clerk of the Assembly.*



**THE FORTY-FOURTH DAY**

CARSON CITY (Tuesday), February 28, 1933.

Assembly called to order at 10 a. m.

Mr. Speaker in the chair.

Roll called.

All present.

Prayer by Rev. Porter.

On motion of Mr. Persson the reading of the Journal was dispensed with, and Mr. Speaker and the Chief Clerk were authorized to make any necessary corrections.

**PRESENTATION OF PETITIONS**

A petition from the taxpayers and residents of Clark County regarding the Enterprise School District was referred to the Clark County delegation without objection.

A letter from the Century Club regarding abolishment of the Industrial School at Elko was referred to the Committee on State Institutions.

**REPORTS OF COMMITTEES**

*Mr. Speaker:*

Your Committee on Education has had Assembly Bills Nos. 98 and 128 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

BOB MOORE, *Chairman.*

*Mr. Speaker:*

The majority of your Committee on Education has had Assembly Bill No. 161 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

BOB MOORE, *Chairman.*

*Mr. Speaker:*

The minority of your Committee on Education has had Assembly Bill No. 161 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

M. C. HAMLIN.

*Mr. Speaker:*

Your Committee on Live Stock has had Assembly Bills Nos. 166 and 168 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

L. F. ANDERSON, *Chairman.*

*Mr. Speaker:*

Your Committee on Labor had had Assembly Bills Nos. 189 and 191 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

PAT McAULIFFE, *Chairman.*

*Mr. Speaker:*

Your Committee on Ways and Means has had Assembly Bills Nos. 184 and 185 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

J. H. CAHILL, *Chairman.*

*Mr. Speaker:*

Your Committee on Elections has had Assembly Bills Nos. 171, 172, 188 and 201 under consideration, and begs leave to report unfavorably on the same, with the recommendation that they do not pass.

HARRY DUNSEATH, *Chairman.*

*Mr. Speaker:*

Your Committee on Trade and Manufactures has had Assembly Bills Nos. 178 and 183 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

A. BLUNDELL, *Chairman.*

*Mr. Speaker:*

Your Committee on Roads and Highways has had Assembly Bills Nos. 234 and 235 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

W. H. GOODIN, *Chairman.*

*Mr. Speaker:*

Your Committee on Mines and Mining has had Senate Bill No. 22, Assembly Bills Nos. 68, 154 and 187, Assembly Joint Resolutions Nos. 75, 24 and 25, Assembly Concurrent Resolution No. 3, and Senate Joint Resolution No. 13 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

FRANK BUGBEE, *Chairman.*

*Mr. Speaker:*

Your Committee on Contingent Expenses and Accounts has had Assembly Bill No. 186 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

W. H. ROBERTS, *Chairman.*

Without objection Mr. Speaker signed Senate Joint Resolution No. 18 and Senate Bills Nos. 33 and 59.

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Joint Resolution No. 17, which this day passed the Senate by the following vote: Yeas, 15; nays, 1; absent, 1.

Also, to advise your honorable body that the Senate refuses to recede in their actions to Senate Amendments to Assembly Bill No. 2.

Also, to return Assembly Bill No. 77, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Strike out after the semicolon following the word "effect" in line 12, page 4 of the printed bill, the following: "provided, that whenever a revision is made and the revised ordinances are published in book or pamphlet forms by the authority of the board, no further publication shall be deemed necessary." Strike out after the word "amended" in line 24, page 4 of the printed bill, the following: "in accordance with the provisions of this Act as herein amended," and insert in lieu thereof "unless previously repealed." Place a period after the word "effect" in line 26, page 4 of the printed bill, and strike out the remainder of said line.

Also, Assembly Bill No. 86, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 1, line 12, after word "charge" insert words "on State bonds." Page 1, line 13, change word "our" to words "one-half of our." Page 1, lines 1 to 4, amend to read: "Section 2 of the above-entitled Act, being section 4903 Nevada Compiled Laws 1929, is hereby amended to read as follows:" Page 1, line 12, strike the word "State," and after the word "bonds" add the following: "of State officers." Amend title, in line 3 thereof, by placing a period after figures "1925" instead of comma, and strike balance of title.

Also, Assembly Joint Resolution No. 21, which passed: Yeas, 16; nays, none; absent, 1.

Also, Assembly Bill No. 87, which passed, as amended: Yeas, 16; nays,

none; absent, 1. Amend as follows: Page 1, line 1, after the word "Act" add the following: "being paragraph 2369 N. C. L. 1929." Page 1, line 2, strike the words "so as." Page 2, line 26, strike the figures and symbol "\$25" in parentheses. Page 2, line 27, strike the figures and symbol "\$100" in parentheses. Amend title by adding a period after the figures "1917"; strike the comma and the remainder of the title.

LENA GALE,

*Assistant Secretary of the Senate.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Carroll moved that the Assembly concur in Senate amendments to Assembly Bill No. 69.

Carried.

Mr. Hamlin moved that the Assembly concur in Senate amendments to Assembly Bill No. 2.

Carried.

Without objection, upon motion of Mr. Hamlin, Assembly Bills Nos. 204 and 196 were withdrawn for correction.

Without objection, upon motion of Mr. Taber, Assembly Bill No. 77, with Senate amendments, was referred to Elko County Delegation.

Without objection, upon motion of Mr. Stewart, Assembly Bill No. 120 was withdrawn.

Without objection, upon motion of Mr. Cahlan, the special committee appointed to investigate the banking situation under Senate Concurrent Resolution No. 6 was granted until March 6 in which to turn in their report.

Mr. Persson moved that Assembly Bill No. 86 be laid over until the next legislative day.

Remarks by Mr. Tandy.

Motion withdrawn by Mr. Persson.

By Mr. Malone:

Assembly Resolution No. 18, requesting the return of Assembly Bill No. 197 from the Senate for further consideration.

WHEREAS, It is the desire of the Assembly to give to Assembly Bill No. 197 further consideration; therefore be it

*Resolved by the Assembly of the State of Nevada,* That the Senate of the State of Nevada be requested to return Assembly Bill No. 197 for further consideration.

Mr. Malone moved adoption of the resolution.

Remarks by Messrs. Tandy, Malone, Dunseath, Taber, Black and Hamlin.

Roll call asked for by Messrs. Hamlin, Tandy and Cahill.

Roll called:

YEAS—Messrs. Anderson, Barnes, Blundell, Bugbee, Butler, Cahill, Cahlan, Carroll, Cooper, Dunseath, Ebert, Goodin, Johnson, Kenny, Lage, Malone, Moore, McAuliffe, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stro-sneider and Mr. Speaker—26.

NAYS—Messrs. Beverly, Black, Brown, Cobb, Hamlin, Hatton, Heward, Hussman, Murphy, Reynolds, Stewart, Taber, Tandy and Wheelwright—14.

Assembly Resolution No. 18 having failed to receive a two-thirds majority, Mr. Speaker declared it lost.

Remarks by Messrs. Hamlin, Tandy, Dunseath and Cobb.  
Mr. Speaker explained his vote.

#### INTRODUCTION AND FIRST READING

By Mr. Brown (by request) :

Assembly Bill No. 240—An Act to repeal an Act entitled "An Act relating to transfers in trust of estates in real property to secure the performance of an obligation or the payment of a debt, and to provide that certain covenants, agreements, obligations, rights and remedies thereunder may be adopted by reference, and other matters relating thereto," approved March 29, 1927.

Mr. Brown moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Brown (by request) :

Assembly Bill No. 241—An Act to define mortgages, declaring that all transfers of estates of real property, given to secure the performance of an obligation or the payment of a debt, to be a mortgage, and subject to all the rights and remedies of a real estate mortgage, anything in such instrument to the contrary notwithstanding.

Mr. Brown moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Brown (by request) :

Assembly Bill No. 242—An Act to amend sections numbered 1, 4, 12 and 22 of an Act entitled "An Act to provide for the incorporation of domestic building and loan associations and companies and certain other domestic associations and companies, to provide for the licensing, examination and regulation of domestic and foreign building and loan associations and companies and certain other associations and companies, to prescribe penalties for violation of the provisions hereof, to create a fund for use in carrying out the administration of this Act and to repeal certain Acts and parts of Acts," approved March 4, 1931.

Mr. Brown moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title and referred to Committee on Judiciary.

Carried.

By Mr. Hamlin (by request) :

Assembly Bill No. 243—An Act to regulate and make effectual the power of the Governor, Justices of the Supreme Court, and Attorney-General to remit fines and forfeitures, commute punishments, and grant pardons after convictions; create the State Board of Parole

Commissioners, define its powers and duties, and matters relating thereto.

Mr. Hamlin moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on State Institutions.

Carried.

By Mr. Cahlan:

Assembly Bill No. 244—An Act to authorize and confirm the power of the Governor to issue proclamations, and other matters relating thereto.

Mr. Cahlan moved that all rules be suspended, Assembly Bill No. 244 be considered an emergency measure, and placed on top of file for third reading and final passage.

Mr. Tandy moved that Assembly Bill No. 244 be printed.

Remarks by Messrs. Cahlan and Tandy.

Motion carried.

Mr. Cahlan arose to a point of order asking whether a motion to have a bill printed takes precedence over a previous motion.

Mr. Speaker ruled that the bill was considered read first time, ordered printed, and referred to the Clerk's desk until it was printed.

By Mr. Hamlin:

Assembly Joint Resolution No. 30, memorializing Congress to make provision through the Reconstruction Finance Corporation, or such other agency that may be deemed proper, to make suitable provision for the various States, counties and municipalities within the States to borrow money at reasonable rates of interest to refund existing debts or create new ones.

WHEREAS, Our present profound and long continuing depression, and the many financial disasters attributed thereto have depleted funds of every character, depreciated values of property to a level never heretofore known to our country, and made the orderly administration of popular government an almost unbearable burden upon the taxpayers; and

WHEREAS, No individual State or community is financially strong enough to wage the battle for governmental existence independently; and

WHEREAS, The State of Nevada, like all the other States, has practically reached its limits in the matter of ability to carry on its government and pay the high rate of interest on its indebtedness; now, therefore, be it

*Resolved by the Assembly of the State of Nevada jointly with the Senate,* That the Congress of the United States be earnestly solicited to make provision through some suitable agency to enable the various States, and the counties and municipalities within the State, to borrow money upon its bonds at a lower rate of interest than the present carrying rate thereof, in the case of present indebtedness, and that a correspondingly low rate for such future needs as may be proper and necessary, and shall meet with the approval of such agency; be it further

*Resolved,* That properly certified copies of this resolution be forwarded by the Secretary of State to the President of the United States Senate, to the Speaker of the House of Representatives, to each of our Senators and to our Representative in Congress, and one thereof to each of the Governors of the various States of the United States.

Mr. Hamlin moved that rules be suspended, reading so far had

considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Ways and Means.  
Carried.

By Committee on Military and Indian Affairs:  
Assembly Joint Resolution No. 31, relative to the United States Bureau of Indian Affairs.

*Resolved by the Assembly and the Senate of the State of Nevada:*

WHEREAS, Numerous Indians residing on Indian reservations in the State of Nevada have petitioned this Legislature that we recommend to the Congress of the United States that in the proposed reorganization of the departments and bureaus of the Federal Government the Bureau of Indian Affairs be abolished and that all Indians be allotted lands and/or trust funds of equal proportions for their support and maintenance, so that they will in the near future become self-supporting and respected citizens of the Republic and not be dependent upon charity, governmental or otherwise, and at the same time reduce the expenses of administration of the Federal Government and thereby enable Congress to reduce Federal taxes;

Now, therefore, the Legislature of the State of Nevada respectfully memorializes the Congress of the United States that in the contemplated reorganization of the departments and bureaus of the Federal Government, the wishes of the Nevada Indians, as set forth in this resolution, be given consideration.

The Secretary of State of Nevada is hereby instructed to transmit certified copies of this resolution to the United States Senators and Representative in Congress from the State of Nevada.

Mr. Raycraft moved that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Military and Indian Affairs.

Carried.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 118.

Remarks by Messrs. Anderson, Brown, Dunseath, Cahill, Smith and Cahlan.

Mr. Tandy moved that Assembly Bill No. 118 be rereferred to Committee on Judiciary.

Further discussion by Messrs. Anderson, Brown, Taber and Kenny.

Mr. Tandy moved that Assembly Bill No. 118 be referred to the Committee on Judiciary to prepare amendments and to report back this week.

Remarks by Messrs. Kenny and Tandy.

Carried.

Assembly Bill No. 127.

Remarks by Messrs. Dunseath, Taber and Hatton.

Mr. Taber moved that Assembly Bill No. 127 be rereferred to the Committee on Judiciary.

Remarks by Messrs. Kenny and Cahlan.

Mr. Taber withdrew his motion.

Remarks by Messrs. Cahlan and Kenny.

Roll call on Assembly Bill No. 127:

YEAS—Messrs. Black, Blundell, Brown, Bugbee, Cobb, Ebert, Goodin, Hamlin,

Hatton, Heward, Hussman, Kenny, Malone, Moore, Noble, Raycraft and Strosnider—17.

YAYS—Messrs. Anderson, Barnes, Beverly, Butler, Cahill, Cahlan, Carroll, Cooper, Dunseath, Johnson, Lage, McAuliffe, Murphy, O'Connor, Persson, Reynolds, Roberts, Smith, Stewart, Taber, Tandy and Wheelwright—22.

Not voting—Mr. Speaker.

Assembly Bill No. 127 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 210, 213, 211, 212, 214, 215, 220, 216, 217, 218, 219, 221, 223 and 222, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

At 11:57 house recessed until 1:30 p. m.

#### HOUSE IN SESSION

At 2:05 p. m.

Mr. Speaker in the chair.

Quorum present.

#### GENERAL FILE AND THIRD READING

Senate Bill No. 68.

Roll call on Senate Bill No. 68:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Butler, Cahill, Carroll, Cooper, Dunseath, Ebert, Heward, Hussman, Johnson, Kenny, McAuliffe, Malone, Moore, Murphy, Noble, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Wheelwright and Mr. Speaker—29.

NAYS—None.

Absent—Messrs. Bugbee, Cahlan, Cobb, Goodin, Hamlin, Hatton, Lage, O'Connor, Reynolds and Taber—10.

Not voting—Mr. Tandy.

Senate Bill No. 68 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 22.

On motion of Mr. Black, Senate Bill No. 22 was placed on the bottom of the file.

Senate Joint Resolution No. 13.

Roll call on Senate Joint Resolution No. 13:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Butler, Cahill, Cahlan, Carroll, Cooper, Dunseath, Ebert, Hatton, Heward, Hussman, Johnson, Kenny, McAuliffe, Moore, Murphy, Noble, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Wheelwright and Mr. Speaker—30.

NAYS—None.

Absent—Messrs. Bugbee, Cobb, Goodin, Hamlin, Lage, Malone, O'Connor, Reynolds and Taber—9.

Not voting—Mr. Tandy.

Senate Joint Resolution No. 13 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 138.

Remarks by Messrs. Heward and Cahlan.

Roll call on Assembly Bill No. 138 :

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Hatton, Heward, Hussman, Johnson, Kenny, McAuliffe, Moore, Murphy, Noble, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—33.

NAYS—None.

Absent—Messrs. Bugbee, Goodin, Hamlin, Lage, Malone, O'Connor and Reynolds—7.

Assembly Bill No. 138 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 164.

Remarks by Messrs. Black and Tandy.

Roll call on Assembly Bill No. 164 :

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Hatton, Heward, Hussman, Johnson, Kenny, McAuliffe, Malone, Moore, Murphy, Noble, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—34.

NAYS—None.

Absent—Messrs. Bugbee, Goodin, Hamlin, Lage, O'Connor and Reynolds—6.

Assembly Bill No. 164 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 68.

Remarks by Mr. McAuliffe.

Roll call on Assembly Bill No. 68 :

YEAS—Messrs. Barnes, Beverly, Blundell, Brown, Butler, Cahlan, Carroll, Cobb, Cooper, Dunseath, Johnson, McAuliffe, Malone, Moore, Murphy, Noble, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider and Wheelwright—23.

NAYS—Mr. Ebert.

Absent—Messrs. Bugbee, Goodin, Hamlin, Kenny, Lage, O'Connor and Reynolds—7.

Not voting—Messrs. Anderson, Black, Cahill, Hatton, Heward, Hussman, Taber, Tandy and Mr. Speaker—9.

Assembly Bill No. 68 having received a constitutional majority, Mr. Speaker declared it passed.

On motion of Mr. Dunseath Assembly Bill No. 98 was made a special order of business for 2:30 p. m. Wednesday.

Assembly Bill No. 128.

Remarks by Messrs. Malone, Black, Cahill, Noble, Moore, Dunseath and Hatton.

Roll call on Assembly Bill No. 128 :

YEAS—Messrs. Anderson, Barnes, Beverly, Blundell, Brown, Butler, Cahlan, Carroll, Cobb, Cooper, Dunseath, Hatton, Johnson, Kenny, McAuliffe, Malone, Moore, Murphy, Noble, Persson, Raycraft, Roberts, Smith, Strosnider, Taber, Tandy and Wheelwright—27.

NAYS—Messrs. Black and Heward—2.

Absent—Messrs. Bugbee, Goodin, Hamlin, Lage, O'Connor and Reynolds—6.

Not voting—Messrs. Cahill, Ebert, Hussman, Stewart and Mr. Speaker—5.



Assembly Bill No. 128 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 154.

Mr. McAuliffe moved that Assembly Bill No. 154 be referred to the Committee on State Institutions.

Carried.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 204, 205, 206, 207, 208, 209 and 244, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

At 2:45 p. m. house recessed.

#### HOUSE IN SESSION

At 2:53 p. m.

Mr. Speaker in the chair.

Quorum present.

Mr. Brown gave notice at this time that on the next legislative day he would move for a reconsideration of the vote on Assembly Bill No. 128.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 161.

Remarks by Messrs. Moore and Noble.

Mr. Hussman moved that Assembly Bill No. 161 be laid on the table.

Carried.

Assembly Bill No. 168.

Remarks by Messrs. Anderson, Hatton and Stewart.

Roll call on Assembly Bill No. 168:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Heward, Hussman, Johnson, Kenny, McAuliffe, Malone, Moore, Murphy, Noble, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Wheelwright and Mr. Speaker—32.

NAYS—None.

Absent—Messrs. Bugbee, Goodin, Hamlin, Lage, O'Connor and Reynolds—6.

Not voting—Messrs. Hatton and Tandy—2.

Assembly Bill No. 168 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 137.

Remarks by Messrs. Cahlan, Cahill and Tandy.

Roll call on Assembly Bill No. 137:

YEAS—Messrs. Anderson, Bugbee, Butler, Cahlan, Carroll, Dunseath, Ebert, Goodin, Hussman, Kenny, Malone, Moore, Murphy, Noble, O'Connor, Raycraft, Smith, Stewart, Strosnider, Taber and Wheelwright—21.

NAYS—Messrs. Barnes, Cahill, Cobb, Cooper, Hamlin, Heward, Johnson, Lage, McAuliffe, Reynolds, Roberts and Tandy—12.

Not voting—Messrs. Beverly, Black, Blundell, Brown, Persson and Mr. Speaker—6.

Absent—Mr. Hatton.

Assembly Bill No. 137 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 178.

Remarks by Mr. Black.

Roll call on Assembly Bill No. 178 :

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Hatton, Heward, Hussman, Johnson, Kenny, McAuliffe, Malone, Moore, Murphy, Noble, Persson, Rayercraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—34.

NAYS—None.

Absent—Messrs. Bugbee, Goodin, Hamlin, Lage, O'Connor and Reynolds—6.

Assembly Bill No. 178 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 183.

Remarks by Messrs. Black, Dunseath and Moore.

Roll call on Assembly Bill No. 183 :

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Butler, Carroll, Cobb, Cooper, Dunseath, Ebert, Hatton, Heward, Hussman, Johnson, Kenny, McAuliffe, Malone, Moore, Murphy, Noble, Persson, Rayercraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—31.

NAYS—None.

Absent—Messrs. Bugbee, Goodin, Hamlin, Lage, O'Connor and Reynolds—6.

Not voting—Messrs. Anderson, Cahill and Cahlan—3.

Assembly Bill No. 183 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 184.

Remarks by Messrs. Black, McAuliffe, Cahlan, Smith, Hatton and Dunseath.

On motion of Mr. Dunseath, Assembly Bills Nos. 184 and 185 were rereferred to Committee on Ways and Means.

Assembly Bill No. 186.

Mr. Cahlan moved that the Assembly now resolve itself into Committee of the Whole for consideration of Assembly Bill No. 186.

Carried.

Mr. Speaker appointed Mr. Cahlan as Chairman of the Committee of the Whole.

At 3:35 p. m. Assembly in Committee of the Whole.

#### HOUSE IN SESSION

At 3:47 p. m.

Mr. Speaker in the chair.

Quorum present.

#### REPORT OF COMMITTEE OF THE WHOLE

*Mr. Speaker:*

Your Committee of the Whole House has had under consideration Assembly Bill No. 186, and begs to report favorably, with the recommendation that it do pass.

A. E. CAHLAN, *Chairman.*

Mr. Cahlan moved adoption of the report.

Carried.

## GENERAL FILE AND THIRD READING

Assembly Bill No. 186.

Remarks by Messrs. Brown, Dunseath, Malone, Smith, Heward and Carroll.

Roll call on Assembly Bill No. 186 :

YEAS—Messrs. Barnes, Beverly, Blundell, Butler, Cahlan, Carroll, Cobb, Cooper, Hatton, Heward, Johnson, Kenny, McAuliffe, Malone, Murphy, Noble, Persson, Raycraft, Roberts, Smith, Stewart, Tandy and Wheelwright—23.

NAYS—Messrs. Anderson, Black, Brown, Cahill, Dunseath, Ebert, Hussman, Moore and Strosnider—9.

Absent—Messrs. Bugbee, Goodin, Hamlin, Lage, O'Connor and Reynolds—6.

Not voting—Mr. Taber and Mr. Speaker—2.

Assembly Bill No. 186 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Cahlan moved that all rules be suspended, Assembly Bill No. 244 considered an emergency measure, considered engrossed, and placed on top of the file for immediate consideration.

Carried.

Assembly Bill No. 244.

Bill read third time.

Amendment proposed by Mr. Tandy: Amend section 4 of Assembly Bill No. 244 by inserting the words "by the proclamation" after the word "restricted," in section 4, line 2, page 2.

Mr. Tandy moved adoption of amendment.

Carried.

Amendment proposed by Mr. Tandy: Amend section 4 of Assembly Bill No. 244 by striking the words "and/or" after the first word "State," in section 4, line 15, page 1.

Mr. Tandy moved adoption of amendment.

Carried.

Amendment proposed by Mr. Tandy: Amend section 5 of Assembly Bill No. 244 by inserting the words "any or" after the word "of" in line 4, page 2.

Mr. Tandy moved adoption of amendment.

Carried.

Amendment proposed by Mr. Tandy: Amend section 5 of Assembly Bill No. 244 by striking the word "that" after the word "provided," line 8, page 2.

Mr. Tandy moved adoption of amendment.

Carried.

Remarks by Messrs. Hatton, Cahlan and Taber.

Amendment proposed by Mr. Taber: Amend Assembly Bill No. 244 by striking out the words "or suggest," line 9, page 2.

Mr. Taber moved adoption of amendment.

Carried.

Remarks by Messrs. Hussman, Cahlan, Hatton and Cobb.

Amendments proposed by Mr. Cahlan: Amend Assembly Bill No. 244 by adding a new section to be known as section 6 and to read as follows: SEC. 6. This Act shall become effective immediately upon its passage and approval.

Mr. Cahlan moved adoption of amendment.

Carried.

Remarks on Assembly Bill No. 244 by Messrs. Brown and Tandy.

Mr. Brown moved that Assembly Bill No. 244 be referred to the Committee on Banks and Banking for proper consideration.

Remarks by Messrs. Cahill and Tandy.

Mr. Brown arose to a point of order whether his motion was in order.

Mr. Speaker ruled that members had right to speak on a motion.

Remarks by Messrs. Tandy, Cahlan, Hatton, Cahill and Brown.

Motion lost.

Mr. Brown moved that Assembly Bill No. 244 be laid on the table.

Roll call asked for by Messrs. Tandy, Cahill and Anderson.

Roll call to lay Assembly Bill No. 244 on the table:

YEAS—Messrs. Black, Brown, Butler and Heward—4.

NAYS—Messrs. Barnes, Blundell, Cahill, Carroll, Cobb, Dunseath, Ebert, Hatton, Johnson, Kenny, McAuliffe, Malone, Moore, Murphy, Noble, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber and Tandy—22.

Absent—Messrs. Beverly, Bugbee, Goodin, Hamlin, Lage, O'Connor, Reynolds and Wheelwright—8.

Not voting—Messrs. Anderson, Cahlan, Cooper, Hussman, Persson and Mr. Speaker—6.

Motion to lay Assembly Bill No. 244 on the table having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Roll call on Assembly Bill No. 244:

YEAS—Messrs. Barnes, Blundell, Cahill, Cahlan, Carroll, Cobb, Cooper, Ebert, Hatton, Hussman, Johnson, McAuliffe, Moore, Murphy, Noble, Persson, Raycraft, Kenny, Roberts, Smith, Stewart, Strosnider, Taber and Tandy—24.

NAYS—Messrs. Brown, Butler, Dunseath and Malone—4.

Absent—Messrs. Beverly, Bugbee, Goodin, Hamlin, Lage, O'Connor and Reynolds—7.

Not voting—Messrs. Anderson, Black, Heward, Wheelwright and Mr. Speaker—5.

Assembly Bill No. 244 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee of Nye County Delegation has had Senate Bill No. 49 under consideration, and begs leave to report favorably on the same, with the recommendation it do pass, with the accompanying amendments. Amend section 3 of Senate Bill No. 49 as follows: Amend section 3 by striking out from line 10, page 2, the words "to be fixed by him." Amend section 3 by striking out from line 30, page 2, the words "to be fixed by him."

WM. D. HATTON,  
W. H. ROBERTS,  
R. H. BARNES.

*Mr. Speaker:*

Your Committee on Mines and Mining has had Senate Joint Resolution No. 14 and Senate Bill No. 45 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

FRANK BUGBEE, *Chairman.*

*Mr. Speaker:*

Your Committee on Corporations and Railroads has had Assembly Bills Nos. 108 and 180 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

WILLARD W. SMITH, *Chairman.*

*Mr. Speaker:*

Your Committee of Washoe County Delegation has had Assembly Bill No. 202 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass, as amended. Amend section 1 of Assembly Bill No. 202 by omitting the three asterisks at the end of line 12, page 2, and adding after the word "pensioned" in said line 12, page 2, the following: *provided further*, that the amount of each payment of said pension shall be reduced by the amount of any sum of money or its equivalent received by said pensioner or acquired or earned by or through any property, interest in property, or property rights or by or through any gainful occupation, or any other source whatever, between the ages of forty years and sixty-five years, notwithstanding any physical or mental condition.

HARRY DUNSEATH, *Chairman.*

*Mr. Speaker:*

Your Committee on Military and Indian Affairs has had Assembly Bill No. 167 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

HUBERT RAYCRAFT, *Chairman.*

*Mr. Speaker:*

The majority of your Committee on Judiciary has had Assembly Joint Resolution No. 2 under consideration, and begs leave to report favorably upon the same, with the recommendation that it do pass with the following amendments:

Amendment No. 1—On page 1, line 1, after the word "Assembly," strike out the comma and insert the word "and"; strike out the word "concurring" and insert in lieu thereof the words "of the State of Nevada."

Amendment No. 2—On page 1, line 6, after the word "government," strike out all the words next following down to and including the word "prescribe," page 1, line 8, and insert in lieu thereof the words "and in the city of Las Vegas, county of Clark."

G. J. KENNY,                      WILLIAM F. TABER,  
WM. D. HATTON,              L. F. ANDERSON.

*Mr. Speaker:*

The minority of your Committee on Judiciary has had Assembly Joint Resolution No. 2 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

ERNEST S. BROWN,  
HARRY DUNSEATH,  
FRED STROSNIDER.

*Mr. Speaker:*

The majority of your Committee on Judiciary has had Assembly Bill No. 71 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

G. J. KENNY,                      WM. D. HATTON,  
ERNEST S. BROWN,              WILLIAM F. TABER,  
FRED STROSNIDER,              L. F. ANDERSON.

*Mr. Speaker:*

The minority of your Committee on Judiciary has had Assembly Bill No. 71 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

HARRY DUNSEATH.

*Mr. Speaker:*

Your Committee on Judiciary has had Assembly Bills Nos. 131, 182, 200, and Assembly Joint Resolution No. 23, under consideration, and begs leave to report unfavorably on the same, with the recommendation that they do not pass.

Also, Assembly Bill No. 217, and reports favorably on the same, with the recommendation that it do pass, with the following amendment: On page 1, line 3, section 1, strike out the words "of the," and insert in lieu thereof the word "other."

Also, Assembly Bills Nos. 218, 219 and 222, and reports favorably on the same, with the recommendation that they do pass.

Also, Assembly Bill No. 220, and reports favorably on the same, with the

recommendation that it do pass with the following amendment: On page 1, line 9, strike out the word "desposition" and insert in lieu thereof the word "deposition."

G. J. KENNY, *Chairman.*

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Concurrent Resolution No. 8 for the reason that there is nothing before the Senate at this time relative to the subject matter of said resolution.

V. R. Merialdo,  
*Secretary of the Senate.*

Mr. Tandy moved that Assembly Concurrent Resolution No. 8 be indefinitely postponed.

Carried.

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Smith gave notice that on the next legislative day he would move to reconsider the vote on Assembly Bill No. 244.

On motion of Mr. Hamlin Assembly Bill No. 243 was withdrawn for correction.

Mr. Smith moved that all rules be suspended, Senate Joint Resolution No. 16 be considered an emergency measure, considered engrossed, and placed on top of the file for third reading and final passage.

Remarks by Messrs. Tandy, Dunseath, Smith and Carroll.

Mr. Dunseath moved that Senate Joint Resolution No. 16 be placed on the bottom of the file, and that Assembly Joint Resolution No. 15 be placed on top of the file for third reading and final passage.

Mr. Speaker declared motion out of order.

Mr. Smith's motion lost.

At 4:50 p. m. Mr. Moore moved that the Assembly adjourn.

Mr. Tandy amended motion that Assembly adjourn until Wednesday, March 1, 1933, at 10 a. m.

Carried.

Approved:

FRED S. ALWARD,  
*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,  
*Chief Clerk of the Assembly.*

## THE FORTY-FIFTH DAY

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CARSON CITY (Wednesday), March 1, 1933.

Assembly called to order at 10 a. m.

Mr. Speaker in the chair.

Roll called.

All present.

Prayer by Rev. Porter.

On motion of Mr. Persson the reading of the Journal was dispensed with, and Mr. Speaker and the Chief Clerk were authorized to make any necessary corrections.

### PRESENTATION OF PETITIONS

A letter from the Maryland Casualty Company regarding Assembly Bill No. 130 was referred to Committee on Ways and Means.

A petition from the Yerington Woman's Club regarding the State Industrial School was referred to the Committee on State Institutions.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Irrigation has had Senate Bill No. 37 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

FRED STROSNIDER, *Chairman.*

### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Smith moved that the Assembly reconsider the vote taken yesterday on Assembly Bill No. 244.

Remarks by Messrs. Smith, Cahlan, Tandy and Brown.

Motion carried.

Without objection Assembly Bill No. 244 was placed on top of the file for third reading and final passage.

Without objection Mr. Carroll moved that Assembly Joint Resolution No. 15 be placed on top of the general file for third reading and final passage.

Mr. McAuliffe moved that Assembly Concurrent Resolution No. 3 be acted on at this time.

Carried.

Assembly Concurrent Resolution No. 3.

Mr. McAuliffe moved adoption of resolution.

Remarks by Mr. McAuliffe.

Carried.

Without objection, upon motion of Mr. Cobb, Senate Bill No. 45 was placed on the general file next to Assembly Joint Resolution No. 15.

On motion of Mr. Persson the Assembly concurred in Senate amendments to Assembly Bill No. 86.

Mr. Tandy moved that the Sergeant-at-Arms bar all lobbyists from the floor of the Assembly during sessions and during meeting of committees, unless they are called in.

Carried.

By Mr. Cooper:

Assembly Resolution No. 19:

*Be it resolved by the Assembly of the Nevada State Legislature,* That a committee consisting of three members of the Assembly be named, the same to be appointed by the Speaker, with the object of securing information essential to the Assembly in consideration of matters relating to the Fish and Game Commission, and all matters touching the preservation of fish and game.

That particular information is desired concerning all properties controlled by the State, including cost and title thereof, wherever located, and the present worth of the same; the detailed list of receipts and expenditures and management of the commissioners and the cost of carrying on of the Fish and Game Department. That a speedy report of the committee be requested and action deferred on proposed legislation until such report be received.

Mr. Cooper moved adoption of resolution.

Carried.

Mr. Speaker appointed Messrs. Cooper, Bugbee and Taber as members of the committee mentioned in the resolution.

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Bill No. 121, which this day passed the Senate by the following vote: Yeas, 14; nays, none; absent, 1; not voting, 2. Amend as follows: Page 8, line 7, strike the letter "d" and insert in lieu thereof the letter "c."

Also, to present Senate Bill No. 20, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 1, line 4, after the word "machine" add a comma and the words "or any other concentrating device." Also strike the last word "or" in line 3 of the same page. Page 1, line 8, change the first word "any" to "a." Page 1, line 11, after the word "passage" strike the period and add the words "and approval."

Also, Senate Bill No. 62, which passed, as amended: Yeas, 15; nays, 1; absent, 1. Amend as follows: Page 1, line 10, place a period after the figures "1909" and strike the balance of the sentence. Page 1, line 2, strike the words "so as." Page 1, line 11, strike the word "section" and insert in lieu thereof the word "paragraph."

Also, Senate Bill No. 80, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 1, lines 1 and 2, change the word "section" to "paragraph." Page 1, line 2, strike the words "so as." Page 2, line 9, strike the letter "s" from the word "occurs." Page 2, line 13, change the word "section" to "paragraph."

Also, Senate Bill No. 81, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 1, line 12, after the word "licenses" insert the words "and fees."

Also, Senate Bill No. 86, which passed: Yeas, 16; nays, none; absent, 1.

Also, Senate Bill No. 87, which passed: Yeas, 16; nays, none; absent, 1.

Also, Senate Bill No. 91, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 1, line 2, strike the word "section," and insert in lieu thereof the word "paragraph."

Also, Senate Bill No. 95, which passed, as amended: Yeas, 16; nays, none;



absent, 1. Amend as follows: Page 1, lines 2 and 17, strike the words "so as." Page 2, lines 10 and 20, strike the words "so as."

LENA GALE,

*Assistant Secretary of the Senate.*

#### INTRODUCTION AND FIRST READING

Senate Bill No. 80.

Mr. Noble moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

Senate Bill No. 62.

Mr. Lage moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Mines and Mining.

Carried.

Senate Joint Resolution No. 17.

Mr. Brown moved that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Judiciary.

Carried.

Senate Bill No. 47.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

Senate Bill No. 61.

Mr. O'Connor moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Public Morals.

Carried.

Senate Bill No. 81.

Mr. Noble moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Churchill County Delegation.

Carried.

Senate Bill No. 86.

Mr. Noble moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

Senate Bill No. 87.

Mr. Roberts moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Nye County Delegation.

Carried.

Senate Bill No. 91.

Mr. McAuliffe moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

Senate Bill No. 95.

Mr. Persson moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Humboldt County Delegation.

Carried.

By Messrs. Cooper and Johnson:

Assembly Bill No. 246—An Act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including a minimum wage; providing an appropriation therefor and fixing a penalty for violation of this Act.

Mr. Cooper moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Joint Committee on Labor and Ways and Means.

Carried.

By Mr. Hamlin (by request):

Assembly Bill No. 245—An Act relating to supervision of schools.

Mr. Hamlin moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

Carried.

Without objection Mr. Speaker signed Senate Bill No. 68 and Senate Joint Resolution No. 13.

At 11:03 a. m. house recessed.

### HOUSE IN SESSION

At 11:11 a. m.

Mr. Speaker in the chair.

Quorum present.

### GENERAL FILE AND THIRD READING

Assembly Bill No. 244.

Mr. Smith moved that Assembly Bill No. 244 be referred to the Committee on Banks and Banking.

Carried.

Assembly Joint Resolution No. 15.

Remarks by Mr. Carroll.

Roll call on Assembly Joint Resolution No. 15:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy,

Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Stro-  
snider, Taber, Tandy, Wheelwright and Mr. Speaker—39.

NAYS—None.

Absent—Mr. Johnson.

Assembly Joint Resolution No. 15 having received a constitutional  
majority, Mr. Speaker declared it passed.

Senate Bill No. 45.

Remarks by Messrs. Hatton and Cobb.

Roll call on Senate Bill No. 45:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee,  
Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin,  
Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy,  
Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Stro-  
snider, Taber, Tandy, Wheelwright and Mr. Speaker—39.

NAYS—None.

Absent—Mr. Johnson.

Senate Bill No. 45 having received a constitutional majority, Mr.  
Speaker declared it passed.

Senate Joint Resolution No. 14.

Roll call on Senate Joint Resolution No. 14:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee,  
Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin,  
Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy,  
Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Stro-  
snider, Taber, Tandy, Wheelwright and Mr. Speaker—39.

NAYS—None.

Absent—Mr. Johnson.

Senate Joint Resolution No. 14 having received a constitutional  
majority, Mr. Speaker declared it passed.

Senate Joint Resolution No. 16.

Mr. Bugbee, as Chairman of the Committee on Mines and Mining,  
submitted a favorable report on Senate Joint Resolution No. 16, the  
committee recommending the passage of the resolution.

Mr. Tandy moved that Senate Joint Resolution No. 16 be placed at  
the bottom of the file.

Remarks by Messrs. Smith and O'Connor.

Motion lost.

Mr. Dunseath moved that Senate Joint Resolution No. 16 be laid on  
the table until the Assembly resolution comes back from the Senate.

Motion lost.

Roll call on Senate Joint Resolution No. 16:

YEAS—Messrs. Anderson, Barnes, Beverly, Blundell, Brown, Bugbee, Butler,  
Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hat-  
ton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore,  
Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stew-  
art, Stroswright, Taber, Tandy, Wheelwright and Mr. Speaker—39.

NAYS—None.

Absent—Mr. Black.

Senate Joint Resolution No. 16 having received a constitutional  
majority, Mr. Speaker declared it passed.

Assembly Bill No. 171.

Remarks by Messrs. O'Connor, Brown, Moore, Dunseath and McAuliffe.

Roll call on Assembly Bill No. 171 :

YEAS—Messrs. Bugbee, Murphy, O'Connor, Roberts, Smith, Stewart, Stro-  
snider, Taber and Tandy—9.

NAYS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Butler,  
Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton,  
Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Noble,  
Raycraft, Reynolds and Wheelwright—28.

Not voting—Messrs. Cahill, Persson and Mr. Speaker—3.

Assembly Bill No. 171 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Assembly Bill No. 172 was withdrawn, upon motion of Mr. O'Connor.

Assembly Bill No. 180.

Remarks by Messrs. Noble and Dunseath.

Mr. Dunseath moved that Assembly Bill No. 180 be referred to Com-  
mittee on Judiciary.

Remarks by Messrs. Noble, Kenny and Cahill.

Motion lost.

Roll call on Assembly Bill No. 180 :

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler,  
Cahlan, Carroll, Cooper, Ebert, Goodin, Hamlin, Heward, Hussman, Johnson,  
Kenny, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Reynolds, Rob-  
erts, Smith, Stewart, Strosnider, Taber, Tandy and Wheelwright—31.

NAYS—Messrs. Anderson and Dunseath—2.

Absent—Messrs. Cobb, Lage and McAuliffe—3.

Not voting—Messrs. Cahill, Hatton, Murphy and Mr. Speaker—4.

Assembly Bill No. 180 having received a constitutional majority,  
Mr. Speaker declared it passed.

At 12:05 p. m. house recessed until 2 p. m.

## HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the chair.

Quorum present.

## REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assem-  
bly Joint Resolutions Nos. 30 and 31, and Assembly Bills Nos. 240, 241 and 242,  
hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

## GENERAL FILE AND THIRD READING

Assembly Bill No. 166.

Remarks by Messrs. Anderson, Kenny, Tandy, O'Connor, Hatton  
and Heward.

On motion of Mr. Heward Assembly Bill No. 166 was referred to  
the Committee on Judiciary.

· Assembly Bill No. 167.

Remarks by Messrs. Hamlin and Raycraft.

Roll call on Assembly Bill No. 167 :

YEAS—Messrs. Barnes, Beverly, Blundell, Brown, Butler, Cahlan, Carroll, Cobb, Dunseath, Goodin, Hamlin, Heward, Johnson, Kenny, Lage, Malone, Moore, Noble, O'Connor, Raycraft, Reynolds, Roberts, Smith, Taber, Tandy and Wheelwright—26.

NAYS—Messrs. Bugbee, Ebert, McAuliffe and Persson—4.

Absent—Messrs. Murphy and Strosnider—2.

Not voting—Messrs. Anderson, Black, Cahill, Cooper, Hutton, Hussman, Stewart and Mr. Speaker—8.

Assembly Bill No. 167 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 182.

Mr. Brown moved that Assembly Bill No. 182 be laid on the table.

Carried.

Assembly Bill No. 187.

Remarks by Messrs. Hatton and Dunseath.

Roll call on Assembly Bill No. 187 :

YEAS—Messrs. Barnes, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Wheelwright—37.

NAYS—None.

Not voting—Messrs. Anderson, Beverly and Mr. Speaker—3.

Assembly Bill No. 187 having received a constitutional majority, Mr. Speaker declared it passed.

#### SPECIAL ORDER OF BUSINESS

Assembly Bill No. 98.

Bill read third time.

Remarks by Messrs. Dunseath, Moore, Taber and Hatton.

Mr. Hatton moved that Assembly Bill No. 98 be referred to the Committee on Judiciary.

Remarks by Messrs. Tandy, Kenny, Hatton and Moore.

Mr. Hatton withdrew his motion.

At 2:51 p. m. house recessed.

#### HOUSE IN SESSION

At 3:09 p. m.

Mr. Speaker in the chair.

Quorum present.

Amendment proposed by Mr. Dunseath to Assembly Bill No. 98: Amend section 4 of Assembly Bill No. 98 by striking out the words and figures "on and after July 1, 1923," page 2, line 3.

Mr. Dunseath moved adoption of amendment.

Carried.

Amendment proposed by Mr. Black: Amend section 12 of Assembly

Bill No. 98 by striking out after the period following the figures "12" in line 27, page 4 of the printed bill, all the remainder of section 12, and insert in lieu thereof the following: "This Act shall not be construed to affect or apply to the nursing of the sick by friends or members of the family or any practical nurse who does not in any way assume to be or practice as a registered nurse. Reputable nurses of good character, having had at least twenty-eight months of hospital training in the State of Nevada prior to July 1, 1923, are herein granted the right to come under this Act."

Mr. Black moved adoption of amendment.

Carried.

Amendment proposed by Mr. Dunseath: Amend Assembly Bill No. 98 by adding a new section to be known as section 13 to read as follows: SEC. 13. All Acts or parts of Acts in conflict with this Act are hereby repealed.

Mr. Dunseath moved adoption of amendment.

Carried.

Amendment proposed by Mr. Dunseath: Amend Assembly Bill No. 98 by adding a new section to be known as section 14 to read as follows: SEC. 14. This Act shall take effect upon its passage and approval.

Mr. Dunseath moved adoption of amendment.

Remarks by Mr. Dunseath.

Carried.

Roll call on Assembly Bill No. 98:

YEAS—Messrs. Beverly, Black, Blundell, Brown, Bugbee, Cahill, Carroll, Cobb, Cooper, Dunseath, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Lage, McAuliffe, Malone, Moore, Raycraft, Roberts, Smith, Stewart, Tandy and Wheelwright—26.

NAYS—Messrs. Anderson, Barnes, Butler, Cahlan, Ebert, Kenny, Murphy, Noble, Reynolds, Strosnider and Taber—11.

Absent—Mr. O'Connor.

Not voting—Mr. Persson and Mr. Speaker—2.

Assembly Bill No. 98 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Bill No. 188.

Remarks by Mr. McAuliffe.

Roll call on Assembly Bill No. 188:

YEAS—Messrs. Anderson, Barnes, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Cobb, Cooper, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, McAuliffe, Malone, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Wheelwright—29.

NAYS—Messrs. Carroll, Dunseath, Kenny, Murphy, Noble and Reynolds—6.

Absent—Messrs. Beverly, Lage, Moore and O'Connor—4.

Not voting—Mr. Speaker.

Assembly Bill No. 188 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 189.

Remarks by Mr. Hamlin.

Mr. Moore arose to a point of order.

Mr. Hamlin moved that Assembly Bill No. 189 be referred to Committee on Education.

Remarks by Messrs. Moore, Hamlin and Noble.

Motion lost.

Amendment proposed by Mr. Cahlan: Amend section 1 of Assembly Bill No. 189 by changing the period at the end of line 12 to a semicolon and add the words: "*provided further*, that nothing in this Act shall prevent the temporary employment of married women as substitute teachers in the public schools of this State; *and provided further*, that in the case of married women whose husbands have been out of employment for more than one year prior, the Boards of School Trustees of the several school districts of this State may by an unanimous vote employ such married women, but only so long as their husband's unemployment shall continue."

At 3:35 p. m. house recessed.

#### HOUSE IN SESSION

At 3:50 p. m.

Mr. Speaker in the chair.

Quorum present.

Mr. Cahlan moved that his amendment to Assembly Bill No. 189 be adopted.

Remarks by Messrs. Cahlan and Tandy.

Mr. Tandy moved that the bill be rereferred.

Mr. Noble moved that the bill be indefinitely postponed.

Remarks by Messrs. Moore, McAuliffe, Anderson, O'Connor, Cahill, Smith, Noble, Hussman, Cahlan and Cooper.

Roll call asked for by Messrs. Anderson, Taber and Murphy.

Roll called:

YEAS—Messrs. Anderson, Beverly, Brown, Butler, Cooper, Hamlin, Hussman, Kenny, Murphy, Noble, O'Connor, Raycraft, Reynolds, Smith, Stewart, Strosnider, Taber and Tandy—18.

NAYS—Messrs. Barnes, Black, Blundell, Bugbee, Cahill, Cahlan, Carroll, Cobb, Dunseath, Ebert, Hatton, Heward, Johnson, Lage, McAuliffe, Malone, Moore, Persson, Roberts and Wheelwright—20.

Absent—Mr. Goodin.

Not voting—Mr. Speaker.

Motion lost.

Mr. Tandy moved that the bill be referred to some committee by Mr. Speaker.

Carried.

Mr. Speaker referred Assembly Bill No. 189 to a Joint Committee on Labor and Education.

Without objection order of business No. 3 was referred to.

#### PRESENTATION OF PETITIONS

A letter from Nevada State Democratic Labor Club regarding beer was referred to Committee on Public Morals.

## REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Ways and Means has had Assembly Bills Nos. 174, 209, 210, 211, 212, 215, 226, 237 and 238 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

Also, Assembly Bill No. 214, and reports favorably on the same, with the recommendation that it do pass with the following amendment: Amend section 1, page 2, line 10, by striking out the figures "\$2,400," and substituting in lieu thereof the figures \$1,800."

J. H. CAHILL, *Chairman.*

*Mr. Speaker:*

The majority of your Committee on Trade and Manufactures has had Assembly Bill No. 27 under consideration, and begs leave to report without recommendation.

R. H. BARNES, FRED D. BLACK,  
CHAS. E. BUTLER, A. BLUNDELL.

*Mr. Speaker:*

The minority of your Committee on Trade and Manufactures has had Assembly Bill No. 27 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

BOB MOORE.

*Mr. Speaker:*

Your Committee on Trade and Manufactures has had Assembly Bill No. 115 under consideration, and begs leave to report the same without recommendation.

Proposed amendments by Committee on Trade and Manufactures: Amend section 3 of Assembly Bill No. 115 by striking out the period at the end of line 31 of the printed bill, insert a comma and the following: "or to barbers on interstate trains." Amend section 3 of Assembly Bill No. 115 by inserting after the word "to" in line 28, page 2 of the printed bill, the following: "beauty parlors or beauty operators when cutting, trimming, or straightening the hair of women and children only, nor."

A. BLUNDELL, *Chairman.*

*Mr. Speaker:*

Your Committee on Judiciary has had Senate Concurrent Resolution No. 8 under consideration, and begs leave to report the same without recommendation.

It is the unanimous opinion of your committee that any and all economy measures should be handled by direct legislation and not through an evasive resolution as we feel this resolution is.

G. J. KENNY, *Chairman.*

*Mr. Speaker:*

The majority of your Joint Committee on Judiciary and Ways and Means has had Assembly Bill No. 124 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass, with the following amendments: Amend section 16, page 11, line 7, by striking out the figures "1933," and insert in lieu thereof the figures "1935."

	J. H. CAHILL,
	C. L. NOBLE,
C. J. KENNY,	ROY PERSSON.
FRED STROSNIDER,	WILLARD W. SMITH,
L. F. ANDERSON,	WM. M. CARROL,
<i>Judiciary Committee.</i>	<i>Ways and Means Committee.</i>

*Mr. Speaker:*

The minority of your Joint Committee on Judiciary and Ways and Means has had Assembly Bill No. 124 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass with the following amendments: Amend section 16, page 11, line 7, by striking out the figures "1933" and inserting in lieu thereof the figures "1934."

ERNEST S. BROWN,	FRED D. BLACK,
WILLIAM F. TABER,	GEO. G. HUSSMAN,
WM. D. HATTON,	
<i>Judiciary Committee.</i>	<i>Ways and Means Committee.</i>



*Mr. Speaker:*

Your Committee on Judiciary has had Assembly Bill No. 147 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

Also, Assembly Bill No. 159, and reports favorably on the same, with the recommendation that it do pass with the following amendment: Amend section 1, page 2, line 20, by adding after the word "husband" the words "and wife."

Also, Assembly Bill No. 206, and reports favorably on the same, with the recommendation that it do pass.

G. J. KENNY, *Chairman.*

*Mr. Speaker:*

The majority of your Committee on Judiciary has had Assembly Bill No. 175 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

G. J. KENNY,	HARRY DUNSEATH,
ERNEST S. BROWN,	WM. HATTON,
FRED STOSNIDER,	L. F. ANDERSON.

*Mr. Speaker:*

The minority of your Committee on Judiciary has had Assembly Bill No. 175 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

WILLIAM F. TABER.

*Mr. Speaker:*

Your Committee of Churchill County Delegation has had Senate Bill No. 81 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

C. L. NOBLE, *Chairman.*

*Mr. Speaker:*

Your Committee on Roads and Highways has had Senate Bill No. 51 and Assembly Bill No. 205 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

Also, Assembly Bill No. 146 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass, as amended.

Amendment No. 1—Amend section 6 of Assembly Bill No. 146 by striking out the period after the word "above," line 13, page 5, and insert in lieu thereof a semicolon and add the following: "provided further, that when any common carrier, by reason of the provisions of this Act, shall be required to transport any commodity out of the State of Nevada after having transported the same to a consignee in this State, such shipment out of the State shall be deemed to be at the request of such consignee and of the lawful owner of such commodity; and provided further, that nothing herein contained shall impair the right of any common carrier to collect its lawfully established charges."

Amendment No. 2—Amend section 8 of Assembly Bill No. 146 by striking out, after the period following the word "regulation," line 1, page 6 of the printed bill, the remainder of lines 1, 2, 3, 4, 5 and the word "officer" in line 6, and insert in lieu thereof the following: "Such deputies as may be appointed shall be duly authorized agents and auditors of Vehicle Department and other such traffic officers as are now or may hereafter be provided by the laws of Nevada, and such deputies shall not receive additional compensation under the terms of this Act, but may be allowed reasonable expenses incurred in the enforcement of the provisions hereof." Add after the word "examiners," line 7, page 6, a semicolon and the following: "provided, the respective Sheriffs and all other peace officers of the State are charged with the duty, without further compensation, of assisting in the enforcement of this Act, and it shall be their duty to make arrests for this purpose when requested by the Quarantine Officer or Vehicle Commissioner, or their duly authorized agents."

W. H. GOODIN, *Chairman.*

*Mr. Speaker:*

The majority of your Committee on Roads and Highways has had Assembly Bill No. 151 under consideration, and begs leave to report favorably on the

same, with the recommendation that it do pass, with the following amendments:

Amendment No. 1—Amend section 5, page 6, line 4, by striking out the word "sixty," and insert in lieu thereof the words "six months."

Amendment No. 2—Amend section 5, page 6, line 5, by striking out the word "days."

Amendment No. 3—Amend section 6, page 6, line 30, by striking out after the word "records" the words "shall be kept within the State of Nevada," and insert in lieu thereof: "if any part of the records herein required shall be kept by any dealer outside of the State of Nevada, such dealer shall pay a fee of ten dollars per day, plus the actual expenses of the examiner, during the time that the examiner is absent from Carson City for the purpose of inspecting such records; *provided, however,* that not more than two such examinations shall be charged against such dealer in any year; *provided further,* any dealers refusing to allow the examination of their books by the authorized examiner of the Motor Vehicle Commissioner of Nevada, shall have their dealers' licenses canceled at once, and be subject to any fine or imprisonment as provided in this Act if they should attempt to operate without licenses."

FRANK BUGBEE.      ROBERT O'CONNOR,  
WALTER LAGE,      W. H. GOODIN.

*Mr. Speaker:*

The minority of your Committee on Roads and Highways has had Assembly Bill No. 151 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

M. C. HAMLIN,  
BOB MOORE,  
J. R. REYNOLDS.

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Concurrent Resolution No. 12, which has this day been adopted by the Senate.

LENA GALE,

*Assistant Secretary of the Senate.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Smith moved that when the Assembly adjourns it do so until 10 a. m. Thursday.

Carried.

By Mr. Black:

Assembly Concurrent Resolution No. 9, relative to the appointment of an investigating committee for the office of the Industrial Insurance Commissioner of the State of Nevada.

*Resolved by the Assembly of the State of Nevada, the Senate concurring.* That the Speaker of the Assembly appoint a committee of one and the President of the Senate appoint a like committee to constitute a legislative committee for the purpose of investigating the office and affairs of the Industrial Insurance Commissioner of the State of Nevada, with the view of determining the possibility of economy in the affairs of said office, and other matters properly relating thereto.

Mr. Black moved adoption of resolution.

Carried.

#### INTRODUCTION AND FIRST READING

By Lincoln County delegation:

Assembly Bill No. 247—An Act for the relief of Francis M. Seegmiller.

Mr. O'Connor moved that rules be suspended, reading so far had

considered first reading, rules further suspended, bill read second time by title, and referred to Committee of Lincoln County Delegation.  
Carried.

By Mr. Black:

Assembly Bill No. 248.

Assembly Bill No. 248 withdrawn.

By Mr. Black:

Assembly Substitute for Assembly Bill No. 184—An Act to repeal an Act entitled "An Act to amend section 9 of an Act entitled 'An Act creating the office of Inspector of Mines; fixing his duties and powers; providing for the appointment of a deputy and fixing the compensation of both; requiring certain reports and notices of accidents to be made to said Inspector, and defining the duties of the Attorney-General and District Attorneys in relation to suits instituted by the Inspector of Mines,' approved March 24, 1909, as amended, being section 4216 Nevada Compiled Laws 1929," approved March 25, 1931.

Mr. Black moved that rules be suspended, reading so far had considered first reading, rules further suspended, substitute bill read second time by title, and referred to Committee on Ways and Means.

Carried.

#### GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 2.

On motion of Mr. Carroll, Assembly Joint Resolution No. 2 was made a special order of business for Friday at 10:30 a. m.

Assembly Joint Resolution No. 23.

Remarks by Messrs. Bugbee, Hamlin and Kenny.

Roll call on Assembly Joint Resolution No. 23:

YEAS—Messrs. Bugbee, Hussman, McAuliffe, O'Connor, Raycraft, Strosnider and Tandy—7.

NAYS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Butler, Cahill, Cahlan, Carroll, Cobb, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Johnson, Kenny, Lage, Malone, Moore, Murphy, Noble, Persson, Reynolds, Roberts, Smith, Stewart, Taber and Wheelwright—31.

Not voting—Mr. Cooper and Mr. Speaker—2.

Assembly Joint Resolution No. 23 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Assembly Joint Resolution No. 24.

Remarks by Mr. Bugbee.

Roll call on Assembly Joint Resolution No. 24:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Bugbee, Butler, Cahill, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Heward, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Strosnider, Taber and Wheelwright—33.

NAYS—Messrs. Brown, Hussman, Stewart and Tandy—4.

Absent—Mr. Cahlan.

Not voting—Mr. Hatton and Mr. Speaker—2.

Assembly Joint Resolution No. 24 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Joint Resolution No. 25.

Remarks by Mr. Raycraft.

Roll call on Assembly Joint Resolution No. 25:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—38.

NAYS—None.

Absent—Messrs. Cahlan and Murphy—2.

Assembly Joint Resolution No. 25 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 22.

On motion of Mr. Black, Senate Bill No. 22 was placed on the bottom of the file.

Senate Bill No. 67.

Remarks by Messrs. Smith, Taber and O'Connor.

Roll call on Senate Bill No. 67:

YEAS—Messrs. Beverly, Cobb, Hamlin, Hussman, Reynolds, Taber, Tandy and Wheelwright—8.

NAYS—Messrs. Anderson, Barnes, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cooper, Dunseath, Ebert, Goodin, Hatton, Heward, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Strosnider and Stewart—31.

Not voting—Mr. Speaker.

Senate Bill No. 67 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

At 5:07 Mr. Anderson moved that the Assembly adjourn until Thursday, March 2, 1933, at 10 a. m.

Carried.

Approved:

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,

*Chief Clerk of the Assembly.*

## THE FORTY-SIXTH DAY

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CARSON CITY (Thursday), March 2, 1933.

Assembly called to order at 10 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Mr. Johnson, who was excused on account of sickness.

Prayer by Rev. Porter.

On motion of Mr. Persson the reading of the Journal was dispensed with, and Mr. Speaker and the Chief Clerk were authorized to make any necessary corrections.

### INTRODUCTION AND FIRST READING

By Committee on Banks and Banking:

Substitute Bill for Assembly Bill No. 244—An Act to authorize and confirm the power of the Governor to issue proclamations, and other matters relating thereto.

Mr. Cahlan moved that all rules be suspended, Substitute Bill for Assembly Bill No. 244 be considered an emergency measure, considered engrossed, and placed on top of the file for third reading and final passage.

Remarks by Messrs. Hussman, Tandy, Brown and Cahlan.  
Carried.

By Mr. Carroll:

Assembly Bill No. 250—An Act to amend section 1 of an Act entitled "An Act to create a county license board; to provide for the fixing and imposing of license fees and the issuance and revocation of licenses thereby for billiard or pool halls, dancing halls, bowling alleys, theaters, soft drink establishments, gambling games or devices permitted by law, and other places of amusement, entertainment or recreation; defining its powers and duties; and other matters relating thereto," approved March 3, 1923.

Mr. Carroll moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Public Morals.

Carried.

By Mr. Carroll:

Assembly Bill No. 251—An Act to amend sections 3, 4, 6 and 9 of an Act entitled "An Act to provide revenue for the government of the State of Nevada and to repeal all Acts and parts of Acts in conflict herewith," approved March 22, 1915.

Mr. Carroll moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Public Morals.

Carried.

By Mr. Carroll:

Assembly Bill No. 252—An Act to amend section 1 of an Act entitled "An Act to regulate the sale of intoxicating liquors outside of the corporate limits of any incorporated city or town; creating a liquor board in the several counties of this State; prescribing the duties and declaring the powers of such board," approved March 24, 1917.

Mr. Carroll moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Public Morals.

Carried.

By Mr. Anderson:

Assembly Bill No. 253—An Act amending an Act entitled "An Act fixing the salaries of the Justices of the Supreme Court of the State of Nevada," approved March 25, 1927, as amended.

Mr. Anderson moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

By Mr. Tandy:

Assembly Bill No. 254—An Act providing for a State Board of Control, defining their duties and powers, and repealing all Acts in conflict therewith.

Mr. Tandy moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on State Institutions.

Carried.

By Mr. Tandy:

Assembly Joint Memorial No. 32, to the Honorable the President of the United States relative to the policy of establishing a reasonable and equitable preferential basis in connection with certain contracts and works in favor of Nevada contractors, Nevada materials and Nevada labor.

*To the Honorable the President of the United States:*

Your memorialist, the Thirty-sixth Legislature of the State of Nevada, in regular session, represents:

The State of Nevada, in common with every State in the Union, is confronted with the important task of providing employment for its citizens.

Funds are appropriated from time to time by the Congress of the United States for the construction of Federal public buildings, and the construction of National Forest, National Park and National Monument highways within the State of Nevada, upon which considerable numbers of men are employed.

Many of the contracts for such works are let to contractors located outside of Nevada, who, usually, if not invariably, import into the State the labor required for their construction.

The employment of needy citizens of this State on such work would in some measure alleviate the serious unemployment situation in Nevada; would be a

just policy, in that it would avoid adding to Nevada's duties in the matter of police protection and the protection of the legal rights of persons permanently or temporarily residing within its borders; would be a justifiable policy from an economic standpoint, since it would obviate the expense of transporting employees from other parts of the United States; and would work no injustice to any community.

WHEREFORE, Your memorialist prays that departments of the United States Government having under their charge and control the awarding of contracts for the construction of public works within the State, or the supervision of such works, if any, by force account, pursue the policy of establishing a reasonable and equitable preferential basis in connection with such contracts and works in favor of Nevada contractors, Nevada materials, and in particular, of Nevada labor, and that the good offices of the President of the United States be exerted to this end.

WHEREFORE, Your memorialist will ever pray.

Mr. Tandy moved that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Labor.

Carried.

#### GENERAL FILE AND THIRD READING

Substitute for Assembly Bill No. 244.

Bill read third time.

Mr. Brown moved that all of the clauses after the enacting clause of Assembly Bill No. 244 be stricken, and that contents of the substitute bill be substituted therefor.

Remarks by Messrs. Tandy and Cahill.

Mr. Brown moved previous questions, seconded by Messrs. Kenny and Malone.

Substitute Bill for Assembly Bill No. 244 adopted.

Bill read third time.

Amendment proposed by Mr. Cahill: Strike out after the word "action" in line 6 of section 4 all the remainder of section 4.

Mr. Cahill moved adoption of amendment.

Remarks by Mr. Cahill.

Motion lost.

Roll call on Assembly Bill No. 244:

YEAS—MESSRS. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—38.

NAYS—Mr. Cahill.

Absent—Mr. Johnson.

Assembly Bill No. 244 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

#### MESSAGES FROM THE GOVERNOR

*The Honorable the Senate and the Assembly, Carson City, Nevada.*

GENTLEMEN: The strained financial conditions existing within our own and adjoining States throughout the Nation have once more made necessary the issuance of an Executive Proclamation in accordance with law and custom obtaining in this State for more than seventy years, declaring a legal holiday for four days commencing Thursday, March 2, and ending at midnight on Sunday, March 5, but reserving the right to shorten or lengthen such period or to

broaden or narrow the scope of such proclamation, a copy of which is attached for your information.

This action has been made compulsory by the financial crisis which has arisen in our adjoining State of California wherein the Governor has declared a moratorium of three days, and has closed every bank within that State, and also by conditions obtaining throughout the United States.

In my judgment such action is necessary to protect the depositors of banks within the State of Nevada, as well as the banking institutions themselves, and has been purposely made broad in its scope, that no question may arise as to the necessity thereof.

Pending legislation regarding the issuance of Executive Proclamations and authorizing banks to limit withdrawals must be made emergency measures, and prompt action taken thereon, if we are to protect the financial structure of the State and its institutions.

This is a time when party considerations must be laid aside and consideration given only to those matters affecting and protecting the people of our Commonwealth.

Very truly yours,

F. B. BALZAR,  
*Governor.*

#### A PROCLAMATION

WHEREAS, It appears to me, F. B. BALZAR, Governor of the State of Nevada, that the financial crisis and depression existing throughout the Nation has affected and threatens to still further materially affect the financial status of our Commonwealth and all institutions therein, and to jeopardize the business relations and otherwise injure the people of our State in their general welfare; and

WHEREAS, It has further been made to appear to me that it is expedient and wise that I proclaim each of the several days commencing on Thursday, March 2, at 10:01 o'clock, 1933, of said day and ending on Sunday, March 5, 1933, at midnight of said day, that is to say, Thursday, March 2; Friday, March 3; Saturday, March 4 and Sunday, March 5, all in 1933, for all intents and purposes, business and banking legal holidays, however, specifically excepting therefrom the State Legislature, that all our people may have opportunity to inquire and examine into the matters and things hereinabove set forth and to provide for the protection of our banking and financial institutions, the business relations of this Commonwealth and for the welfare and well-being of its people.

NOW, THEREFORE, By virtue of the authority in me vested in pursuance of the power conferred upon me by law and custom, I, F. B. BALZAR, Governor of the State of Nevada, hereby proclaim each of the several days hereby named and set forth, commencing on Thursday, March 2, 1933, and ending on Sunday, March 5, 1933, as business and banking legal holidays for all intents and purposes.

That, if in the premises, another proclamation shall be deemed advisable, either to lengthen or shorten the period hereinabove prescribed, or to broaden or to narrow its scope, then the same shall and will be issued accordingly, and all State and county officials, banks, bankers and citizens shall take due notice hereof and thereof.

IN WITNESS WHEREOF, I, F. B. BALZAR, Governor of the State of Nevada, have hereunto affixed my hand, at the Executive Office, at 11:30 o'clock p. m., on this first day of March, 1933, and have caused the Great Seal of the State of Nevada to be affixed hereto.

F. B. BALZAR,  
*Governor of the State of Nevada.*

[SEAL]

*By the Governor:*

Attest: W. G. GREATHOUSE,  
*Secretary of State.*

Upon motion of Mr. Tandy the Message from the Governor was referred to the files.



## MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body vetoed Assembly Bill No. 5, on which Governor's veto was sustained by the following vote: Yeas, 3; nays, 12; absent, 1; not voting, 1.

Also, Assembly Bill No. 81, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 1, lines 1 and 2, strike the word "section" and insert in lieu thereof the word "paragraph." Page 1, line 2, strike the words "so as." Page 1, line 6, strike the word "the" before the word "issue."

Also, Assembly Bill No. 140, which passed: Yeas, 15; nays, 1; absent, 1.

Also, Assembly Bill No. 82, which was lost: Yeas, 4; nays, 12; absent, 1.

Also, Assembly Bill No. 88, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 1, line 2, change word "section" to "paragraph." Page 1, line 8, change word "shall" to "may." Page 1, line 3, strike the words "so as." In title place period after figures "1909," and strike balance of sentence.

Also, Assembly Bill No. 105, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 1, line 2, strike the word "section," and insert in lieu thereof the word "paragraph." Page 1, line 2, strike the words "so as."

Also, Assembly Bill No. 119, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 1, line 2, substitute the word "paragraph" for "section." Page 1, line 7, after the word "lands" insert the following: "the purchase price to be." Page 1, line 7, strike out word "payable" and balance of page 1. and substitute: "to any person making application as required in section 5 of this Act, by entering into contract of sale, after ascertaining that land applied for is subject to entry under the provisions of this Act, each contract to require." Strike all of line 1, page 2, except words "one-fifth." Page 2, line 4, strike the word "the," preceding the word "interest." Page 2, line 10, insert word "in" before the word "writing." Page 2, line 11, strike the final letter "s" from word "conditions." Page 2, line 12, strike the comma following the word "expressed." Page 2, line 18, add a comma after the word "issued."

Also, Assembly Bill No. 141, which passed, as amended: Yeas, 15; nays, none; absent, 1; not voting, 1. Amend title by placing a period after the figures "1917," and strike the balance of the title. Page 1, line 1, after the word "Act" insert the following: "being paragraph 2425 N. C. L. 1929." Page 2, line 20, insert a comma after the word "filled" and the word "votes."

Also, Assembly Bill No. 143, which passed, as amended: Yeas, 15; nays, none; absent, 1; not voting, 1. Amend as follows: Page 1, line 6, strike the words "A. L. Haight, Esquire as," and insert in lieu thereof the word "an." Page 1, line 10, add a "y" to the word "eight."

Also, Assembly Bill No. 197, which passed: Yeas, 14; nays, none; absent, 2; not voting, 1.

Also, Assembly Joint Resolution No. 26, which passed: Yeas, 16; nays, none; absent, 1.

Also, Assembly Joint Resolution No. 19, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 1, line 4, insert the word "the" before the word "Pyramid." Page 1, line 5, strike the word "having" and insert in lieu thereof the word "have."

Also, to present Senate Bill No. 54, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 1, line 1, after the word "vehicle" add the word "with." Page 1, line 2, after the word "carrying" insert the following: "capacity of ten or more." Page 1, line 6, substitute semicolon for comma after the word "hours," and strike balance of line. Strike all of line 7 down to letters "pro." Page 1, strike lines 12, 13, 14, 15 and 16. Page 2, strike lines 1, 2 and 3. Page 2, strike section 2. Page 2, line 8, change figure "3" to "2." Page 2, line 14, change figure "4" to "3."

Also, Senate Bill No. 88, which passed: Yeas, 16; nays, none; absent, 1.

Also, Senate Bill No. 93, which passed, as amended: Yeas, 16; nays, none;

absent, 1. Amend as follows: Page 1, line 2, strike the words "so as." Page 1, line 2, change word "section" to "paragraph." Page 2, line 5, add the letter "s" to the word "prescribe."

Also, Senate Bill No. 94, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 3, line 21, strike period after word "stock." Strike all of line 22 and all of line 23 to the semicolon. Page 3, line 32, change the first word "to" to "for."

LENA GALE.

*Assistant Secretary of the Senate.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 8.

Mr. Kenny moved that Senate Concurrent Resolution No. 8 be indefinitely postponed.

Carried.

Mr. Hamlin moved that Assembly Bill No. 196 be placed on the bottom of the file.

Carried.

Mr. Hamlin moved that Assembly Bill No. 67 be placed on the bottom of the file.

Carried.

Without objection Senate Bill No. 51 was returned to the Committee on Roads and Highways upon motion of Mr. Goodin.

On motion of Mr. Goodin Assembly Bill No. 216 was taken from the Committee on Judiciary and placed in the Committee on Counties and County Boundaries.

Without objection Mr. Speaker signed Senate Bills Nos. 14 and 45, and Senate Joint Resolution No. 16.

#### INTRODUCTION AND FIRST READING

By Mr. Carroll:

Assembly Bill No. 249—An Act to amend sections 358 and 359 of an Act entitled "An Act to regulate proceedings in civil cases in this State, and to repeal all other Acts in relation thereto," approved March 17, 1911, the same being sections 8856 and 8857 Nevada Compiled Laws 1929, and to repeal all Acts in conflict therewith.

Mr. Carroll moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Goodin:

Assembly Bill No. 255—An Act to amend section 17 of an Act entitled "An Act to require the registration of motor vehicles, trailers and semitrailers, and to require the payment of fees thereupon, imposing certain duties and obligations upon the owners of motor vehicles rented without drivers, to provide for the transfer of interest in and to motor vehicles, providing for the registration of manufacturers and dealers in motor vehicles, trailers and semitrailers, regulating the use

of motor vehicles by nonresidents, making and constituting County Assessors officers of the Department and imposing certain duties upon them, creating a 'Motor Vehicle Fund,' and providing for the disposition thereof, to prevent the taking or injury of any vehicle without the consent of the owner; to provide for the duties and powers of Vehicle Commissioner and for the Motor Vehicle Department; to regulate court proceedings in certain civil actions arising under this Act; to provide penalties for violation of this Act, and to make uniform the law relating to the subject matter of this Act; and to repeal all Acts in conflict or inconsistent therewith," approved March 27, 1931.

Mr. Goodin moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Roads and Highways.

Carried.

By Mr. Brown:

Assembly Joint Resolution No. 33:

WHEREAS, The Congress of the United States enacted, in 1916, "The National Defense Act," which was later amended so it is now known as the "Defense Act of 1920," which provided the first well-coordinated system of national defense which this Nation has ever had; and

WHEREAS, During the intervening years, curtailment in this program has been made, and while our Navy has not been maintained at anywhere near "Treaty Strength," and our Regular Army has been subjected to consistent reductions until today our defense forces have reached the irreducible minimum consistent with national security; and

WHEREAS, At the present time efforts are being made to effect a still further curtailment through the reduction or entire elimination of the Marine Corps, reduction in the Regular Army, both the men and officer personnel, largely reduced expenditures on behalf of the National Guard, the elimination of the Citizens' Military Training Camps, the elimination of the Junior's Reserve Officers' Training Corps, and subsequent reductions in the training programs of the Officers' Reserve Corps, the Reserve Officers' Training Corps, and the National Guard; and

WHEREAS, The State of Nevada has always been, throughout its entire history, a firm believer in national preparedness, which belief it has always backed by its Acts and the deeds of its citizens in times of emergency, as evidenced by the magnificent record achieved by Nevada in the World War, during which period nearly 6,000 of our citizens served their country; therefore be it

*Resolved by the Assembly, the Senate concurring,* That we deprecate the attempts now being made to reduce further our national defense and respectfully urge upon the Congress of the United States that no further reductions be made which will hamper the efficiency of the armed forces of our Nation; and

*Resolved further,* That while recognizing the outstanding need for strictest economy, that ample provision be made for the support of all citizens' components of our Army and Navy, including the National Guard; and be it further

*Resolved,* That certified copies of this resolution be sent by the Secretary of State to the President of the United States, the Vice President, the Speaker of the House of Representatives, to the Chairman of the Committees on appropriations, Military and Naval affairs in the Senate and House of Representatives, and to our Senators and Congressman.

Mr. Brown moved that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second

time by title, and referred to Committee on Military and Indian Affairs.

Carried.

By Mr. McAuliffe:

Assembly Bill No. 256—An Act to repeal an Act entitled "An Act defining criminal syndicalism, and providing a punishment therefor," approved February 27, 1919.

Mr. McAuliffe moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Labor.

Carried.

Mr. Dunseath was granted permission to refer to order of business No. 8.

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Dunseath moved that all lobbyists invited by members of this house to sit with them be prohibited to talk with anyone but the members who invited them.

Carried.

Mr. Smith moved that when the Assembly adjourns today that it adjourn until 10 a. m., Friday.

Remarks by Mr. Hussman.

Carried.

#### GENERAL FILE AND THIRD READING

Senate Bill No. 49.

Amendments proposed by Nye County Delegation: Amendment No. 1—Amend said section 3 by striking out from line 10, page 2, the words "to be fixed by him."

Mr. Hatton moved adoption of amendment.

Carried.

Amendment No. 2—Amend section 4 by striking out from line 30, page 2, the words "to be fixed by him."

Mr. Hatton moved adoption of amendment.

Carried.

Remarks by Mr. Hatton.

Roll call on Senate Bill No. 49:

YEAS—Messrs. Anderson, Barnes, Black, Blundell, Brown, Bugbee, Butler, Cahill, Carroll, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—35.

NAYS—None.

Absent—Messrs. Beverly, Cahlan, Johnson and Murphy—4.

Not voting—Mr. Cobb.

Senate Bill No. 49 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Bill No. 191.

Remarks by Messrs. McAuliffe, Dunseath, Hatton and Taber.

Mr. Taber moved that Assembly Bill No. 191 be rereferred to Committee on Judiciary.

Carried.

Assembly Bill No. 200.

Remarks by Mr. Dunseath.

Mr. Kenny moved that Assembly Bill No. 200 be indefinitely postponed.

Carried.

Assembly Bill No. 201.

Remarks by Mr. Dunseath.

Mr. Lage moved that Assembly Bill No. 201 be indefinitely postponed.

Carried.

Assembly Bill No. 202.

Amendment proposed by Washoe County Delegation: Amend section 1 of Assembly Bill No. 202 by omitting the three asterisks at the end of line 12, page 2, and add after the word "pensioned" in said line 12, page 2, the following: "*provided further*, that the amount of each payment of said pension shall be reduced by the amount of any sum of money or its equivalent received by said pensioner or acquired or earned by or through any property, interest in property, or property rights, or by or through any gainful occupation, or any other source whatever, between the ages of 40 years and 65 years, notwithstanding any physical or mental condition."

Amendment proposed by Mr. Black: Amend section 1 of Assembly Bill No. 202 by striking out the word "shall," line 4, page 1, and inserting in lieu thereof the word "may."

Mr. Black moved adoption of amendment.

Carried.

Remarks by Mr. Dunseath.

Roll call on Assembly Bill No. 202:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Lage, Murphy, Noble, O'Connor, Raycraft, Reynolds, Roberts, Smith, Stewart, Taber, Tandy, Wheelwright and Mr. Speaker—32.

NAYS—None.

Absent—Messrs. Johnson, Kenny, McAuliffe, Malone, Persson and Stro-  
snider—6.

Not voting—Messrs. Cablan and Moore—2.

Assembly Bill No. 202 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 245, 246 and 247, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

## MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 115, which has this day passed the Senate, as amended, by the following vote: Yeas, 17; nays, none. Amend as follows: Amend Senate Bill No. 115 by adding a new section after section 3 therein, to be known as section 4, to read as follows: Sec. 4. The Board of Finance is further empowered to authorize all such banks, trust companies and savings banks to thereafter receive new deposits which shall be segregated from the old deposits, and said new deposits shall not be subject to the restrictions or limitations herein or that may hereafter be imposed by the State Board of Finance, pursuant to the provisions herein, and said new deposits shall be invested in such liquid assets as may be approved by the State Board of Finance in order that banks, trust companies and savings banks may at all time have sufficient funds to meet the demands on such new deposits in accordance herewith. Further amend by making section 4 in bill read section 5. Further amend on page 2 by striking in line 9 the words "the Prin-" and striking all of lines 10, 11, 12 and 13. Amend title by changing the word "Banks" to "Bank," and add the word "deposits."

JENA GALE,

*Assistant Secretary of the Senate.*

Mr. Brown moved that Senate Bill No. 115 be declared an emergency measure and placed on top of file for immediate action.

Carried.

## GENERAL FILE AND THIRD READING

Senate Bill No. 115.

Mr. Brown moved that rules be suspended, reading so far had considered first reading, rules further suspended, and bill read second time by title.

Carried.

Bill read third time.

Remarks by Messrs. Cobb, Brown and Cahlan.

Roll call on Senate Bill No. 115:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dumseath, Ebert, Goodin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—38.

NAYS—None.

Absent—Messrs. Hamlin and Johnson—2.

Senate Bill No. 115 having received a constitutional majority, Mr. Speaker declared it passed.

At 12:10 p. m. house recessed until 2 p. m.

## HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the chair.

Quorum present.

## GENERAL FILE AND THIRD READING

Assembly Bill No. 217.

Amendment proposed by Committee on Judiciary: On page 1, line

3, section 1, strike out the words "of the," and insert in lieu thereof the word "other."

Mr. Brown moved adoption of amendment.

Carried.

Roll call on Assembly Bill No. 217:

YEAS—MESSRS. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Taber, Tandy, Wheelwright and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Cahlan, Johnson and Strosnider—3.

Assembly Bill No. 217 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Bill No. 218.

Roll call on Assembly Bill No. 218:

YEAS—MESSRS. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahlan, Cahlan, Carroll, Cobb, Cooper, Ebert, Goodin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Dunseath, Hamlin and Johnson—3.

Assembly Bill No. 218 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 219.

Roll call on Assembly Bill No. 219:

YEAS—MESSRS. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahlan, Carroll, Cobb, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Wheelwright—33.

NAYS—MESSRS. Dunseath and Ebert—2.

Absent—Mr. Johnson.

Not voting—Messrs. Cahill, Cooper, Lage and Mr. Speaker—4.

Assembly Bill No. 219 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 220.

Amendment proposed by Judiciary Committee: On page 1, line 9, strike out the word "desposition" and insert in lieu thereof the word "deposition."

Mr. Brown moved adoption of amendment.

Carried.

Roll call on Assembly Bill No. 220:

YEAS—MESSRS. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—38.

NAYS—None.

Absent—Messrs. Johnson and Stewart—2.

Assembly Bill No. 220 having received a constitutional majority, Mr. Speaker declared it passed as amended.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Military and Indian Affairs has had Assembly Joint Resolution No. 31 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

HUBERT RAYCRAFT, *Chairman.*

*Mr. Speaker:*

Your Committee on Labor has had Assembly Joint Memorial No. 32 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

PAT McAULIFFE, *Chairman.*

*Mr. Speaker:*

Your Committee on Judiciary has had Assembly Bills Nos. 91 and 232 under consideration, and begs leave to report unfavorably on the same, with the recommendation that they do not pass.

Also, Assembly Bills Nos. 240, 241, 242, Senate Bills Nos. 47 and 86, and Senate Joint Resolution No. 17 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

G. J. KENNY, *Chairman.*

*Mr. Speaker:*

Your Committee on Public Morals has had Senate Bill No. 61 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

THOMAS M. CARROLL, *Chairman.*

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Bill No. 244, which this day passed the Senate, as amended, by the following vote: Yeas, 17; nays, none. Amend Assembly Bill No. 244 as follows: Amend section 4, after the words "closing of" add the words "any or," and at the end of section 4 strike the period and add the phrase "and receiving the consent of the State Board of Finance." Add a new section to be known as section 5, to read as follows: SEC. 5. All holiday proclamations heretofore issued are hereby approved and confirmed and declared to have been in compliance with inherent and delegated authority and for the best interests of the people of the State of Nevada. Change section "5" to read section "6." Amend the title of the Act to read: "An Act relating to the power of the Governor to issue proclamations."

LENA GALE,

*Assistant Secretary of the Senate.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Cahlan moved that the Assembly do not concur in the Senate amendments to Assembly Bill No. 244.

Remarks by Messrs. Tandy, Cahlan, Moore, Cahill, Dunseath, Taber and Hussman.

Roll call asked for by Messrs. McAuliffe, Moore and Malone.

Roll called:

YEAS—Messrs. Anderson, Barnes, Blundell, Brown, Bugbee, Butler, Cahlan, Carroll, Cobb, Dunseath, Ebert, Goodin, Hatton, McAuliffe, Malone, Persson, Roberts and Smith—18.

NAYS—Messrs. Beverly, Black, Cahill, Cooper, Hamlin, Heward, Hussman.



Kenny, Lage, Moore, Murphy, Noble, O'Connor, Raycraft, Reynolds, Stewart, Strosnider, Taber, Tandy and Wheelwright—20.

Not voting—Mr. Speaker.

Absent—Mr. Johnson.

Motion lost.

Mr. Tandy moved that the Assembly concur in the Senate amendments to Senate Bill No. 244.

Roll call asked for by Messrs. Reynolds, Dunseath and Smith.

Roll called :

YEAS—MESSRS. Beverly, Black, Cahill, Cobb, Cooper, Hamlin, Heward, Hussman, Kenny, Lage, Moore, Murphy, Noble, O'Connor, Raycraft, Reynolds, Stewart, Strosnider, Taber, Tandy and Wheelwright—21.

NAYS—Messrs. Anderson, Barnes, Blundell, Brown, Bugbee, Butler, Cahlan, Carroll, Dunseath, Ebert, Goodin, Hatton, McAuliffe, Malone, Persson, Roberts and Smith—17.

Absent—Mr. Johnson.

Not voting—Mr. Speaker.

Motion carried.

#### INTRODUCTION AND FIRST READING

By Mr. Anderson :

Assembly Bill No. 257—An Act fixing the salary of the State Librarian.

Mr. Anderson moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

By Mr. Anderson :

Assembly Bill No. 258—An Act to amend an Act entitled "An Act to provide for the creation, organization and maintenance of the Nevada State Police, prescribing the powers and duties of the officers and members thereof in maintaining peace, order and quiet in the State of Nevada, fixing their compensation, providing certain penalties, and other matters relating thereto, making an appropriation therefor, and repealing all Acts or parts of Acts in conflict therewith," approved January 29, 1908, as amended.

Mr. Anderson moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

By Mr. Anderson :

Assembly Bill No. 259—An Act to amend an Act entitled "An Act fixing the salaries of certain deputies in State Offices," approved March 23, 1909, as amended.

Mr. Anderson moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

By Mr. Anderson :

Assembly Bill No. 260—An Act to amend an Act entitled "An Act

to amend section 5 of an Act entitled 'An Act defining public utilities, providing for the regulation thereof, creating a Public Service Commission, defining its duties and powers, and other matters relating thereto,' approved March 28, 1919, being section 6104 Nevada Compiled Laws 1929," approved March 24, 1931.

Mr. Anderson moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

By Mr. Anderson:

Assembly Bill No. 261—An Act to amend an Act entitled "An Act creating the office of State Engineer; making provision for conducting same and repealing sections 10 and 13 of the Water Law of Nevada which is fully identified by title in this act," approved March 28, 1919, as amended.

Mr. Anderson moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

By Mr. Cobb:

Assembly Bill No. 262—An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada, and to repeal certain Acts relating thereto," approved March 23, 1891, as amended.

Mr. Cobb moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Lage:

Assembly Bill No. 263—An Act to amend section 24 of an Act entitled "An Act to provide for the licensing and registration of motor vehicles in the State of Nevada, defining the duties of certain officers in connection therewith, prescribing certain rules and regulations, defining certain powers and duties, and other matters properly connected therewith, and repealing all Acts or parts of Acts in conflict or inconsistent with this Act," approved March 19, 1925.

Mr. Lage moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Roads and Highways.

Carried.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 222.

Roll call on Assembly Bill No. 222:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Goodin, Hatton, Heward, Kenny, Lage, McAuliffe, Malone, Moore, Noble, O'Connor, Persson,

Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—34.

NAYS—None.

Absent—Messrs. Ebert, Hamlin, Hussman, Johnson, Murphy and Reynolds—6.

Assembly Bill No. 222 having received a constitutional majority, Mr. Speaker declared it passed.

Amendment to the title proposed by Mr. Noble: Amend title of Assembly Bill No. 222 by striking out the comma after the word "recordation" and inserting the words "and filing."

Mr. Noble moved adoption of amendment to the title.

Carried.

At 3:15 p. m. house recessed.

### HOUSE IN SESSION

At 3:20 p. m.

Mr. Speaker in the chair.

Quorum present.

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Goodin moved that Assembly Bill No. 146 be placed on top of the file for third reading and final passage.

Carried.

#### INTRODUCTION AND FIRST READING

Senate Concurrent Resolution No. 12.

Mr. Tandy moved that Senate Concurrent Resolution No. 12 be adopted.

Carried.

Senate Bill No. 20.

Mr. Bugbee moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Mines and Mining.

Carried.

Senate Bill No. 93.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

Senate Bill No. 94:

Mr. Strosnider moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

Senate Bill No. 88.

Mr. Reynolds moved that rules be suspended, reading so far had

considered first reading, rules further suspended, bill read second time by title, and referred to Eureka County Delegation.

Carried.

Senate Bill No. 54.

Mr. Lage moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Roads and Highways.

Carried.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 146.

Amendment proposed by Committee on Roads and Highways: Amend section 6 of Assembly Bill No. 146 by striking out the period after the word "above" in line 13, page 5, and insert in lieu thereof a semicolon and add the following: "*provided further*, that when any common carrier, by reason of the provisions of this Act, shall be required to transport any commodity out of the State of Nevada, after having transported the same to a consignee in this State, such shipment out of the State shall be deemed to be at the request of such consignee and of the lawful owner of such commodity; *and provided further*, that nothing herein contained shall impair the right of any common carrier to collect its lawfully established charges."

Mr. Goodin moved adoption of amendment.

Carried.

Amendment proposed by Committee on Roads and Highways: Strike out, after the period following the word "regulation" in line 1, page 6 of the printed bill, the remainder of lines 1, 2, 3, 4, 5 and the word "officer" in line 6, and insert in lieu thereof the following: "Such deputies as may be appointed shall be duly authorized agents and auditors of Vehicle Department and other such traffic officers as are now or may hereafter be provided by the laws of Nevada, and such deputies shall not receive additional compensation under the terms of this Act, but may be allowed reasonable expenses incurred in the enforcement of the provisions hereof."

Mr. Goodin moved adoption of amendment.

Carried.

Amendment proposed by Committee on Roads and Highways: Add after the word "Examiners" in line 7, page 6, a semicolon and the following: "*provided*, the respective Sheriffs and all other peace officers of the State are charged with the duty, without further compensation, of assisting in the enforcement of this Act, and it shall be their duty to make arrests for this purpose when requested by the Quarantine Officer or Vehicle Commissioner, or their duly authorized agents."

Mr. Goodin moved adoption of amendment.

Carried.

Roll call on Assembly Bill No. 146:

YEAS—MESSRS. ANDERSON, BARNES, BEVERLY, BLACK, BLUNDELL, BROWN, BUGBEE, BUTLER, CAHILL, CAHLAN, CARROLL, COBB, COOPER, DUNSEATH, EBERT, GOODIN, HAMLIN, HATTON, HEWARD, HUSSMAN, KENNY, LAGE, MCAULIFFE, MALONE, MOORE, MURPHY,

O'Connor, Persson, Raycraft, Roberts, Taber, Tandy, Wheelwright and Mr. Speaker—34.

NAYS—None.

Absent—Messrs. Johnson, Noble, Reynolds, Smith, Stewart and Strosnider—6.

Assembly Bill No. 146 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Bill No. 131.

Mr. Brown moved that Assembly Bill No. 131 be indefinitely postponed.

Carried.

Assembly Bill No. 234.

Amendment proposed by Mr. Goodin: Amend section 1 of Assembly Bill No. 234 by striking out in line 14, page 2, all after the word "less" down to and including the figures "\$250" in line 17. Line 14, after the word "less" strike out the semicolon and insert a period.

Mr. Goodin moved adoption of amendment.

Carried.

Remarks by Messrs. Goodin and Dunseath.

Roll call on Assembly Bill No. 234:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Dunseath, Ebert, Goodin, Hamlin, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, O'Connor, Persson, Raycraft, Roberts, Taber, Wheelwright and Mr. Speaker—30.

NAYS—Mr. Tandy.

Absent—Messrs. Hatton, Johnson, Noble, Reynolds, Smith, Stewart and Strosnider—7.

Not voting—Messrs. Anderson and Cooper—2.

Assembly Bill No. 234 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Amendment proposed by Mr. Goodin: Amend title of Assembly Bill No. 234 by inserting a period after the word "Nevada" in line 3, and strike out all the rest of the title following.

Mr. Goodin moved adoption of amendment to the title.

Carried.

Without objection Mr. Speaker signed Assembly Bills Nos. 2, 69 and 86, Assembly Joint Resolution No. 21, Senate Concurrent Resolution No. 12, and Senate Bill No. 115.

Mr. Speaker asked Mr. Kenny to take the chair.

Mr. Kenny in the chair.

Assembly Bill No. 235.

Remarks by Messrs. Tandy and Kenny.

Roll call on Assembly Bill No. 235:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, O'Connor, Persson, Raycraft, Roberts, Taber, Tandy and Wheelwright—31.

NAYS—None.

Absent—Messrs. Johnson, Moore, Murphy, Noble, Reynolds, Smith, Stewart, Strosnider and Mr. Speaker—9.

Assembly Bill No. 235 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 27.

On motion of Mr. Dunseath Assembly Bill No. 27 was made a special order of business for 11 a. m. Friday.

Mr. Speaker in the chair.

Assembly Bill No. 115.

Amendment proposed by Committee on Trade and Manufactures: Amend section 3 of Assembly Bill No. 115 by inserting after the word "to" in line 28, page 2 of the printed bill, the following: "beauty parlors or beauty operators when cutting, trimming or straightening the hair of women and children only, nor."

Mr. Blundell moved adoption of amendment.

Carried.

Amendment proposed by Committee on Trade and Manufactures: Amend section 3 of Assembly Bill No. 115 by striking out the period at the end of line 31 of the printed bill, inserting a comma and the following: "or to barbers on interstate trains."

Mr. Blundell moved adoption of amendment.

Carried.

Remarks by Messrs. Lage and Dunseath.

Roll call on Assembly Bill No. 115:

YAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Persson, Raycraft, Roberts, Smith, Taber, Tandy, Wheelwright and Mr. Speaker—33.

NAYS—None.

ABSENT—Messrs. Goodin, Johnson, Noble, O'Connor, Reynolds, Stewart and Strosmider—7.

Assembly Bill No. 115 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

#### MESSAGE FROM THE GOVERNOR

HONORABLE FRED S. ALWARD, *Speaker, Assembly Chamber, Carson City, Nevada.*

MY DEAR MR. ALWARD: Complying with the request contained in your letter of February 28, there is returned herewith Assembly Bill No. 3, introduced by Mr. Bugbee on January 18, 1933.

The return of this bill without my signature is not to be construed as being a veto message, but your attention is invited to the fact that section 5 of the existing Act, if not stricken from the bill, will have the effect of repealing certain existing provisions of law regarding the payment of taxes and penalties, still further confusing the existing status, and in this opinion, my legal counsel and the Attorney-General concur.

Very truly yours,

F. B. BALZAR,  
*Governor.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Cahlan moved that when the Assembly recesses about 5 o'clock, it recess until 7 p. m. for the purpose of cleaning up the general file.

Carried.

## INTRODUCTION AND FIRST READING

By Mr. Hussman:

Assembly Bill No. 264—An Act to amend an Act entitled "An Act concerning public schools, and repealing certain Acts relating thereto," approved March 20, 1911, as amended.

Mr. Hussman moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

Carried.

## GENERAL FILE AND THIRD READING

Assembly Bill No. 124.

On motion of Mr. Kenny, Assembly Bill No. 124 was placed on the bottom of the file.

Assembly Bill No. 147.

Mr. Cahlan moved that Assembly Bill No. 147 be indefinitely postponed.

Carried.

Assembly Bill No. 151.

On motion of Mr. Moore, Assembly Bill No. 151 was made a special order of business for Friday at 2 p. m.

Assembly Bill No. 159.

Amendment proposed by Committee on Judiciary: Amend section 1, page 2, line 20, by adding after the word "husband" the words "and wife."

Mr. Brown moved adoption of amendment.

Carried.

Roll call on Assembly Bill No. 159:

YEAS—Messrs. Anderson, Beverly, Black, Brown, Bugbee, Butler, Cahill, Carroll, Cobb, Cooper, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, O'Connor, Persson, Raycraft, Roberts, Taber, Wheelwright and Mr. Speaker—29.

NAYS—None.

Absent—Messrs. Blundell, Cahlan, Dunseath, Johnson, Noble, Reynolds, Smith, Stewart, Strosnider and Tandy—10.

Not voting—Mr. Barnes.

Assembly Bill No. 159 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Bill No. 174.

Remarks by Messrs. Hussman and Hamlin.

Roll call on Assembly Bill No. 174:

YEAS—Messrs. Barnes, Black, Blundell, Brown, Bugbee, Cahill, Cahlan, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Murphy, Noble, O'Connor, Persson, Roberts, Strosnider, Taber, Tandy and Mr. Speaker—29.

Absent—Messrs. Anderson, Beverly, Butler, Johnson, Malone, Reynolds, Stewart, Smith and Wheelwright—9.

Not voting—Messrs. Moore and Raycraft—2.

Assembly Bill No. 174 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Dunseath gave notice that on the next legislative day he would move for a reconsideration of the vote on Assembly Bill No. 174.  
Assembly Bill No. 175.

Remarks by Messrs. Strosnider, Kenny and Taber.

Mr. Kenny moved that Assembly Bill No. 175 be rereferred to the Committee on Judiciary.

Carried.

At 5:01 p. m. Mr. Speaker announced that Assembly would recess until 7 p. m.

Remarks by Messrs. Moore and Cahlan.

Mr. Tandy moved that the Assembly adjourn until 10 a. m. Friday.

Remarks by Mr. Dunseath.

Motion lost.

Mr. Cooper gave notice that on the next legislative day he would move for a reconsideration of the vote taken on Assembly Bill No. 244.

Mr. Goodin moved that in the event there are some bills left on the general file tomorrow afternoon, and in the event the Assembly is not in session Saturday, the Assembly will convene to clean up the file tomorrow night.

Carried.

Assembly Bill No. 205.

Remarks by Messrs. Goodin, Hussman, Dunseath, Taber, Brown, Noble and Lage.

Roll call on Assembly Bill No. 205:

YEAS—Messrs. Anderson, Barnes, Blundell, Brown, Bugbee, Butler, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Strosnider and Wheelwright—29.

NAYS—Messrs. Hussman, Stewart, Taber and Tandy—4.

Absent—Messrs. Beverly, Johnson and Smith—3.

Not voting—Messrs. Black, Cahill, Heward and Mr. Speaker—4.

Assembly Bill No. 205 having received a constitutional majority, Mr. Speaker declared it passed.

At 5:20 p. m. Mr. Lage moved that the Assembly do now adjourn.

Mr. Cahlan amended the motion to adjourn until Friday, March 3, 1933, at 10 a. m.

Amended motion carried.

Approved:

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,

*Chief Clerk of the Assembly.*



## THE FORTY-SEVENTH DAY

CARSON CITY (Friday), March 3, 1933.

Assembly called to order at 10 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Mr. Johnson, who was excused on account of sickness.

Prayer by Rev. Porter.

On motion of Mr. Persson the reading of the Journal was dispensed with, and Mr. Speaker and the Chief Clerk were authorized to make any necessary corrections.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Banks and Banking has had Assembly Bill No. 125 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass, with the following amendments: Amend section 2, page 3, line 28, by striking out the comma after the word "State," and inserting a period in lieu thereof; strike out all the words following the word "State" down to and including the word "filed," on page 3, line 30. Strike out all of section 3, page 4, and change number of section 4 to section 3.

A. E. CAHLAN, *Chairman.*

*Mr. Speaker:*

We, your committee authorized to investigate the activities of certain persons who are, or have been attempting improperly to influence the official acts of the 36th Session of Nevada Assembly or individual members thereof, beg leave to report the following findings:

(1) That many persons, unauthorized and not registered in accordance with Assembly Resolution No. 11, apparently are allowed full freedom of the Assembly Chamber. Your committee recommends a more rigid enforcement of Assembly Rule No. 21.

(2) That many employees and officers of public boards and bureaus have been active in behalf of legislation concerning their organization, but this committee can find no instance of public money having been improperly expended in this activity.

(3) That in at least two cases within the State of Nevada an appropriation of public money was asked for the purpose of defraying expenses incident to carrying on lobbying activities in this Assembly, and in influencing individual members of this Assembly. Since such appropriations were not made there is no evidence before this committee showing that public money was so used.

(4) That in certain cases paid attachés of this Assembly have taken unwarranted advantage of their positions, and have been unduly active in their attempts to influence legislation. Your committee condemns this practice and recommends that all attachés be admonished by the Speaker accordingly.

Respectfully submitted,

FRED STROSNIDER,  
ROBERT O'CONNOR,  
T. G. WHEELWRIGHT.

Mr. Strosnider moved that the report be adopted.

Mr. Tandy added: "and that the committee be discharged with thanks."

Carried.

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Bill No. 94, which has this day passed the Senate, as amended, by the following vote: Yeas, 14; nays, 3. In line 2, page 1, after the word "amended" strike out the words "so as." In line 2, page 1, strike the word "section" and insert in lieu thereof the word "paragraph." On page 2, line 5, after the word "be" strike out remainder of line, all of lines 6 and 7 up to the word "liable" in line 8; after the word "stock" insert a period and strike out remainder of line and up to and including the word "injury" in line 9. In line 11 strike out the words "conviction is had" and insert in lieu thereof the words "action is filed." In line 12, after the word "judge," insert a period and strike out remainder of line, also lines 13 and 14.

Also, Assembly Bill No. 122, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 1, line 2, after the word "thereto" add the following: "to follow paragraph 3371 N. C. L. 1929." Page 1, lines 2 and 3, strike the words "as follows" and insert in lieu thereof the words "to read."

Also, Assembly Bill No. 144, which passed, as amended: Yeas, 17; nays, none. Amend as follows: Page 1, line 2, strike the word "section" and insert in lieu thereof the word "paragraph." Page 1, line 2, strike the words "so as."

Also, to present Senate Substitute for Senate Bill No. 73, which passed: Yeas, 16; nays, 1.

Also, Senate Bill No. 90, which passed, as amended: Yeas, 17; nays, none. Amend as follows: Page 1, line 1, after the word "Act" insert the following: "being section 2201 N. C. L. 1929." Page 1, line 2, strike the words "so as."

LENA GALE,

*Assistant Secretary of the Senate.*

Without objection Mr. Speaker signed Assembly Bills Nos. 140, 197 and 244.

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Anderson moved that the Assembly concur in the Senate amendments to Assembly Bill No. 81.

Carried.

Mr. Raycraft moved that Assembly Bills Nos. 209, 210, 211 and 212 be withdrawn and referred to Committee on Labor.

Remarks by Messrs. Taber, Bugbee, Cahill, Hamlin, McAuliffe, O'Connor, Tandy, Dunseath and Anderson.

Mr. Speaker ruled that Assembly Bills Nos. 209, 210, 211 and 212 be referred to a Joint Committee on Labor and Ways and Means.

Mr. Taber arose to a point of personal privilege regarding remarks by Mr. Dunseath.

Mr. Anderson moved that his other bills in the Ways and Means Committee be referred to the Joint Committee on Ways and Means and Labor.

Carried.

#### SPECIAL ORDER OF BUSINESS

Assembly Joint Resolution No. 2.

Bill read third time.

Amendments proposed by Committee on Judiciary: Amendment

No. 1—On page 1, line 1, after the word "Assembly" strike out the comma, and insert the word "and"; strike out the word "concurring," and insert in lieu thereof the words "of the State of Nevada." Amendment No. 2—On page 1, line 6, after the word "government" strike out all the words next following down to and including the word "prescribe," page 1, line 8, and insert in lieu thereof the words "and in the city of Las Vegas, county of Clark."

Mr. Kenny moved adoption of the amendments.

Carried.

Remarks by Messrs. Carroll, Bugbee, Kenny, Dunseath and Cahlan.

Mr. Brown moved previous question, seconded by Messrs. Roberts and Murphy.

Carried.

Roll call on Assembly Joint Resolution No. 2:

YEAS—MESSRS. Anderson, Barnes, Beverly, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hatton, Heward, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—34.

NAYS—Mr. Raycraft.

Absent—Mr. Johnson.

Not voting—Messrs. Black, Hamlin, Hussman and Reynolds—4.

Assembly Joint Resolution No. 2 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

On motion of Mr. Brown, Assembly Bill No. 242 was declared an emergency measure and placed on top of the file for third reading and final passage.

Mr. Tandy gave notice that on the next legislative day he will move for a reconsideration of the vote taken on Assembly Joint Resolution No. 2.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 242.

Remarks by Mr. Brown.

Roll call on Assembly Bill No. 242:

YEAS—MESSRS. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Murphy, Noble, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Johnson, Moore and O'Connor—3.

Assembly Bill No. 242 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Dunseath explained that his voting for the bill was solely due to the extreme emergency of the times.

#### SPECIAL ORDER OF BUSINESS

Assembly Bill No. 27.

Bill read third time.

Amendment proposed by Mr. Noble: Amend section 15 of Assembly

Bill No. 27 by striking out the period in line 15, page 9, and insert in lieu thereof a comma and the following words: "this Act shall not be construed to apply or interfere with the sale of patent or proprietary or household packaged medicine."

Mr. Noble moved adoption of amendment.

Carried.

Amendment proposed by Mr. Stewart: Amend section 15 of Assembly Bill No. 27 by striking out on page 8 all of lines 20, 21, 22 and 23.

Mr. Stewart moved adoption of amendment.

Carried.

Amendment proposed by Mr. Cobb: Amend section 20 of Assembly Bill No. 27 by striking out the period after the word "Act" in line 29, page 10 of the printed bill, insert a comma and the following: "and no store, dispensary, pharmacy, laboratory or office authorized to sell, vend or dispose of any of the drugs, remedies, compounds, medicines, poisons, including contraceptives, enumerated in this Act, be permitted to sell, vend, deal in, or dispose of any other articles of merchandise, goods or wares."

Mr. Cobb moved adoption of amendment.

Carried.

Mr. Dunseath moved that Assembly Bill No. 27 be indefinitely postponed.

Carried.

Without objection Mr. Speaker signed Assembly Bill No. 49 and Assembly Joint Resolution No. 26.

At 11:15 a. m. house recessed.

## HOUSE IN SESSION

At 11:25 a. m.

Mr. Speaker in the chair.

Quorum present.

## INTRODUCTION AND FIRST READING

Senate Bill No. 90.

Mr. Hatton moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Counties and County Boundaries.

Carried.

Senate Substitute for Senate Bill No. 73.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, substitute read second time by title, and referred to Committee on Education.

Carried.

Assembly Joint Resolution No. 34.

On motion of Mr. O'Connor all rules were suspended, Assembly

Joint Resolution No. 34 was considered an emergency measure, considered engrossed, and placed on top of the file for third reading and final passage.

By Mr. Hatton (by request):

Assembly Bill No. 265—An Act to amend an Act entitled “An Act relating to the compensation of injured workmen in the industries of this State and the compensation to their dependents where such injuries result in death, creating an Industrial Insurance Commission, providing for the creation and disbursement of funds for the compensation and care of workmen injured in the course of employment, and defining and regulating the liability of employers to their employees; and repealing all Acts and parts of Acts in conflict with this Act,” approved March 15, 1913, as amended.

Mr. Hatton moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Labor.

Carried.

By Committee on Banks and Banking:

Assembly Bill No. 266—An Act to amend section 3 of an Act entitled “An Act to authorize the deposit of State moneys in banks in this State, and to repeal all Acts and parts of Acts in conflict with this Act,” approved February 6, 1928, as amended, and to add a new section thereto.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Banks and Banking.

Carried.

By Committee on Banks and Banking:

Assembly Bill No. 267—An Act to authorize and control the deposit in banks of money belonging to, or in the custody of, any county, municipality or other political subdivision of this State, and to repeal all Acts or parts of Acts in conflict with this Act.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Banks and Banking.

Carried.

By Committee on Banks and Banking:

Assembly Bill No. 268—An Act to provide a means of incorporating banks and trust companies; to authorize banks and trust companies to conduct certain kinds of business; to provide for the regulation and control of such business; to provide for the appointment of a Superintendent of Banks; to prescribe the powers and duties of the State Board of Finance relative to the business of banking; to conform the charters of banks and trust companies now operating under the laws of the State of Nevada to the provisions of this Act; to incorporate herein the provisions of the general corporation law, as amended; to provide for the liquidation of banks and trust companies in certain

cases; to make the violation of the provisions hereof criminal offenses and to prescribe the punishment therefor; to repeal certain Acts and parts of Acts; and other matters relating to banks and trust companies.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Banks and Banking.

Carried.

By Mr. Hamlin :

Assembly Bill No. 270—An Act authorizing Mineral County to issue bonds for the purpose of refunding and retiring "Mineral County Light and Power Bonds," and directing the County Commissioners so to do, the levy and collection of taxes for the payment thereof, and other matters relating thereto.

Mr. Hamlin moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Mineral County Delegation.

Carried.

By Mr. Hamlin :

Assembly Bill No. 271—An Act to authorize school boards to issue negotiable interest bearing order, for payment of salaries and other necessary expenses of the district, and other matters relating thereto.

Mr. Hamlin moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

Carried.

By Messrs. Malone and Heward :

Assembly Bill No. 269—An Act to amend section 42 of an Act entitled "An Act to provide revenue for support of the government of the State of Nevada, and to repeal certain Acts relating thereto," approved March 23, 1891, as amended.

Mr. Malone moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Labor.

Carried.

#### GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 34.

Mr. O'Connor moved adoption of resolution.

Roll call on Assembly Joint Resolution No. 34 :

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hutton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Stro-sneider, Taber, Tandy, Wheelwright and Mr. Speaker—39.

NAYS—None.

Absent—Mr. Johnson.

Assembly Joint Resolution No. 34 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 22.

Mr. Blundell moved that Senate Bill No. 22 be placed on the bottom of the file.

Carried.

Senate Bill No. 37.

Roll call on Senate Bill No. 37:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Ebert, Goodin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Tandy and Wheelwright—34.

NAYS—Messrs. Dunseath and Malone—2.

Absent—Messrs. Hamlin and Johnson—2.

Not voting—Messrs. Taber and Mr. Speaker—2.

Senate Bill No. 37 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 81.

Roll call on Senate Bill No. 81:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—38.

NAYS—None.

Absent—Mr. Johnson.

Not voting—Mr. Cobb.

Senate Bill No. 81 having received a constitutional majority, Mr. Speaker declared it passed.

At 12:05 p. m. Mr. Lage moved that the Assembly recess until 2 p. m.

Carried.

#### HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the chair.

Quorum present.

Mr. Tandy moved that the Senate Substitute to Assembly Bill No. 3, which has been returned from the Governor, be returned to the Senate for consideration.

Carried.

#### SPECIAL ORDER OF BUSINESS

Assembly Bill No. 151.

Bill read third time.

Amendment proposed by Mr. Hamlin: Amend section 2 of Assembly Bill No. 151 by adding after the word "dealers," line 10, page 3, the following: Any person, firm, or corporation, who shall buy and use any motor vehicle fuel, as defined in this Act, for the purpose of operating or propelling stationary gas engines, tractors, farm tractors, harvesting machines, aeroplanes or motor boats, or who shall purchase

or use any of such fuel for cleaning or dyeing or other commercial use of the same, except in a motor vehicle operated or intended to be operated upon any of the public highways of the State of Nevada, and who shall have paid any tax on motor vehicle fuel levied or directed to be paid as provided by this Act, either directly by the collection of such tax by the vendor from such consumer or indirectly by adding such amount of such tax to the price of such fuel and paid by the consumer, shall be reimbursed and repaid the amount of such tax paid by him upon presenting to the Nevada Tax Commission of the State of Nevada an affidavit accompanied by the original invoices, showing such purchase, which affidavit shall be verified by the oath of such affiant, and shall state the total amount of such fuel so purchased and used by such consumer, other than in motor vehicles operated or intended to be operated upon any of the public highways of the State of Nevada, and said Nevada Tax Commission, upon the presentation of such affidavit and such vouchers, shall cause to be repaid to such consumer from the taxes collected on motor vehicle fuels the said taxes so paid by such consumer on fuels purchased and used, other than for motor vehicles as aforesaid.

Mr. Hamlin moved adoption of amendment.

Remarks by Messrs. Hamlin, Goodin, Tandy, McAuliffe, Hussman, Cahlan, Noble, Smith, Cahill and Moore.

Roll call on amendment asked for by Messrs. Goodin, Cahlan and Moore.

Roll called :

YEAS—Messrs. Barnes, Beverly, Butler, Cobb, Hamlin, Hussman, Kenny, McAuliffe, Moore, Murphy, Noble, Raycraft, Reynolds, Stewart, Strosnider and Tandy—16.

NAYS—Messrs. Anderson, Black, Blundell, Brown, Bugbee, Cahill, Cahlan, Carroll, Cooper, Duaseath, Ebert, Goodin, Hatton, Heward, Lage, Malone, O'Connor, Persson, Roberts, Smith and Taber—21.

Absent—Messrs. Johnson and Wheelwright—2.

Not voting—Mr. Speaker.

Amendment lost.

Amendments proposed by Committee on Roads and Highways :

Amendment No. 1—Amend section 5, page 6, line 4, by striking out the word "sixty," and inserting in lieu thereof "six months."

Mr. Goodin moved adoption of amendment.

Carried.

Amendment No. 2—Amend section 6, page 6, line 30, by striking out after the word "records" the following: "shall be kept within the State of Nevada," and insert in lieu thereof "If any part of the records herein required shall be kept by any dealer outside of the State of Nevada, such dealer shall pay a fee of ten dollars per day, plus the actual expenses of the examiner, during the time that the examiner is absent from Carson City for the purpose of inspecting such records; *provided, however,* that not more than two such examinations shall be charged against such dealer in any year; *provided further,* any dealers refusing to allow the examination of their books by the authorized examiner of the Motor Vehicle Commissioner of Nevada shall have their dealers' licenses canceled at once and be subject to any fines or



imprisonment as provided in this Act if they should attempt to operate without licenses.”

Mr. Goodin moved adoption of amendment.

Remarks by Mr. Goodin.

Carried.

Remarks by Messrs. Goodin, Tandy, Cahlan, O'Connor, Noble, Moore, Hamlin, Taber, Reynolds and Cobb.

Roll call on Assembly Bill No. 151:

YEAS—Messrs. Anderson, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cooper, Dunseath, Ebert, Goodin, Hatton, Heward, Kenny, Lage, Malone, Noble, O'Connor, Persson, Roberts, Smith and Taber—25.

NAYS—Messrs. Barnes, Cobb, Hamlin, Hussman, McAuliffe, Moore, Murphy, Raycraft, Reynolds, Stewart, Strosnider and Tandy—12.

Absent—Messrs. Johnson and Wheelwright—2.

Not voting—Mr. Speaker.

Assembly Bill No. 151 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Mr. Noble explained his vote.

At 3:25 p. m. house recessed.

## HOUSE IN SESSION

At 3:35 p. m.

Mr. Speaker in the chair.

Quorum present.

### GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 31.

Remarks by Messrs. Cahlan and Brown.

Roll call on Assembly Joint Resolution No. 31:

YEAS—Messrs. Cobb, Hamlin, Lage, Malone and Raycraft—5.

NAYS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Dunseath, Ebert, Goodin, Heward, Hussman, Kenny, McAuliffe, Murphy, Noble, O'Connor, Persson, Roberts, Stewart, Strosnider and Tandy—26.

Absent—Messrs. Cooper, Johnson, Moore, Reynolds, Smith and Wheelwright—6.

Not voting—Messrs. Hatton, Taber and Mr. Speaker—3.

Assembly Joint Resolution No. 31 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Assembly Joint Memorial No. 32.

Remarks by Mr. Tandy.

Roll call on Assembly Joint Memorial No. 32:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—36.

NAYS—None.

Absent—Messrs. Cooper, Johnson, Smith and Wheelwright—4.

Assembly Joint Memorial No. 32 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 226.

Mr. Raycraft moved that Assembly Bill No. 226 be referred to the Committee on Labor.

Mr. Taber amended motion to read a Joint Committee on Ways and Means and Labor.

Carried.

Assembly Bill No. 214.

Amendment proposed by Committee on Ways and Means: Amend section 1, page 2, line 10, by striking out the figures "\$2,400" and substituting in lieu thereof the figures "\$1,800."

Mr. Cahill moved adoption of amendment.

Roll call on Assembly Bill No. 214:

YEAS—Messrs. Anderson, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Malone, Moore, Murphy, Noble, O'Connor, Smith, Stewart, Strosnider, Taber and Wheelwright—30.

NAYS—Messrs. Barnes, Lage, Reynolds, Roberts and Tandy—5.

Absent—Mr. Johnson.

Not voting—Messrs. McAuliffe, Persson, Raycraft and Mr. Speaker—4.

Assembly Bill No. 214 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Mr. Heward gave notice that on the next legislative day he would ask for a reconsideration of the vote taken on Assembly Bill No. 214.

Assembly Bill No. 215.

Mr. Hamlin moved that Assembly Bill No. 215 be referred to the Committee on Labor.

Remarks by Messrs. Cahlan, McAuliffe, Smith, Cahill, Lage and Hamlin.

Motion lost.

Remarks by Messrs. Blundell, Brown, Lage and Dunseath.

Roll call on Assembly Bill No. 215:

YEAS—Messrs. Anderson, Barnes, Black, Blundell, Cahill, Cahlan, Carroll, Cooper, Ebert, Goodin, Hatton, Heward, Hussman, Lage, McAuliffe, Moore, Noble, O'Connor, Roberts, Smith, Stewart, Strosnider and Taber—23.

NAYS—Messrs. Beverly, Brown, Bugbee, Butler, Cobb, Dunseath, Hamlin, Kenny, Malone, Murphy, Raycraft, Reynolds and Wheelwright—13.

Absent—Mr. Johnson.

Not voting—Messrs. Persson, Tandy and Mr. Speaker—3.

Assembly Bill No. 215 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 237.

Upon motion of Mr. Heward, Assembly Bill No. 237 was placed on the bottom of the file.

Bishop Gorman of the Roman Catholic Church of the State of Nevada was escorted to the Speaker's desk.

Assembly Bill No. 238.

Upon motion of Mr. Heward, Assembly Bill No. 238 was placed on the bottom of the file.

Assembly Bill No. 206.

Roll call on Assembly Bill No. 206 :

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Heward, Hussman, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—35.

NAYS—None.

Absent—Messrs. Johnson, Kenny and Persson—3.

Not voting—Messrs. Cahill and Hatton—2.

Assembly Bill No. 206 having received a constitutional majority, Mr. Speaker declared it passed.

Without objection Mr. Speaker signed Senate Bills Nos. 37 and 81.

Assembly Bill No. 124.

Remarks by Mr. Brown.

Amendment proposed by the Joint Committee on Judiciary and Ways and Means (majority report) : Amend section 16, page 11, line 7, by striking out the figures "1933," and insert in lieu thereof the figures "1935."

Mr. Kenny moved adoption of amendment.

Remarks by Messrs. Brown, Dunseath, Cahill and Taber.

Amendment proposed by minority of Joint Committee on Judiciary and Ways and Means : Amend section 16, page 11, line 7, by striking out the figures "1933," and insert in lieu thereof the figures "1934."

Mr. Brown moved that the motion be amended that the minority report be adopted.

Roll call asked for by Messrs. Brown, Cahlan and Dunseath.

Roll called :

YEAS—Messrs. Black, Brown, Hamlin, Hatton, Heward, Hussman, Murphy, Reynolds, Stewart, Taber, Tandy and Wheelwright—12.

NAYS—Messrs. Anderson, Barnes, Beverly, Blundell, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Kenny, Lage, McAuliffe, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Roberts, Smith and Strosnider—26.

Absent—Mr. Johnson.

Not voting—Mr. Speaker.

Amendment to motion lost.

Remarks by Mr. Brown.

Roll call on motion to adopt majority report :

YEAS—Messrs. Anderson, Barnes, Beverly, Blundell, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Kenny, Lage, McAuliffe, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart and Strosnider—27.

NAYS—Messrs. Black, Brown, Hamlin, Hatton, Heward, Hussman, Murphy, Reynolds, Taber, Tandy and Wheelwright—11.

Absent—Mr. Johnson.

Not voting—Mr. Speaker.

Motion carried.

Mr. Cahill explained his vote on the amendment.

Remarks by Mr. Dunseath.

Roll call on Assembly Bill No. 124:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Ebert, Goodin, Hamlin, Hattton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Wheelwright—36.

NAYS—Messrs. Dunseath and Murphy—2.

Absent—Mr. Johnson.

Not voting—Mr. Speaker.

Assembly Bill No. 124 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Brown moved that Assembly Bill No. 242 be given immediate consideration.

Carried.

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Bill No. 242, which has this day passed the Senate, as amended, by the following vote: Yeas, 15; nays, none; absent, 2. Amend as follows: Page 1, line 1, after word "Act" insert "(Statutes 1931, page 63)." page 1, line 2, strike words "so as." Page 2, line 3, strike word "provisions." Page 2, line 8, strike word "that." Page 2, line 15, insert comma after word "examiner." Page 2, line 18, strike letter "s" from word "laws." Page 2, line 26, strike words "so as." Page 3, line 3, insert comma after word "debentures." and change word "and" to "or." Page 3, line 17, strike word "that." Page 3, line 28, strike words "so as." Page 4, line 3, strike word "that." Page 4, line 12, strike word "that." Page 4, line 15, insert comma after word "investments." Page 4, line 19, strike word "that." Page 4, line 24, insert word "written" after the words "with the." Page 4, line 25, strike comma after word "examiner." Page 4, line 29, insert paragraph unintentionally omitted as per typewritten copy hereto attached: "No such organization shall make any loan to or allow any unearned withdrawal of cash to be made by any officer or director of said organization, or may any loan to any firm, company or corporation of which any officer or director of such loaning organization is also an officer or director, without the written consent of the State Bank Examiner; *provided, however*, if any association, company or corporation doing business in this State, under the provision of this Act, which is organized or incorporated under the laws of any governing body other than the State of Nevada, and the laws of such other governing body conflict with any of the provisions of this section of this Act, the provisions of the laws of such other governing body shall prevail as to each such conflict; *and provided further*, whenever any such foreign organization shall hereafter follow a course or perform any act which is forbidden to any domestic organizations under the terms of this section of this Act, it shall report to the State Bank Examiner of this State all of the facts relating thereto." Page 4, line 31, strike words "so as."

Also, Assembly Joint Memorial No. 32, which, under the suspension of all rules, was declared an emergency measure under the Constitution, considered engrossed, placed on third reading and final passage, and passed by the following vote: Yeas, 15; nays, none; absent, 2.

Also, Assembly Joint Resolution No. 34, which was declared an emergency measure under the Constitution, placed on third reading and final passage, and passed by the following vote: Yeas, 16; nays, none; absent, 1.

Also, to present Senate substitute for Assembly Bill No. 3, which passed, as amended: Yeas, 14; nays, none; absent, 3. Amend as follows: Strike out all of section 5 and renumber section 6 to section 5.

LENA GALE,

*Assistant Secretary of the Senate.*

## REPORTS OF COMMITTEES

*Mr. Speaker:*

The majority of your Committee on Judiciary has had Assembly Bill No. 118 under reconsideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

G. J. KENNY,  
FRED STROSNIDER,  
HARRY DUNSEATH,  
WM. D. HATTON,  
ERNEST S. BROWN.

*Mr. Speaker:*

The minority of your Committee on Judiciary has had Assembly Bill No. 118 under reconsideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

L. F. ANDERSON.

## MOTIONS, RESOLUTIONS AND NOTICES

Mr. Brown moved that the Assembly concur in the Senate amendments to Assembly Bill No. 242.

Carried.

On motion of Mr. Anderson, Assembly Bills Nos. 253, 257, 258, 259, 260 and 261 were withdrawn from the Committee on Ways and Means.

On motion of Mr. Dunseath Assembly Bill No. 198 was withdrawn from the Committee on Judiciary.

Mr. Stewart moved that the Assembly concur in the Senate amendments to Assembly Bill No. 94.

Carried.

Mr. Dunseath moved that the report filed heretofore of the committee investigating the power company through the Public Service Commission be adopted.

Remarks by Messrs. Tandy and Dunseath.

Motion withdrawn.

By Mr. Black:

Assembly Resolution No. 20.

Mr. Black moved adoption of resolution.

Mr. Speaker appointed Messrs. Dunseath, Hamlin and Blundell on the committee.

Carried.

Mr. Cahlan moved that the Assembly remain in session until the general file was cleaned, and that when the Assembly adjourns it do so until Monday at 10 a. m.

Mr. Cobb amended motion that the Assembly adjourn in honor of Herbert Hoover.

Amendment carried.

Motion carried.

At 5:12 p. m. Mr. Black moved that the Assembly recess until 7 p. m.

Mr. Smith amended motion to 6:30 p. m.

Amendment carried.

Mr. Speaker signed Assembly Joint Resolution No. 34.

## HOUSE IN SESSION

At 6:30 p. m.

Quorum present.

## PRESENTATION OF PETITIONS

A letter regarding Assembly Bill No. 228 (vocational education) from the Roosevelt Women's Labor Club was referred to Committee on Ways and Means.

A letter from Greffenhagen and associates, specialists in public administration and finance, was referred to Committee on Ways and Means.

A letter from the Fraternal Order of Eagles regarding old age pension bill was referred to Mr. Dunseath.

Mr. Tandy moved that after Monday of next week all new bills may be introduced only upon unanimous vote of the Assembly.

Remarks by Mr. Dunseath.

Carried.

## REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Judiciary has had Assembly Bill No. 90 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

Also, Senate Bill No. 94, and reports favorably on the same, with the recommendation that it do pass with the following amendment: Amend section 1, page 2, line 32, after the comma following the word "business," insert the following: "except when such removal is made as provided by chapter 17, Statutes of Nevada 1931."

Also, Senate Bill No. 93, and reports favorably on the same, with the recommendation that it do pass.

G. J. KENNY, *Chairman.*

*Mr. Speaker:*

Your Committee of Washoe County Delegation has had Assembly Bill No. 239 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

HARRY DUNSEATH, *Chairman.*

*Mr. Speaker:*

Your Committee on Elections has had Assembly Bills Nos. 207 and 236 under consideration and begs leave to report favorably on the same, with the recommendation that they do pass.

Also, Assembly Bills Nos. 223 and 225 under consideration, and reports same without recommendation.

Also, Assembly Bill No. 190 under consideration, and reports favorably on the same, with the recommendation that it do pass, as amended: Amend section 2 of Assembly Bill No. 190 by striking out the words: "and in each year in which the election of presidential electors is to be held." In lines 15 and 16, page 6, and in line 25, page 6, after the word "shall" insert the following: "be held at such time and place as may be designated by the State Central Committees of each party, and in such years they shall also."

HARRY DUNSEATH, *Chairman.*

*Mr. Speaker:*

Your Committee of Humboldt County Delegation has had Assembly Bill No. 193 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

ROY PERSSON, *Chairman.*

*Mr. Speaker:*

Your Committee on Fish and Game has had Assembly Joint Resolution No. 29 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

ROY PERSSON, *Chairman.*

*Mr. Speaker:*

The majority of your Committee on Live Stock has had Assembly Bill No. 169 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

J. H. HEWARD,	MORLEY MURPHY,
FRED STROSNIDEB,	T. G. WHEELWRIGHT,
CHAS. E. BUTLER,	GEO. G. HUSSMAN.

*Mr. Speaker:*

The minority of your Committee on Live Stock has had Assembly Bill No. 169 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

L. F. ANDERSON.

*Mr. Speaker:*

Your Committee on Enrollment has carefully compared Assembly Enrolled Bills Nos. 2, 69, 86, 140, 197 and 244, and Assembly Enrolled Joint Resolution Nos. 21 and 26 with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. H. BARNES, *Chairman.*

*Mr. Speaker:*

Your Committee on Banks and Banking has had Assembly Bill No. 149 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass with the appended amendments:

Amend title of Assembly Bill No. 149 by striking the period in line 4 and adding the words "except in certain cases."

Amendment No. 1—In line 4, page 1 of the printed bill, following the word "to" insert the following: "except as in this Act otherwise provided."

Amendment No. 2—In line 9, following the words "Sec. 2," insert "except as in this Act otherwise provided."

Amendment No. 3—Add a new section to be known as section 2a to read as follows: SEC. 2A. Whenever there are conflicting interests, or it is improper, inexpedient, or inadvisable that the Bank Examiner should have such legal services, advice, or assistance, from the Attorney-General, or the District Attorneys of the various counties in connection with any bank which has been taken over by the Bank Examiner, and such shall appear from a verified petition filed by the Bank Examiner in the District Court of the county where such legal services, advice, or assistance, is required, the District Judge of such county may, if such legal services, advice, or assistance is warranted, appoint an attorney of his own choice and selection to render such legal service, advice, or assistance to the Bank Examiner. The compensation of such attorney shall be fixed by such District Judge for the service rendered, and when so fixed shall be paid by the Bank Examiner out of the funds of such bank in his hands. No fees shall be charged or collected by any County Clerk for any proceedings hereunder.

A. E. CAHLAN, *Chairman.*

#### INTRODUCTION AND FIRST READING

By Mr. Kenny:

Assembly Bill No. 272—An Act providing for the calling and holding of a State Convention for the purpose of considering the ratification or rejection of a joint resolution proposing an amendment to the Constitution of the United States passed during the second session of the Seventy-second Congress of the United States, begun and held

on December 5, 1932, relating to the repeal of the 18th Amendment to the Constitution of the United States, and matters relating thereto.

Mr. Kenny moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By majority of Committee on Judiciary :

Assembly Bill No. 273—An Act to amend "An Act to create a public corporation to be known as 'State Bar of Nevada,' to provide for its organization, government, membership and powers, to regulate the practice of law, and to provide penalties for violation of said Act," approved January 31, 1928, by adding thereto a new section to be known as section 24a.

Mr. Kenny moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Anderson :

Assembly Bill No. 274—An Act regulating the salaries of certain State officers and employees of the State of Nevada.

Mr. Anderson moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to a Joint Committee on Ways and Means and Labor.

Carried.

By Elko County Delegation :

Assembly Bill No. 275—An Act fixing the compensation of the county officers of Elko County, Nevada, and regulating the employment and compensation of deputies and other employees of said officers, and repealing all Acts and parts of Acts in conflict herewith.

Mr. Taber moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Elko County Delegation.

Carried.

By Mr. Cahlan :

Assembly Bill No. 276—An Act to amend section 7 of an Act entitled "An Act to provide a method for voting at any general, special, or primary elections by qualified voters who by reason of the nature of their vocation or business or other causes are unavoidably absent from the polls in the county of their residence on the day of election, providing penalties for the violation thereof, and other matters properly connected therewith," approved March 11, 1921.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Elections.

Carried.

By Mr. Cahlan :

Assembly Bill No. 277—An Act to amend section 3 of an Act entitled



"An Act to fix the fees and mileage of witnesses and jurors, providing the manner of payment thereof, and to repeal all Acts and parts of Acts in conflict herewith," approved March 26, 1919, being section 8492 of N. C. L. 1929.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Cahlan:

Assembly Bill No. 278—An Act to amend section 13 of an Act entitled "An Act regulating the nomination of candidates for public office in the State of Nevada," approved March 23, 1917.

On motion of Mr. Cahlan rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Elections.

By Mr. Cahlan:

Assembly Bill No. 279—An Act to amend an Act entitled "An Act relating to elections," approved March 24, 1917, by repealing sections 18 and 23 and amending sections 21, 22 and 24 thereof.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Elections.

Carried.

By Mr. Cahlan:

Assembly Bill No. 280—An Act to amend section 8 of an Act entitled "An Act to limit expenditures for campaign and election purposes to candidates, their political agents, and managing committees of political parties; to prescribe the manner of appointment of such agents; to limit the contributions, expenditures and liabilities of candidates, political agents and managing committee of political parties; to define, prohibit, and punish corrupt and illegal practices in connection with or relative thereto at primary, special, and general elections; to secure and protect the purity of the ballot; to prohibit the use of conveyances to carry voters to the polls; to prohibit the peddling or distributing of liquor and cigars by candidates for office; to prohibit and punish the making, publication, and circulation of false charges and statements against candidates, the doing of any act tending to deceive or interfere with the voter; and to provide for furnishing information to electors," approved March 31, 1913.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Elections.

Carried.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 196.

Remarks by Mr. Hamlin.

Roll call on Assembly Bill No. 196:

YEAS—Messrs. Anderson, Barnes, Black, Blundell, Brown, Butler, Cahill,

Cahlan, Carroll, Cooper, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, McAuliffe, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Taber, Tandy and Mr. Speaker—30.

NAYS—None.

Absent—Messrs. Beverly, Bugbee, Cobb, Johnson, Lage, Malone, Moore, Strosnider and Wheelwright—9.

Not voting—Mr. Dunseath.

Assembly Bill No. 196 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 67.

On motion of Mr. Hamlin, Assembly Bill No. 67 was made a special order of business for Monday at 10:30 a. m.

Assembly Bill No. 85.

Remarks by Messrs. Cahlan, Brown, Dunseath and Smith.

Roll call on Assembly Bill No. 85:

YEAS—Messrs. Anderson, Black, Blundell, Brown, Butler, Cahill, Cahlan, Carroll, Cooper, Dunseath, Ebert, Goodin, Hatton, Heward, Hussman, Kenny, McAuliffe, Malone, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Taber, Tandy and Mr. Speaker—30.

NAYS—None.

Absent—Messrs. Beverly, Bugbee, Cobb, Hamlin, Johnson, Lage, Moore, Strosnider and Wheelwright—9.

Not voting—Mr. Barnes.

Assembly Bill No. 85 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 108.

Remarks by Messrs. Taber and Blundell.

Roll call on Assembly Bill No. 108:

YEAS—Messrs. Barnes, Black, Blundell, Brown, Butler, Cahlan, Carroll, Cooper, Dunseath, Goodin, Hatton, Heward, Kenny, McAuliffe, Malone, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith and Stewart—24.

NAYS—Messrs. Anderson, Ebert, Hussman and Taber—4.

Absent—Messrs. Beverly, Bugbee, Cobb, Hamlin, Johnson, Lage, Moore, Strosnider and Wheelwright—9.

Not voting—Messrs. Cahill, Tandy and Mr. Speaker—3.

Assembly Bill No. 108 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 71.

Remarks by Messrs. Kenny, Brown, Hamlin, Dunseath, Noble, Heward and Cahlan.

Roll call on Assembly Bill No. 71:

YEAS—Messrs. Barnes, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cooper, Ebert, Goodin, Hatton, Hussman, Kenny, McAuliffe, Malone, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider and Taber—27.

NAYS—Messrs. Dunseath, Hamlin, Heward and Lage—4.

Absent—Messrs. Beverly, Cobb, Johnson, Moore and Wheelwright—5.

Not voting—Messrs. Anderson, Black, Tandy and Mr. Speaker—4.

Assembly Bill No. 71 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 232.

Upon motion of Mr. Brown, Assembly Bill No. 232 was indefinitely postponed.

Assembly Bill No. 240.

Remarks by Messrs. Cahill, Brown and Hamlin.

Roll call on Assembly Bill No. 240:

YEAS—Messrs. Anderson, Barnes, Black, Blundell, Brown, Bugbee, Butler, Cahlan, Carroll, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Murphy, Noble, O'Connor, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—33.

NAYS—None.

Absent—Messrs. Beverly, Cobb, Johnson, Moore, Persson and Wheelwright—6.

Not voting—Mr. Cahill.

Assembly Bill No. 240 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 241.

Roll call on Assembly Bill No. 241:

YEAS—Messrs. Anderson, Barnes, Black, Blundell, Brown, Bugbee, Butler, Cahlan, Carroll, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—34.

NAYS—None.

Absent—Messrs. Beverly, Cobb, Johnson, Moore and Wheelwright—5.

Not voting—Mr. Cahill.

Assembly Bill No. 241 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 47.

Remarks by Mr. Kenny.

Roll call on Senate Bill No. 47:

YEAS—Messrs. Anderson, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Murphy, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—32.

NAYS—None.

Absent—Messrs. Barnes, Beverly, Cobb, Cooper, Johnson, Moore, Reynolds and Wheelwright—8.

Senate Bill No. 47 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 61.

Roll call on Senate Bill No. 61:

YEAS—Messrs. Anderson, Barnes, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cooper, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Noble, O'Connor, Persson, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—31.

NAYS—None.

Absent—Messrs. Beverly, Cobb, Cooper, Johnson, Moore, Murphy, Reynolds, and Wheelwright—8.

Not voting—Mr. Raycraft.

Senate Bill No. 61 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 86.

Remarks by Mr. Kenny.

Roll call on Senate Bill No. 86:

YEAS—Messrs. Anderson, Barnes, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—33.

NAYS—None.

Absent—Messrs. Beverly, Cobb, Johnson, Moore, Murphy, Reynolds and Wheelwright—7.

Senate Bill No. 86 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 91.

Mr. Kenny moved that Senate Bill No. 91 be indefinitely postponed.

Carried.

Senate Joint Resolution No. 17.

Remarks by Messrs. Hamlin and Tandy.

Roll call on Senate Joint Resolution No. 17:

YEAS—Messrs. Anderson, Black, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Dunseath, Ebert, Goodin, Hatton, Heward, Hussman, Kenny, McAuliffe, Malone, Murphy, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider and Taber—27.

NAYS—Messrs. Barnes, Hamlin, Lage and Tandy—4.

Absent—Messrs. Beverly, Cobb, Johnson, Moore, Reynolds and Wheelwright—6.

Not voting—Messrs. Blundell, Cooper and Mr. Speaker—3.

Senate Joint Resolution No. 17 having received a constitutional majority, Mr. Speaker declared it passed.

At 8:05 p. m. house recessed.

## HOUSE IN SESSION

At 8:20 p. m.

Mr. Speaker in the chair.

Quorum present.

Mr. Anderson moved that Assembly Bills Nos. 118 and 169 be placed on the bottom of file.

Attorney-General Mashburn was escorted to the Speaker's desk by Messrs. Kenny and Dunseath.

Without objection Mr. Speaker signed Assembly Bill No. 242.

## GENERAL FILE AND THIRD READING

Assembly Bill No. 90.

Upon motion of Mr. Tandy, Assembly Bill No. 80 was indefinitely postponed.

Assembly Bill No. 125.

Amendments proposed by Committee on Banks and Banking:

Amend section 2, page 3, line 28, by striking out the comma after the word "State," and inserting a period in lieu thereof; strike out all the words following the word "State" down to and including the word "filed" on page 3, line 30.

Mr. Cahlan moved adoption of amendment.

Carried.

Strike out all of section 3 on page 4, and change number of section 4 to section 3.

Mr. Cahlan moved adoption of amendment.

Carried.

Roll call on Assembly Bill No. 125:

YEAS—Messrs. Barnes, Black, Blundell, Brown, Bugbee, Butler, Cahlan, Carroll, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, McAuliffe, Malone, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider and Taber—27.

NAYS—Messrs. Anderson, Cahill and Cooper—3.

Absent—Messrs. Beverly, Cobb, Johnson, Moore, Murphy, Reynolds and Wheelwright—7.

Not voting—Messrs. Lage, Tandy and Mr. Speaker—3.

Assembly Bill No. 125 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Bill No. 149.

Amendments proposed by Committee on Banks and Banking:

Amendment No. 1—In line 4, page 1 of the printed bill, following the word "to" insert the following: "except as in this Act otherwise provided."

Mr. Cahlan moved adoption of amendment.

Carried.

Amendment No. 2—In line 9, following the words "SEC. 2," insert "Except as in this Act otherwise provided."

Mr. Cahlan moved adoption of amendment.

Carried.

Amendment No. 3—Add a new section to be known as section 2a to read as follows: SEC. 2A. Whenever there are conflicting interests, or it is improper, inexpedient, or inadvisable that the Bank Examiner should have such legal services, advice, or assistance, from the Attorney-General or the District Attorneys of the various counties in connection with any bank which has been taken over by the Bank Examiner, and such shall appear from a verified petition filed by the Bank Examiner in the District Court of the county where such legal services, advice, or assistance is required, the District Judge of such county may, if such legal service, advice, or assistance is warranted, appoint an attorney of his own choice and selection to render such legal service, advice, or assistance to the Bank Examiner. The compensation of such attorney shall be fixed by such District Judge for the service rendered, and when so fixed shall be paid by the Bank Examiner out of the funds of such bank in his hands. No fees shall be charged or collected by any County Clerk for any proceedings hereunder.

Mr. Cahlan moved adoption of amendment to the bill as a whole.

Carried.

Remarks by Messrs. Hussman and Cahlan.

Roll call on Assembly Bill No. 149:

YEAS—Messrs. Anderson, Barnes, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cooper, Ebert, Goodin, Heward, Kenny, Lage, McAuliffe, Malone, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart and Strosnider—25.

NAYS—Mr. Dunsneath.

Absent—Messrs. Beverly, Cobb, Johnson, Moore, Murphy, Reynolds and Wheelwright—7.

Not voting—Messrs. Black, Hamlin, Hatton, Hussman, Taber, Tandy and Mr. Speaker—7.

Assembly Bill No. 149 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Amendment proposed by Committee on Banks and Banking to title of Assembly Bill No. 149: Amend title of Assembly Bill No. 149 by striking the period in line 4 and adding the words "except in certain cases."

Mr. Cahlan moved adoption of the amendment to the title.

Carried.

Assembly Bill No. 190.

Amendment proposed by the Committee on Elections: Amend section 2 of Assembly Bill No. 190 by striking out the words "and in each year in which the election of presidential electors is to be held," in lines 15 and 16, page 6, and in line 25, page 6, after the word "shall" insert the following: "be held at such time and place as may be designated by the State Central Committees of each party, and in such years they shall also."

Mr. Kenny moved the adoption of the amendment.

Carried.

Remarks by Mr. Kenny.

Roll call on Assembly Bill No. 190:

YEAS—Messrs. Barnes, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cooper, Dunsneath, Ebert, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Noble, O'Connor, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—29.

NAYS—None.

Absent—Messrs. Beverly, Cobb, Goodin, Johnson, Malone, Moore, Murphy, Persson, Raycraft and Wheelwright—10.

Not voting—Mr. Anderson.

Assembly Bill No. 190 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

At 9:05 p. m. Mr. Lage moved that the Assembly adjourn until Monday, March 6, 1933, at 10 a. m.

Carried.

Approved:

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,

*Chief Clerk of the Assembly.*

## THE FIFTIETH DAY

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CARSON CITY (Monday), March 6, 1933.

Assembly called to order at 10 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Mr. Smith.

Prayer by Father Smith.

Upon motion of Mr. Persson the reading of the Journal was dispensed with, and Mr. Speaker and the Chief Clerk were authorized to make any necessary corrections.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

The majority of your Committee on Education has had Assembly Bill No. 135 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

ROY PERSSON,  
WM. F. TABER,  
M. C. HAMLIN,  
H. E. MALONE.

*Mr. Speaker:*

The minority of your Committee on Education has had Assembly Bill No. 135 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

BOB MOORE.

*Mr. Speaker:*

Your Committee on Education has had Assembly Joint Resolutions Nos. 27 and 28 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

BOB MOORE, *Chairman.*

Mr. Cahlan reported that the typewritten copy of the banking investigation will be available tomorrow or Wednesday.

### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Bugbee moved that the Assembly concur in Senate Substitute to Assembly Bill No. 3.

Carried.

Mr. Cahlan moved that the Select Banking Investigation Committee be granted until March 8 in which to submit their report.

Mr. Tandy arose to a point of order that an extension of time cannot be granted an investigation committee which is a joint committee.

Mr. Speaker ruled Mr. Cahlan's motion out of order.

Mr. Anderson moved that Assembly Bill No. 169 be made a special order of business for Wednesday at 11 a. m.

By Mr. Barnes:

Assembly Concurrent Resolution No. 10:

*Resolved by the Assembly, the Senate concurring,* That the Governor be and he is hereby respectfully requested to return to the Assembly, without action thereon by him, Assembly Bill No. 242.

Mr. Barnes moved adoption of resolution.

Remarks by Messrs. Barnes, Tandy and Brown.

Carried.

#### INTRODUCTION AND FIRST READING

By Mr. Hatton:

Assembly Bill No. 281—An Act to extend financial aid to the prospector in developing his discovery, and to promote the mining industry in the State of Nevada.

Mr. Hatton moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Mines and Mining.

Carried.

By Mr. Malone (by request):

Assembly Bill No. 282—An Act providing for the withdrawal of, and severance of, certain townships and parts of townships from the county of Mineral, and the annexation and addition thereof to the county of Lyon.

Mr. Malone moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to a Select Committee consisting of the Lyon and Mineral County Delegations.

Carried.

Mr. Speaker asked Mr. Noble to take the chair.

Mr. Noble in the chair.

By Mr. Dunseath:

Assembly Bill No. 283—An Act to repeal an Act entitled "An Act making the Railroad Commission of Nevada ex officio a Public Service Commission for the regulation and control of certain public utilities, prescribing the manner in which such public utilities shall be regulated and controlled, requiring such public utilities to furnish reasonable adequate service and facilities, prohibiting unjust and unreasonable charges for services rendered by such public utilities, providing penalties for violation of the provisions of this Act, authorizing such Public Service Commission to appoint an expert engineer and to employ clerks and assistants, and making an appropriation for carrying out the provisions of this Act" approved March 23, 1911.

Mr. Dunseath moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on State Institutions.

Carried.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 251, 254, 258, 260, 262, 256, 253, 255, 252, 250, 261, 257, and



Assembly Joint Resolution No. 33, hereto attached, are correct copies of the triplicates thereof in its possession.

Also, bound copy of Assembly Substitute for Assembly Bill No. 184, with the suggestion that the substitute be corrected and submitted as an amendment to the original bill. That the substitute hereto attached has been read and is a correct copy of the triplicate thereof hereto attached.

DOUG. H. TANDY, *Chairman.*

#### INTRODUCTION AND FIRST READING

By Mr. Dunseath:

Assembly Bill No. 284—An Act to repeal an Act entitled “An Act to amend section 13 of an Act entitled ‘An Act defining public utilities, providing for the regulation thereof, creating a Public Service Commission, defining its duties and powers, and other matters relating thereto,’ approved March 28, 1919,” approved March 27, 1931.

Mr. Dunseath moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on State Institutions.

Carried.

By Mr. Dunseath:

Assembly Bill No. 285—An Act to repeal an Act entitled “An Act to amend section 5 of an Act entitled ‘An Act defining public utilities, providing for the regulation thereof, creating a Public Service Commission, defining its duties and powers, and other matters relating thereto,’ approved March 28, 1919, being section 6104 Nevada Compiled Laws 1929,” approved March 24, 1931.

Mr. Dunseath moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on State Institutions.

Carried.

By Mr. Dunseath:

Assembly Bill No. 286—An Act to repeal an Act entitled “An Act authorizing the Public Service Commission of Nevada to employ an inspector, fixing his compensation, providing for necessary traveling expenses and subsistence, and other matters relating thereto,” approved March 24, 1931.

Mr. Dunseath moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on State Institutions.

Carried.

By Mr. Dunseath:

Assembly Bill No. 287—An Act to repeal an Act entitled “An Act defining public utilities, providing for the regulation thereof, creating a Public Service Commission, defining its duties and powers, and other matters relating thereto,” approved March 28, 1919.

Mr. Dunseath moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on State Institutions.

Carried.

## SPECIAL ORDER OF BUSINESS

Assembly Bill No. 67.

Mr. Hamlin moved that the Assembly now resolve itself into Committee of the Whole for consideration of Assembly Bill No. 67.

Carried.

Mr. Speaker appointed Mr. Noble as Chairman of the Committee of the Whole.

At 10:30 a. m. Assembly in Committee of the Whole.

## HOUSE IN SESSION

At 11:24 a. m.

Mr. Speaker in the chair.

Quorum present.

## REPORT OF COMMITTEE OF THE WHOLE

*Mr. Speaker:*

Your Committee of the Whole House has had under consideration Assembly Bill No. 67, and begs leave to report favorably on the same, with a recommendation that it do pass.

C. L. NOBLE, *Chairman.*

Mr. Noble moved the adoption of the report.

Carried.

## GENERAL FILE AND THIRD READING

Assembly Bill No. 67.

Amendment proposed by Mr. Black: Amend section 5 of Assembly Bill No. 67 by striking out in lines 3 and 4, page 4 of the printed bill, the following: "five thousand dollars (\$5,000)," and insert in lieu thereof the following: "twenty-five hundred (\$2,500)."

Mr. Black moved adoption of amendment.

Remarks by Messrs. Hamlin and Black.

Amendment lost.

Roll call on Assembly Bill No. 67:

YEAS—Messrs. Barnes, Beverly, Blundell, Bugbee, Carroll, Cobb, Cooper, Dunseath, Hamlin, Hatton, Johnson, Kemy, Lage, McAuliffe, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Strosnider, Taber, Tandy and Wheelwright—26.

NAYS—Messrs. Black, Brown, Butler, Ebert, Hussman and Murphy—6.

Absent—Messrs. Cahill and Smith—2.

Not voting—Messrs. Anderson, Cahlan, Goodin, Heward, Stewart and Mr. Speaker—6.

Assembly Bill No. 67 having received a constitutional majority, Mr. Speaker declared it passed.

## INTRODUCTION AND FIRST READING

By Mr. Blundell:

Assembly substitute for Assembly Bill No. 195—An Act to amend sections 33, 52 and 55 of an Act entitled "An Act relating to and providing for the protection, propagation, restoration, domestication, introduction, purchase, and disposition of wild animals, wild birds and fish; creating certain offices, providing the method of selecting the

officers and other persons; defining certain terms; providing for the licensing of and regulating of hunting, trapping, game farming and game fishing; authorizing the establishment, control and regulation of private fish hatcheries, State recreation grounds, sanctuaries and refuges, and the closing, opening and shortening of hunting and fishing seasons; regulating the transportation and possession of wild animals, wild birds, and game fish; providing for the condemnation of property for certain purposes; providing for instruction in the game laws of this State in the public schools of this State; establishing certain funds and regulating expenditures therefrom, providing penalties for violation thereof, and repealing certain Acts and parts of Acts in conflict therewith," approved March 29, 1929.

Mr. Blundell moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Fish and Game.

Carried.

By Messrs. Brown and Persson:

Assembly Bill No. 288—An Act to amend sections 3, 11, 12, 25, 35, 51, 53, 54, 69, 74, 79, 91 and 92 of an Act entitled "An Act relating to and providing for the protection, propagation, restoration, domestication, introduction, purchase, and disposition of wild animals, wild birds and fish; creating certain offices, providing the method of selecting the officers therefor, defining the powers and duties of certain officers and other persons; defining certain terms; providing for the licensing of and regulating of hunting, trapping, game farming and game fishing; authorizing the establishment, control and regulation of private fish hatcheries, State recreation grounds, sanctuaries and refuges, and the closing, opening and shortening of hunting and fishing seasons; regulating the transportation and possession of wild animals, wild birds and game fish; providing for the condemnation of property for certain purposes; providing for instruction in the game laws of this State in the public schools of this State; establishing certain funds and regulating expenditures therefrom, providing penalties for violation thereof, and repealing certain Acts and parts of Acts in conflict therewith," approved March 29, 1929.

Mr. Persson moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Fish and Game.

Carried.

By Messrs. Brown and Persson:

Assembly Bill No. 289—An Act to amend an Act entitled "An Act concerning officers," approved November 29, 1861, as amended.

Mr. Brown moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Fish and Game.

Carried.

By Mr. Goodin (by request):

Assembly Bill No. 290—An Act to repeal an Act entitled "An Act

providing for the registering of public works contractors, and defining the term 'Public Works Contractors,' providing the method of obtaining licenses to engage in the business of public works contracting, and fixing the fees for such licenses; providing the method of suspensions and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this Act," approved March 27, 1931.

Mr. Goodin moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Trade and Manufactures.

Carried.

By Mr. Hamlin :

Assembly Bill No. 291—An Act regulating and prescribing the hours that the State officers, including every department of every State office at Carson City, Nevada, or elsewhere within the State, shall keep their offices open for the transaction of public business.

Mr. Hamlin moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on State Institutions.

Carried.

By Mr. Hamlin :

Assembly Bill No. 292—An Act providing for leave of absence for all State, county and municipal employees, the length of time of such leave, and the conditions thereof, making it a misdemeanor to violate the provisions hereof, providing a punishment therefor and other matters relating thereto.

Mr. Hamlin moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on State Institutions.

Carried.

By Mr. Anderson :

Assembly Bill No. 293—An Act to amend an Act entitled "An Act fixing the salary of the Superintendent and Matron of the State Orphans' Home," approved March 11, 1907.

Mr. Anderson moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to a Joint Committee on Ways and Means and Labor.

Carried.

#### GENERAL FILE AND THIRD READING

Senate Bill No. 93.

Roll call on Senate Bill No. 93 :

YEAS—Messrs. Anderson, Barnes, Beverly, Blundell, Brown, Bugbee, Butler, Cahill, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Howard, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—36.

NAYS—None.

Absent—Messrs. Cahlan and Smith—2.

Not voting—Messrs. Black and Hussman—2.

Senate Bill No. 93 having received a constitutional majority, Mr. Speaker declared it passed.

Without objection Mr. Speaker signed Assembly Joint Memorial No. 32 and Assembly Bill No. 94.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrössment hereby certifies that bound copies of Assembly Bills Nos. 249, 263, 264, 265, 267, 269 and 270, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

#### GENERAL FILE AND THIRD READING

Senate Bill No. 94.

Amendment proposed by Judiciary Committee: Amend section 1, page 2, line 32, after the comma following the word "business" insert the following: "except when such removal is made as provided by chapter 17, Statutes of Nevada 1931, and."

Mr. Brown moved adoption of amendment.

Carried.

Roll call on Senate Bill No. 94:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Noble, Persson, Raycraft, Roberts, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—36.

NAYS—None.

Absent—Messrs. Murphy, O'Connor, Reynolds and Smith—4.

Senate Bill No. 94 having received a constitutional majority, Mr. Speaker declared it passed as amended.

At 12 m. Mr. Cahlan moved that the Assembly recess until 2 p. m.

Carried.

#### HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the chair.

Quorum present.

#### PRESENTATION OF PETITIONS

A letter from the Reno Central Trades and Labor Council regarding vocational training was referred to a Joint Committee of Ways and Means and Labor.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Ways and Means has had Assembly Bill No. 130 and Senate Concurrent Resolution No. 10 under consideration, and begs leave to report same without recommendation.

Also, Assembly Bill No. 185, and reports favorably on the same, with the recommendation that it do pass.

Also, Assembly Joint Resolution No. 30, and reports unfavorably on the same, with the recommendation that it do not pass.

J. H. CAHILL, *Chairman.*

*Mr. Speaker:*

Your Committee of Humboldt County Delegation has had Senate Bill No. 95 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

ROY PERSSON, *Chairman.*

*Mr. Speaker:*

Your Committee on Labor has had Assembly Bill No. 256 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

PAT MCAULIFFE, *Chairman.*

*Mr. Speaker:*

Your Committee of Nye County Delegation has had Senate Bill No. 87 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

R. H. BARNES,  
W. H. ROBERTS,  
W. H. HATTON.

*Mr. Speaker:*

Your Committee on Public Morals has had Assembly Bills Nos. 250, 251 and 253 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

THOMAS M. CARROLL, *Chairman.*

*Mr. Speaker:*

Your Committee on Judiciary has had Assembly Bill No. 262 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

Also, Assembly Bill No. 191, and reports favorably on same, with the recommendation that it do pass, with the following amendment: Amend section 1 of Assembly Bill No. 191 by striking from page 2 the words beginning with the word "without" in line 16 and ending with the word "respectively" in line 18, and by striking from page 2 beginning with the word "without" in line 21 and ending with the word "salary" in said line 21, and by adding on page 2, line 21, after the word "case" the following: "without requiring the payment by the plaintiff or plaintiffs of any fees or expenses usually required by law for that purpose." Add on page 2, line 30, after the word "year" a semicolon and the following: *provided, however*, that there shall be included in the cost bill all of the fees and expenses above mentioned, and the amount of the same shall be retained by the officer making the sale, from the proceeds thereof, and shall be paid by him to the office or officer entitled thereto: *provided further*, that if the property is bid in by the plaintiff or plaintiffs, such fees and expenses shall be disregarded."

G. J. KENNY, *Chairman.*

*Mr. Speaker:*

The majority of your Committee on Judiciary has had Assembly Bill No. 166 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

G. J. KENNY, *Chairman.*

*Mr. Speaker:*

The minority of your Committee on Judiciary has had Assembly Bill No. 166 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

L. F. ANDERSON.

*Mr. Speaker:*

Your Committee on Counties and County Boundaries has had Assembly Bills Nos. 162, 173, 177, and Senate Bill No. 71 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

CLYDE P. JOHNSON, *Chairman.*

*Mr. Speaker:*

Your Committee on Roads and Highways has had Assembly Bill No. 255

under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass, with the following amendments:

Amendment No. 1—Amend section 1, page 2, line 6, after the word "fees" by adding the words "provided by this Act."

Amendment No. 2—Amend section 1, page 2, line 19, by striking out paragraph (b) and inserting in lieu thereof the following: "All nonresident owners and/or operators of motor vehicles used or to be used on the public highways of this State in the carrying of persons and/or property for hire, shall be governed by the provisions of all laws of this State pertaining thereto, and shall, in addition to the licenses provided for by this Act, before commencing operations in this State, comply with and secure the licenses provided by the motor vehicle carrier licensing laws of this State."

W. H. GOODIN, *Chairman.*

*Mr. Speaker:*

Your Committee on Military and Indian Affairs has had Assembly Joint Resolution No. 33 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

HUBERT RAYCRAFT, *Chairman.*

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 259, 271, 272, 273, 274, 275, 276, 277, 278, 279 and 280, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Concurrent Resolution No. 10, which this day has been adopted by the Senate.

Also, to present Senate Concurrent Resolution No. 13, which has this day been adopted by the Senate.

Also, Senate substitute for Assembly Bill No. 15, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: On page 1, line 9, insert a bracket preceding the word "provided," and on page 2, line 8, insert the bracket after the word "made."

Also, to return Assembly Bill No. 136, which passed: Yeas, 14; nays, none; absent, 3.

Also, to present Senate Bill No. 17, which passed: Yeas, 14; nays, none; absent, 3.

Also, Senate Bill No. 104, which passed, as amended: Yeas, 15; nays, none; absent, 2. Amend as follows: On page 1, line 4, strike the word "proceeds," and insert the word "moneys." Page 1, line 5, strike the words "money now on." and add the letter "s" to the word deposit." In same line after the word "deposits" insert the following: "to the credit of the State University of Nevada." Also strike the word "Reno."

Also, Senate Bill No. 122, which passed: Yeas, 14; nays, none; absent, 3.

Also, Senate Bill No. 97, which passed: Yeas, 15; nays, none; absent, 1; not voting, 1.

Also, Senate Bill No. 107, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 1, line 8, strike the word "for," and insert in lieu thereof the words "to avoid."

Also, Senate Bill No. 102, which passed, as amended: Yeas, 15; nays, none; absent, 2. Amend as follows: Page 2, line 2, add a letter "s" to the word "board."

Also, Senate Bill No. 105, which passed, as amended: Yeas, 14; nays, none; absent, 2; not voting, 1. Amend title by striking the parentheses, symbol and figures inclosed therein.

Also, Senate Bill No. 113, which passed, as amended: Yeas, 15; nays, none; absent, 2. Amend as follows: Page 1, line 2, change the word "section" to "paragraph."

Also, Senate Bill No. 114, which passed: Yeas, 14; nays, none; absent, 3.

Also, Senate Bill No. 118, which passed, as amended: Yeas, 13; nays, none; absent, 3; not voting, 1. Amend as follows: Page 2, line 32, insert a comma after the figures "1907." Page 2, line 33, strike the word "section" and insert in lieu thereof the word "paragraph." Page 3, line 10, strike the word "section" and insert in lieu thereof the word "paragraph."

Also, Senate Bill No. 76, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 1, line 2, strike the word "section" and insert in lieu thereof the word "paragraph." In same line strike the words "so as." Page 1, line 5, strike the comma after the word "Commissioners" and insert "in any county." Strike out all of line 15 after the word "notice," and all of lines 16, 17 and 18. Page 2, strike out all of line 6 after the word "Commissioners," and strike out all of lines 7, 8, 9, 10 and 11. Page 1, line 30, insert after the word "directed" the words "to repay all said emergency loans and." Also, in same line strike word "whatever" and insert in lieu thereof the words "any other." In same line after comma following word "fund" add "except bond interest and redemption funds and any other fixed funds."

LENA GALE,

*Assistant Secretary of the Senate.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Tandy moved that the Assembly write the honorable Senate to meet in Joint Session tomorrow at 1:30 p. m. to receive the delegation of taxpayers.

Remarks by Mr. Cobb.

Carried.

Mr. Speaker appointed Messrs. Moore, Stewart and Cobb to wait on the Senate.

Mr. Cahlan moved that the Assembly concur in the Senate amendments to Assembly Bill No. 143.

Carried.

Mr. Cahlan moved that the Assembly concur in the Senate amendments to Assembly Bill No. 100.

Carried.

Mr. Tandy moved that all persons who introduce bills after today be required to pay for the printing of such bills and ask unanimous consent.

Mr. Noble amended motion that providing such bills are not enacted into laws.

Remarks by Messrs. Dunseath, Goodin and Taber.

Mr. Moore reported that the committee selected to call on the Senate and extend the invitation to visit the Assembly found the Senate not in session, but the message was delivered to the President of the Senate who accepted the invitation.

On motion of Mr. Dunseath Assembly Bill No. 233 was withdrawn from the Committee on Judiciary.

Mr. Cahlan moved that when the Assembly adjourns it do so until 10 o'clock Tuesday morning.

Carried.

On motion of Mr. Strosnider, Assembly Bill No. 175 was withdrawn from the Committee on Judiciary.



On motion of Mr. Moore, Assembly Bill No. 223 was laid over until the next legislative day.

On motion of Mr. Taber, Assembly Bill No. 225 was laid over until the next legislative day.

On motion of Mr. Black, Senate Bill No. 22 was laid over until the next legislative day.

Without objection all bills reported out of committees were placed on the general file.

Without objection Mr. Speaker signed Senate Bill Nos. 47 and 86, and Senate Joint Resolution No. 17.

#### INTRODUCTION AND FIRST READING

By Mr. Anderson :

Assembly Bill No. 294—An Act to amend an Act entitled “An Act to create judicial districts in the State of Nevada, provide for the election of District Judges therein, fix their salaries and compensations for expenses, and repeal all Acts and parts of Acts in conflict herewith,” approved March, 27, 1929.

Mr. Anderson moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to a Joint Committee on Ways and Means and Labor.

Carried.

By Mr. Taber :

Assembly Bill No. 295—An Act to amend an Act entitled “An Act to regulate the settlement of estates of deceased persons,” approved March 23, 1897, as amended.

Mr. Taber moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Hatton :

Assembly Bill No. 296—An Act to provide for liens in favor of every person or persons licensed to practice medicine, surgery or obstetrics, and of hospitals and other institutions furnishing care, medical treatment and maintenance of persons injured in accidents, upon the right of action, claims and demands of such injured persons against other persons or corporations for damages on account of negligence causing the injuries, and upon the proceeds of the settlements of any such claims or demands.

Mr. Hatton moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 193.

Remarks by Mr. Persson.

Roll call on Assembly Bill No. 193:

YEAS—Messrs. Anderson, Barnes, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Beverly, Murphy and Smith—3.

Assembly Bill No. 193 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 207.

Remarks by Messrs. Cahlan, Kenny, McAuliffe and Dunseath.

Roll call on Assembly Bill No. 207:

YEAS—Messrs. Anderson, Barnes, Beverly, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Lage, McAuliffe, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Roberts and Stewart—27.

NAYS—Messrs. Kenny, Reynolds, Strosnider, Taber and Tandy—5.

Absent—Messrs. Murphy and Smith—2.

Not voting—Messrs. Black, Blundell, Hussman and Wheelwright—4.

Assembly Bill No. 207 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 236.

Remarks by Messrs. Tandy and Dunseath.

Amendment proposed by Mr. Dunseath: Amend section 2 of Assembly Bill No. 236 by adding after the word "Clerk" in line 12, page 1, the following: "one Enrolling Clerk, one Assistant Enrolling Clerk."

Mr. Dunseath moved adoption of amendment.

Carried.

Further discussion by Messrs. Cobb, Hamlin, Tandy and Moore.

Mr. Moore moved that the bill be laid on the table.

Roll call asked for by Messrs. Tandy, Cobb and Black.

Roll called to lay Assembly Bill No. 236 on the table:

YEAS—Messrs. Barnes, Butler, Cahlan, Cobb, Dunseath, Lage, McAuliffe and Malone—8.

NAYS—Messrs. Anderson, Beverly, Black, Blundell, Brown, Bugbee, Cahill, Carroll, Cooper, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Moore, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Stewart, Strosnider, Taber, Tandy and Wheelwright—29.

Absent—Messrs. Murphy and Smith—2.

Not voting—Mr. Speaker.

Motion lost.

Remarks on Assembly Bill No. 236 by Messrs. Dunseath, Tandy, Malone and McAuliffe.

Unanimous consent was given the members to introduce amendments.

Amendment proposed by Mr. Malone: Amend section 4 of Assembly Bill No. 236 by striking out in line 3, page 3, the word "three" and inserting in lieu thereof the word "four."

Mr. Malone moved adoption of the amendment.

Carried.

Amendment proposed by Mr. Dunseath: Amend section 4 of Assembly Bill No. 236, page 3, line 1, by striking out the words "two dollars" and inserting in lieu thereof the words "three dollars."

Mr. Dunseath moved adoption of amendment.

Carried.

Roll call on Assembly Bill No. 236:

YEAS—Messrs. Anderson, Black, Blundell, Brown, Bugbee, Butler, Cahill, Carroll, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Stewart, Strosnider, Taber, Tandy and Wheelwright—31.

NAYS—Messrs. Barnes, Cobb, Lage and McAuliffe—4.

Absent—Messrs. Beverly, Cahlan, Murphy and Smith—4.

Not voting—Mr. Speaker.

Assembly Bill No. 236 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Bill No. 237.

Mr. Heward moved that Assembly Bill No. 237 be indefinitely postponed.

Carried.

Assembly Bill No. 238.

Mr. Heward moved that Assembly Bill No. 238 be indefinitely postponed.

Carried.

Assembly Bill No. 239.

Mr. Heward moved that Assembly Bill No. 239 be indefinitely postponed.

Remarks by Mr. Dunseath.

Mr. Heward withdrew motion.

Remarks by Mr. Cahlan.

Roll call on Assembly Bill No. 239:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Moore, Murphy and Smith—3.

Assembly Bill No. 239 having received a constitutional majority, Mr. Speaker declared it passed.

At 3:19 p. m. house recessed.

## HOUSE IN SESSION

At 3:26 p. m.

Mr. Speaker in the chair.

Quorum present.

## GENERAL FILE AND THIRD READING

Assembly Bill No. 130.

Mr. Speaker asked Mr. Kenny to take the chair.

Mr. Kenny in the chair.

Remarks by Messrs. Malone, Goodin, Cahlan, Brown, Dunseath, Cahill, Tandy, Hatton, Taber and Noble.

Amendment proposed by Mr. Taber: Amend section 3 of Assembly Bill No. 130, on page 2, line 23, by adding the following new sentence at the end of the paragraph: "If said State Board of Examiners refuses to issue any bond required by law to be given by any State or county official in his official capacity, then and then only may such official obtain the necessary surety bond from any surety company of good standing, and in such event such official is authorized and empowered to procure such surety company bond."

Mr. Taber moved adoption of amendment.

Remarks by Messrs. Malone, Taber and Hussman.

Mr. Hussman moved that Assembly Bill No. 130 be rereferred to the Committee on Ways and Means.

Remarks by Messrs. Dunseath, Brown, Noble and Hamlin.

Mr. Hussman withdrew motion.

Amendment lost.

Roll call on Assembly Bill No. 130:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cooper, Dunseath, Ebert, Hamlin, Heward, Hussman, Johnson, Lage, McAuliffe, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Reynolds, Stewart, Roberts, Strosnider, Taber, Tandy and Wheelwright—29.

NAYS—Messrs. Cahill, Cahlan, Carroll, Cobb, Kenny and Murphy—6.

Absent—Messrs. Goodin and Smith—2.

Not voting—Messrs. Anderson, Hatton and Mr. Speaker—3.

Assembly Bill No. 130 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Speaker in the chair.

Assembly Bill No. 118.

Mr. Kenny moved that Assembly Bill No. 118 be placed on the bottom of the file until due consideration is given to Assembly Bill No. 273 introduced by majority of Judiciary Committee.

Remarks by Mr. Anderson.

Carried.

Assembly Bill No. 162.

Remarks by Mr. Murphy.

Roll call on Assembly Bill No. 162:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Cobb, Cooper, Dunseath, Ebert, Goodin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Reynolds, Roberts, Stewart, Strosnider, Taber, Wheelwright and Mr. Speaker—35.

NAYS—None.

Absent—Messrs. Carroll, Hamlin, Raycraft, Smith and Tandy—5.

Assembly Bill No. 162 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 166.

Remarks by Messrs. Anderson and Kenny.

Roll call on Assembly Bill No. 166:

YEAS—Messrs. Anderson, Butler, Carroll, Cooper, Hamlin, Moore and Murphy—7.

NAYS—Messrs. Barnes, Black, Blundell, Brown, Bugbee, Cahlan, Cobb, Dunseath, Ebert, Goodin, Hatton, Kenny, Lage, McAuliffe, Malone, Noble, O'Connor, Raycraft, Roberts, Stewart, Strosnider, Taber and Tandy—23.

Absent—Messrs. Beverly, Reynolds, Smith and Wheelwright—4.

Not voting—Messrs. Cahill, Heward, Hussman, Johnson, Persson and Mr. Speaker—6.

Assembly Bill No. 166 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Assembly Bill No. 173.

Without objection Assembly Bill No. 173 was laid over until the next legislative day, upon motion of Mr. Noble.

Assembly Bill No. 177.

Remarks by Mr. Black.

Roll call on Assembly Bill No. 177:

YEAS—Messrs. Anderson, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Noble, O'Connor, Persson, Raycraft, Roberts, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—33.

NAYS—Mr. Barnes.

Absent—Messrs. Moore, Murphy, Reynolds, Smith, Wheelwright—6.

Assembly Bill No. 177 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 185.

Remarks by Messrs. Black and O'Connor.

Mr. O'Connor moved that Assembly Bill No. 185 be referred to the Committee on Mines and Mining.

Further discussion by Messrs. Black, Bugbee, Dunseath, Hatton and McAuliffe.

Motion lost.

Remarks on Assembly Bill No. 185 by Messrs. Goodin, Black and O'Connor.

Roll call on Assembly Bill No. 185:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Noble, O'Connor, Persson, Raycraft, Roberts, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—33.

NAYS—None.

Absent—Messrs. Anderson, Malone, Moore, Murphy, Reynolds, Smith and Wheelwright—7.

Assembly Bill No. 185 having received a constitutional majority, Mr. Speaker declared it passed.

At 4:59 p. m. Mr. Cahlan moved that the Assembly adjourn until Tuesday, March 7, 1933, at 10 a. m.

Carried.

Approved:

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,

*Chief Clerk of the Assembly.*

## THE FIFTY-FIRST DAY

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CARSON CITY (Tuesday), March 7, 1933.

Assembly called to order at 10 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Mr. Reynolds.

Prayer by Father Smith.

On motion of Mr. Persson the reading of the Journal was dispensed with, and Mr. Speaker and the Chief Clerk were authorized to make any necessary corrections.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Banks and Banking has had Assembly Bills Nos. 266 and 267 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

A. E. CAHLAN, *Chairman.*

*Mr. Speaker:*

Your Committee of Lincoln County Delegation has had Assembly Bill No. 247 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

ROBERT O'CONNOR, *Chairman.*

*Mr. Speaker:*

Your Committee of Mineral County Delegation has had Assembly Bill No. 270 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass with the following amendment: Amend Assembly Bill No. 270 by adding a new section, as follows: Sec. 8. This Act shall take effect upon its passage and approval.

M. C. HAMLIN, *Chairman.*

### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Cahlan moved that Mr. Smith be excused for his absence of yesterday.

Carried.

Mr. Hussman moved that the Assembly concur in the Senate amendments to Assembly Bill No. 119.

Carried.

Upon motion of Mr. Taber, Assembly Bill No. 275 was rereferred to the Committee on Engrossment, with instructions that the printed copy and triplicate be made to conform with the original.

### INTRODUCTION AND FIRST READING

Senate Bill No. 76.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

Senate Bill No. 114.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

Senate Bill No. 102.

Mr. Lage moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to White Pine County Delegation.

Carried.

Senate Bill No. 118.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Corporations and Railroads.

Carried.

Senate Bill No. 17.

Mr. O'Connor moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Corporations and Railroads.

Carried.

Senate Bill No. 97.

Mr. Cahill moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

Senate Bill No. 104.

Mr. Cahill moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

Senate Bill No. 107.

Mr. Cahill moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

Senate Bill No. 122.

Mr. O'Connor moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

Senate Bill No. 105.

Mr. Cahill moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

Senate Bill No. 113.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Education has had Senate Bill No. 48 under consideration, and begs leave to report same without recommendation.

Also, Senate Bills Nos. 73 and 74, and reports favorably on the same, with the recommendation that they do pass.

BOB MOORE, *Chairman.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 13.

Mr. Tandy moved adoption of resolution.

Carried.

Senate Concurrent Resolution No. 10.

Mr. Tandy moved that the resolution be laid on the table.

Carried.

#### GENERAL FILE AND THIRD READING

Senate Bill No. 71.

Roll call on Senate Bill No. 71:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Murphy, Noble, O'Connor, Persson, Raycraft, Roberts, Stewart, Taber and Wheelwright—33.

NAYS—None.

Absent—Messrs. Moore, Reynolds and Strosnider—3.

Not voting—Messrs. Cahlan, Smith, Tandy and Speaker—4.

Senate Bill No. 71 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 87.

Amendment proposed by Nye County Delegation: Amend section 1 of Senate Bill No. 87 by striking from line 8, page 1, the word "fifteen," and substituting therefor the word "twelve."

Mr. Hatton moved adoption of the amendment.

Carried.

Roll call on Senate Bill No. 87:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—33.

NAYS—None.

Absent—Messrs. O'Connor and Reynolds—2.

Senate Bill No. 87 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Senate Bill No. 95.

Remarks by Messrs. Cahill and Persson.



Roll call on Senate Bill No. 95 :

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—38.

NAYS—None.

Absent—Mr. Reynolds.

Not voting—Mr. Cooper.

Senate Bill No. 95 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 22.

Mr. Bugbee moved that Senate Bill No. 22 be referred to the Committee on Mines and Mining.

Mr. Cahill amended motion that it be referred to the Committee on Ways and Means.

Remarks by Messrs. McAuliffe, Bugbee, O'Connor, Cahill, Hamlin and Hatton.

Amendment lost.

Roll call asked for by Messrs. Hussman, Brown and Black.

Roll called :

YEAS—Messrs. Barnes, Beverly, Bugbee, Butler, Cahlan, Cooper, Hamlin, Hatton, Lage, McAuliffe, Malone, Moore, O'Connor, Persson, Raycraft, Roberts, Strosnider and Wheelwright—18.

NAYS—Messrs. Black, Blundell, Brown, Cahill, Carroll, Cobb, Dunseath, Ebert, Goodin, Heward, Hussman, Johnson, Kenny, Murphy, Noble, Stewart, Taber and Tandy—18.

Absent—Mr. Reynolds.

Not voting—Messrs. Anderson, Smith and Mr. Speaker—3.

Remarks by Messrs. Hussman, Black and Hamlin.

Mr. Speaker referred Senate Bill No. 22 to a Joint Committee on Ways and Means and Mines and Mining.

Assembly Bill No. 191.

Amendment proposed by Committee on Judiciary: Amend section 1 of Assembly Bill No. 191 by striking from page 2 the words beginning with the word "without" in line 16 and ending with the word "respectively" in line 18, and by striking from page 2 beginning with the word "without" in line 21 and ending with the word "salary" in said line 21, and by adding on page 2, line 21, after the word "case" the following: "without requiring the payment by the plaintiff or plaintiffs of any fees or expenses usually required by law for that purpose." Add on page 2, in line 30, after the word "year" a semicolon and the following: "*provided, however*, that there shall be included in the cost bill all of the fees and expenses above mentioned, and the amount of the same shall be retained by the officer making the sale, from the proceeds thereof, and shall be paid by him to the office or officer entitled thereto; *provided further*, that if the property is bid in by the plaintiff or plaintiffs, such fees and expenses shall be disregarded."

Mr. Brown moved adoption of amendment.

Remarks by Messrs. Hamlin, Hatton and Cahill.

Carried.

Remarks by Mr. McAuliffe.

Roll call on Assembly Bill No. 191:

YEAS—Messrs. Barnes, Beverly, Blundell, Brown, Bugbee, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Wheelwright—32.

NAYS—Mr. Cahill.

Absent—Mr. Reynolds.

Not voting—Messrs. Anderson, Black, Butler, Hussman, Johnson and Mr. Speaker—6.

Assembly Bill No. 191 having received a constitutional majority, Mr. Speaker declared it passed as amended.

Without objection Mr. Speaker signed Assembly Bill No. 81.

Mr. Dunseath was granted permission to revert to order of business No. 5.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

The majority of your Committee of Washoe County Delegation has had Senate Bill No. 65 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

HARRY DUNSEATH,  
W. H. GOODIN,  
CLYDE P. JOHNSON,  
F. D. BLACK,  
H. E. MALONE.

*Mr. Speaker:*

The minority of your Committee of Washoe County Delegation has had Senate Bill No. 65 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

ERNEST S. BROWN.

#### REPORT OF COMMITTEE REGARDING "LOAN SHARKS"

CARSON CITY, NEVADA, March 7, 1933.

*To the Honorable the Speaker and Members of the Nevada Assembly:*

Your committee delegated to investigate complaints and inquire into conditions concerning so-called "Loan Shark" dealings do respectfully report as follows:

We held a meeting in Reno on Saturday, March 4, 1933, Harry Dunseath being added to the committee by the chairman.

The investigation was carried on under the direction of Chairman Roberts, part of the testimony being taken down and transcribed, which is at the disposition of the Assembly should it be required.

#### FINDINGS

Several of these so-called loan companies were interviewed and your committee found most appalling and shameful conditions existing. As near as we could determine each office is the agency of some foreign concern, but that fact it strenuously endeavors to conceal. They are numerous and apparently flourishing in Reno at the present time, as the law governing such practices is altogether inadequate to meet the situation.

We learned that 120% for six-month loans up to \$100 is considered a mild and reasonable rate of interest by this gentry, the rate being camouflaged by various flimsy devices. Even in the short time at our disposal we learned of an

instance where the victim had been threatened and coerced into paying \$10 on a so-called loan contract that had been canceled many months previous. We relieved this condition forthwith. There is no pretense at uniformity in what these agencies term their contracts, the instrument used being made to fit whatever nefarious business is in hand.

We believe that these gentry are a form of leech that fastens upon society in times of stress, such as the present, and flourish and grow fat on the weaknesses and miseries of certain classes of our people. We concluded from our observations that, in comparison with the practices of these money-lenders, Shylock was a philanthropist.

Upon these findings we recommend that the Legislature immediately enact whatever law is necessary to eradicate this evil, affixing severe fines and imprisonment for its violation.

Respectfully submitted,

A. BLUNDELL,  
W. H. GOODIN,  
J. H. HEWARD,  
HARRY DUNSEATH,  
W. H. ROBERTS.

Upon motion of Mr. Dunseath the report was received and filed for future reference.

Mr. Moore reported that the select committee to wait on the Senate had extended the invitation to sit with the Assembly, and that the Senate would report later on whether or not they would accept it.

Upon motion of Mr. Moore the committee was discharged.

At 11:15 a. m. house recessed.

#### HOUSE IN SESSION

At 11:31 a. m.

Mr. Speaker in the chair.

Quorum present.

Senator Henderson, speaking for the committee from the Senate, accepted the invitation to meet in Joint Session at 1:30 p. m.

Without objection Mr. Speaker signed Senate Bill No. 61.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your committee, the undersigned, in compliance with Assembly Resolution No. 16 begs leave to report that on February 25, 1933, we visited the Nevada School of Industry at Elko, Nevada.

Your committee made a thorough investigation of the institution, its books, records, accounts and expenditures, as well as its general management and the conditions of its inmates.

We find that prior to the present administration at the school, that it was improperly managed and that a number of irregularities existed; that the present superintendent was required to pay about \$12,000 incurred by his predecessor; that no proper system of bookkeeping was had and the affairs of the institution in general were unsatisfactory.

We feel that this condition existed to a great extent to a lack of proper supervision by the Board of Governors of the school.

Under the present Superintendent, Hampton Brady, we observe a business-like administration, that the inmates are well cared for and keep busily engaged at some gainful occupation, which is helping them gain experience which will be of great benefit to them in their future years. The boys are all

satisfied, and take a keen interest in their work and feel they have a real home there.

We find the Superintendent and his wife act as a real father and mother to the boys, and have their good will and respect.

The food and lodgings furnished the inmates are clean and wholesome. The boys are all healthy and their deportment and morale are good.

They have wholesome exercise and amusement. The manager of the Elko Theater is very generous and allows them free entertainment twice a week. They engage in baseball and basket ball, competing with other teams in the vicinity, and are looked upon as any other school team.

We find the boys are receiving very useful academic training at the school under the supervision of the instructors there. We do, however, recommend that this academic branch be placed under the supervision of the Department of Education, in which view the Superintendent concurs.

We urge that the Board of Governors make monthly investigation of the school and report quarterly their findings to the Governor.

There are now twenty-four inmates in the school committed by the State of Nevada, and eight committed by the Federal Government. The Federal Government pays one dollar a day for each inmate it has committed there, and this reduces the per capita costs of the school.

There is one girl committed by the State to the institution and she has been sent to the State Industrial School at Ogden, Utah, for which keep the School of Industry pays one dollar per day.

It may be well to allay the erroneous idea that the land on which the school is located is held subject to a reversionary reservation; such is not the case as we looked up the records in the office of the Recorder of Elko County and find its title to the State of Nevada in fee simple.

The required sum of money to maintain the school for the biennial 1933-1934 will be \$31,386.50, in contrast with the 1931-1933 appropriation of \$50,100, \$4,000 of which was for developing an ample water supply for the school.

Your committee proceeded to Ogden, Utah, where we visited and inspected the State Industrial School there; and found the latter school was conducted in an efficient and commendable manner, under Superintendent F. A. Child; nevertheless, we feel, under the present supervision of the Nevada school, that no advantage will come to Nevada by the discontinuance of our own institution.

We find, after comparing figures with the Ogden school, that it will cost \$15,000 per year to maintain our charges there on the present basis.

We recommend that a copy of this report be filed in the office of the Governor.

FRED S. ALWARD,  
G. J. KENNY,  
J. R. REYNOLDS.

Mr. Kenny moved adoption of report.

Mr. Tandy moved that the report be received and placed on the file, and that the recommendations of the committee be carried out.

Mr. Kenny withdrew motion.

Carried.

Mr. Cahlan moved that when the Assembly adjourns it do so until 10 a. m. Wednesday.

Carried.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 250.

Remarks by Messrs. Carroll and Cobb.

Roll call on Assembly Bill No. 250:

YEAS—MESSRS Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor,

Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Wheelwright and Mr. Speaker—34.

NAYS—None.

Absent—Messrs. Goodin, Reynolds and Tandy—3.

Not voting—Messrs. Cahill, Hamlin and Hatton—3.

Assembly Bill No. 250 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Tom Bradshaw, former Assemblyman from Lyon County, was escorted to the Speaker's desk.

Assembly Bill No. 251.

Remarks by Messrs. Carroll, Tandy and Moore.

Roll call on Assembly Bill No. 251:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Bugbee, Butler, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Heward, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider and Taber—29.

NAYS—Messrs. Brown, Hatton and Tandy—3.

Absent—Messrs. Goodin and Reynolds—2.

Not voting—Messrs. Cahill, Hamlin, Hussman, Noble, Wheelwright and Mr. Speaker—6.

Assembly Bill No. 251 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 252.

Remarks by Mr. Carroll.

Roll call on Assembly Bill No. 252:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Bugbee, Butler, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Heward, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Taber and Wheelwright—29.

NAYS—Messrs. Brown, Hatton, Strosnider and Tandy—4.

Absent—Messrs. Goodin and Reynolds—2.

Not voting—Messrs. Cahill, Hamlin, Hussman, Noble and Mr. Speaker—5.

Assembly Bill No. 252 having received a constitutional majority, Mr. Speaker declared it passed.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copy of Assembly Bill No. 275 has been corrected so that original, triplicate and printed copy hereto attached, are correct.

DOUG. H. TANDY, *Chairman.*

At 12 m. house recessed until 1:30 p. m.

#### HOUSE IN SESSION

At 1:30 p. m.

Mr. Speaker in the chair.

Quorum present.

#### IN JOINT SESSION

The members of the Senate appeared at the bar of the Assembly, were welcomed by the Speaker, and invited to take seats with the

members of the Assembly. The President of the Senate was escorted to the Speaker's chair to preside over the Joint Session.

Mr. Hunter, representing the Nevada Taxpayers Association, was escorted to the Speaker's desk.

Roll call of the Assembly by the Chief Clerk:

Present—Messrs. Anderson, Barnes, Blundell, Brown, Bugbee, Butler, Cahlan, Cobb, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Kenny, Lage, Malone, Murphy, Raycraft, Roberts, Stewart, Taber, Tandy, Wheelwright and Mr. Speaker—25.

Absent—Messrs. Beverly, Black, Cahill, Carroll, Cooper, Hussman, Johnson, McAuliffe, Moore, Noble, O'Connor, Persson, Reynolds, Smith and Strosnider—15.

A constitutional quorum was declared present.

Roll call of the Senate by the Secretary of the Senate.

All members of the Senate were present.

Senator Henderson moved that the Senate and Assembly resolve themselves into a Committee of the Whole.

Carried.

Remarks by Honorable John J. Hunter, President of the Nevada Taxpayers Association; Mr. George Russell, cattleman of Lander County; Senator Richard Cowles, livestock man of Washoe County; Mr. Frank Simpson, rancher from Lyon County; Mr. Sam White, rancher from Fernley; Senator Fred Dangberg, of Douglas County; Mr. George Fuerman, of Storey County; Mr. L. F. Hatch, of Farm Loan Board, Elko County.

Senator Henderson moved that a vote of appreciation and thanks be extended to President Hunter and the other speakers.

Carried.

Senator Henderson moved, seconded by Senator Marsh, that the Committee of the Whole do now arise.

Carried.

On motion of Senator Henderson, seconded by Mr. Raycraft, the plan submitted by the Nevada Taxpayers Association was referred to a Joint Committee of the Assembly Ways and Means and the Senate Ways and Means Committees, copies ordered printed, and a report to be made by the committee next Monday, March 13, 1933.

On motion of Senator Henderson the report of the Committee of the Whole was adopted.

At 2:30 p. m. the Joint Session of Senate and Assembly was dissolved upon motion of Senator Henderson, seconded by Mr. Moore.

#### HOUSE IN SESSION

At 2:48 p. m.

Mr. Speaker in the chair.

Quorum present.

## MOTIONS, RESOLUTIONS AND NOTICES

On motion of Mr. Dunseath, Senate Bill No. 65 was placed on top of the file for third reading and final passage.

## INTRODUCTION AND FIRST READING

By Mr. Heward (by request):

Assembly Bill No. 297—An Act regulating the office hours of Justices of the Peace in the State of Nevada, and providing a penalty for the violation hereof.

Mr. Heward moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Committee on Contingent Expenses and Accounts:

Assembly Bill No. 298—An Act establishing the legal rate of interest, defining usury, providing a penalty therefor, and other matters relating thereto.

Mr. Roberts moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

Mr. Kenny was granted permission to revert to order of business No. 4.

## REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Judiciary has had Assembly Bill No. 249 and Senate Bill No. 113 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

Also, Assembly Bill No. 275, and reports favorably on the same, with the recommendation that it do pass, with the following amendment: Amend section 1, page 1, line 6, by striking out the word "July," and insert in lieu thereof the word "August."

Also, Assembly Bill No. 277, and reports unfavorably on the same, with the recommendation that it do not pass.

Also, Senate Bill No. 114, and reports favorably on the same, with the recommendation that it do pass with the following amendment: Amend section 1, page 1, line 17, by striking out the word "six," and insert in lieu thereof the words "seven dollars and fifty cents."

G. J. KENNY, *Chairman.*

*Mr. Speaker:*

Your Committee of Lincoln County Delegation has had Assembly Bill No. 142 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass, with the attached amendments: Amend section 2 of Assembly Bill No. 142 by inserting the word "and" following the word "administrators" in line 12, page 1; insert a period instead of a comma following the word "auditor" in said line 12, and strike out balance of section. Amend section 5 of Assembly Bill No. 142 by striking period at end of section, page 2, line 22, insert semicolon, and add: "provided, actual mileage necessarily traveled by emergency Deputy Sheriffs in performance of duty within the county may be allowed and paid in an amount not in excess of seven and one-half cents per mile if claim for same receives the unanimous written approval of the County Commissioners."

ROBERT O'CONNOR,  
WILLARD W. SMITH.

*Mr. Speaker:*

Your Committee composed of Elko County Delegation has had Assembly Bill No. 275 under consideration, and reports it out favorably, with the recommendation that it do pass.

ELKO COUNTY DELEGATION.

MOTIONS, RESOLUTIONS AND NOTICES

On motion of Mr. Kenny all bills reported out of committees were placed on the general file for third reading and final passage.

On motion of Mr. Smith, all rules were suspended, Assembly Bill No. 142 was considered an emergency measure, considered engrossed, and placed on top of the file for third reading and final passage.

GENERAL FILE AND THIRD READING

Senate Bill No. 65.

Remarks by Messrs. Brown, Cahill, Dunseath, Black, Goodin and McAuliffe.

Roll call on Senate Bill No. 65:

YEAS—Messrs. Brown, Cahill, Cobb and Hussman—4.

NAYS—Messrs. Barnes, Black, Blundell, Butler, Carroll, Dunseath, Ebert, Goodin, Heward, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Noble, O'Connor, Persson, Roberts, Smith and Strosnider—21.

Absent—Mr. Bugbee.

Not voting—Messrs. Anderson, Beverly, Cahlan, Cooper, Hamlin, Hatton, Murphy, Rayercraft, Reynolds, Stewart, Taber, Tandy, Wheelwright and Mr. Speaker—14.

Senate Bill No. 65 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

On motion of Mr. Moore Assembly Bill No. 223 was withdrawn.

On motion of Mr. Moore Assembly Bill No. 135 was laid over until the next legislative day.

Mr. Anderson moved that Assembly Bill No. 118 be laid over until the next legislative day.

Carried.

Without objection Assembly Bill No. 255 was placed on the bottom of the file, on motion of Mr. Goodin.

Assembly Bill No. 142.

Amendments proposed by Lincoln County Delegation: Amend section 2 of Assembly Bill No. 142 by inserting the word "and" following the word "administrators" in line 12, page 11; insert a period instead of a comma following the word "auditor" in said line 12, and strike out balance of section.

Mr. Smith moved adoption of amendment.

Carried.

Amend section 5 of Assembly Bill No. 142 by striking period at end of section, page 2, line 22, insert semicolon and add: "*provided*, actual mileage necessarily traveled by emergency Deputy Sheriffs in performance of duty within the county may be allowed and paid



in an amount not in excess of seven and one-half cents per mile if claim for same receives the unanimous written approval of the County Commissioners."

Mr. Smith moved adoption of amendment.

Carried.

Remarks by Messrs. Smith and O'Connor.

Roll call on Assembly Bill No. 142:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Brown, Butler, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—36.

NAYS—None.

Absent—Messrs. Blundell, Bugbee, Cahill and Moore—4.

Assembly Bill No. 142 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Bill No. 256.

Remarks by Messrs. McAuliffe, Kenny, Smith and Tandy.

On motion of Mr. McAuliffe Assembly Bill No. 256 was withdrawn.

Assembly Bill No. 262.

Remarks by Mr. Black.

Roll call on Assembly Bill No. 262:

YEAS—Messrs. Black, Blundell, Brown, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Johnson, Kenny, Lage, Murphy, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—31.

NAYS—Messrs. Barnes and Beverly—2.

Absent—Messrs. Anderson, Bugbee, Hussman, McAuliffe, Malone, Moore and Reynolds—7.

Assembly Bill No. 262 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 173.

Amendment proposed by Mr. Kenny: Amend section 1 of Assembly Bill No. 173 by striking out on page 1, line 10, the word "twenty," and insert in lieu thereof the word "forty."

Mr. Kenny moved adoption of the amendment.

Remarks by Messrs. Kenny, Hamlin and Taber.

Motion lost.

Amendment proposed by Mr. Kenny: Strike out on page 2, line 7, the word "twenty," and insert in lieu thereof the word "forty."

Mr. Kenny moved adoption of amendment.

Remarks by Mr. Hamlin.

Motion lost.

Amendment proposed by Mr. Kenny: Amend section 2 of Assembly Bill No. 173 by striking out on page 3, line 32, the words "immediately upon its passage and approval," and insert in lieu thereof the words "from and after April 1, 1933."

Mr. Kenny moved adoption of amendment.

Carried.

Roll call on Assembly Bill No. 173:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—36.

NAYS—None.

Absent—Messrs. Bugbee, Moore, Murphy and Reynolds—4.

Assembly Bill No. 173 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

At 3:55 p. m. house recessed.

### HOUSE IN SESSION

At 4:05 p. m.

Mr. Speaker in the chair.

Quorum present.

### GENERAL FILE AND THIRD READING

Assembly Bill No. 225.

Amendments proposed by Mr. Taber: Amend section 2 of Assembly Bill No. 225, page 1, line 7, by inserting the word "issue" after the word "bond" on said line.

Mr. Taber moved the adoption of the amendment.

Carried.

Amend section 2 of Assembly Bill No. 225 on page 1, line 12, by inserting the following words: "or the spouses of real estate property owners" after the word "property" in said line.

Mr. Taber moved the adoption of the amendment.

Carried.

Without objection the name of Mr. Moore was added to the bill as one of the introducers.

Remarks by Messrs. Taber, Smith, Kenny, Hussman, Hatton and Hamlin.

Roll call on Assembly Bill No. 225:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Butler, Cahill, Cahlan, Carroll, Cobb, Dunseath, Ebert, Goodin, Hatton, Heward, Hussman, Johnson, Kenny, McAuliffe, Malone, Murphy, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber and Tandy—32.

NAYS—Messrs. Hamlin, Lage and Reynolds—3.

Absent—Messrs. Bugbee, Moore and Wheelwright—3.

Not voting—Messrs. Cooper and Mr. Speaker—2.

Assembly Bill No. 225 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Joint Resolution No. 29.

Mr. Taber moved that Assembly Joint Resolution No. 29 be rereferred to the Committee on Live Stock.

Remarks by Messrs. Dunseath and Stewart.

Carried.

Assembly Joint Resolution No. 28.

Remarks by Messrs. Cahill, Strosnider and Hatton.

Roll call on Assembly Joint Resolution No. 28:

YEAS—Messrs. Ebert, Hamlin, Lage, Malone, Murphy and O'Connor—7.

NAYS—Messrs. Anderson, Barnes, Beverly, Brown, Butler, Cahill, Cahlan, Carroll, Dunseath, Hussman, Johnson, Kenny, McAuliffe, Noble, Raycraft, Roberts, Smith, Stewart and Taber—19.

Absent—Messrs. Bugbee, Cobb, Moore and Persson—4.

Not voting—Messrs. Black, Blundell, Cooper, Goodin, Hatton, Heward, Reynolds, Tandy, Wheelwright and Mr. Speaker—10.

Assembly Joint Resolution No. 28 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Mr. Smith gave notice that on the next legislative day he would ask reconsideration of the vote taken on Assembly Joint Resolution No. 28.

A telegram from the Citizens' Welfare League of Yerington, Nevada, was read and filed for future reference.

Remarks by Messrs. Tandy and Cobb.

Without objection Assembly Joint Resolution No. 27 was laid over until next legislative day.

Assembly Joint Resolution No. 30.

Upon motion of Mr. Hamlin, Assembly Joint Resolution No. 30 was withdrawn.

Assembly Joint Resolution No. 33.

Remarks by Mr. Smith.

Roll call on Assembly Joint Resolution No. 33:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Stro-snyder, Taber, Tandy and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Bugbee, Moore and Wheelwright—3.

Assembly Joint Resolution No. 33 having received a constitutional majority, Mr. Speaker declared it passed.

At 4:55 p. m., upon motion of Mr. Cahlan, Assembly adjourned until Wednesday, March 8, 1933, at 10 a. m.

Approved:

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,

*Chief Clerk of the Assembly.*

## THE FIFTY-SECOND DAY

---

CARSON CITY (Wednesday), March 8, 1933.

Assembly called to order at 10 a. m.

Mr. Speaker in the chair.

Roll called.

All present.

Prayer by Father Smith.

On motion of Mr. Persson the reading of the Journal was dispensed with, and Mr. Speaker and the Chief Clerk were authorized to make any necessary corrections.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Enrollment has carefully compared Assembly Enrolled Bills Nos. 81 and 94, Assembly Joint Resolution No. 34, and Assembly Joint Memorial No. 32 with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. H. BARNES, *Chairman.*

*Mr. Speaker:*

Your Committee on Live Stock has had Assembly Bill No. 199 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass with amendments: Amend section 1 of Assembly Bill No. 199, page 2, by inserting in line 6 after the words "may be" the following: "for the purposes of this Act vested right holders to stock water use shall, so far as the period of use is concerned, include all persons who initiated use of the stock water concerned at any time within two years prior to enactment of this Act." Amend section 1, page 2, of Assembly Bill No. 199 by striking out the semicolon in line 10 after the word "necessity," and insert a period. Strike out the remainder of line 10, also lines 11, 12, 13, 14, 15 and 16.

L. F. ANDERSON, *Chairman.*

Without objection Mr. Speaker signed Senate Concurrent Resolution No. 13 and Senate Bills Nos. 71, 87, 93 and 95.

### GENERAL FILE AND THIRD READING

Senate Bill No. 48.

Roll call on Senate Bill No. 48:

YEAS—None.

NAYS—Messrs. Anderson, Barnes, Beverly, Brown, Bugbee, Butler, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Heward, Hussman, Johnson, Kenny, McAuliffe, Malone, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Strosnider and Wheelwright—27.

Absent—Messrs. Hamlin, Stewart and Taber—3.

Not voting—Messrs. Black, Blundell, Cahill, Hatton, Lage, Moore, Murphy, Reynolds, Tandy and Mr. Speaker—10.

Senate Bill No. 48 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Senate Substitute for Senate Bill No. 73.

Remarks by Messrs. Moore and Malone.

Roll call on Senate Substitute for Senate Bill No. 73:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Tandy, Wheelwright and Mr. Speaker—39.

NAYS—None.

Absent—Mr. Taber.

Senate Substitute for Senate Bill No. 73 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 74.

Mr. Cahlan moved that Senate Bill No. 74 be laid on the table.

Carried.

Senate Bill No. 113.

Roll call on Senate Bill No. 113:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Wheelwright and Mr. Speaker—38.

Absent—Mr. Hussman.

NAYS—None.

Not voting—Mr. Tandy.

Senate Bill No. 113 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 114.

Mr. Dunseath moved that Senate Bill No. 114 be laid on the table.

Carried.

Assembly Bill No. 247.

Remarks by Mr. O'Connor.

Roll call on Assembly Bill No. 247:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Lage, McAuliffe, Malone, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—38.

NAYS—None.

Absent—Messrs. Kenny and Moore—2.

Assembly Bill No. 247 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 249.

Remarks by Mr. Carroll.

Roll call on Assembly Bill No. 249:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Murphy, Noble,

O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—38.

NAYS—None.

Absent—Messrs. Hamlin and Moore—2.

Assembly Bill No. 249 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 266.

Remarks by Messrs. Brown, Hussman, Dunseath, Hamlin and Cahlan.

Roll call on Assembly Bill No. 266 :

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—37.

NAYS—None.

Absent—Mr. Moore.

Not voting—Messrs. Cobb and Cooper—2.

Assembly Bill No. 266 having received a constitutional majority, Mr. Speaker declared it passed.

At 10:53 a. m. house recessed.

#### HOUSE IN SESSION

At 11 a. m.

Mr. Speaker in the chair.

Quorum present.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 268, 287, 286, 285, 284, 283 and 281, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

#### SPECIAL ORDER OF BUSINESS

Assembly Bill No. 169.

Bill read third time.

Mr. Smith moved that Assembly Bill No. 169 be indefinitely postponed.

Discussion by Messrs. Cahill, Smith and Hussman.

Mr. Smith withdrew motion.

Remarks by Messrs. Anderson, Hussman, O'Connor, Stewart, Cahill, Hatton, Tandy, Taber and Smith.

Roll call on Assembly Bill No. 169 :

YEAS—Messrs. Anderson and Cahill—2.

NAYS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahlan, Carroll, Cooper, Ebert, Hamlin, Hatton, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Wheelwright—31.

Not voting—Messrs. Cobb, Dunseath, Goodin, Heward, Johnson, Murphy and Mr. Speaker—7.

Assembly Bill No. 169 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Assembly Bill No. 267.

Remarks by Mr. Brown.

Roll call on Assembly Bill No. 267 :

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—35.

NAYS—None.

Absent—Messrs. Johnson, Malone, Smith and Wheelwright—4.

Not voting—Mr. Cooper.

Assembly Bill No. 267 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 270.

Amendment proposed by Mr. Hamlin: Amend Assembly Bill No. 270 by adding a new section as follows: SEC. 8. This Act shall take effect on its passage and approval.

Mr. Hamlin moved adoption of amendment.

Carried.

Remarks by Mr. Hamlin.

Roll call on Assembly Bill No. 270 :

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Johnson, Malone and Smith—3.

Assembly Bill No. 270 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Bill No. 273.

Mr. Taber moved that Assembly Bill No. 273 be made a special order of business for 2 p. m.

Carried.

At 11 : 55 house recessed until 2 p. m.

## HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the chair.

Quorum present.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Ways and Means has had Senate Bills Nos. 76, 97, 105 and 107 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

J. H. CAHILL, *Chairman.*

*Mr. Speaker:*

Your Committee on Enrollment has carefully compared Assembly Enrolled Bill No. 242 with the engrossed copy, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. H. BARNES, *Chairman.*

*Mr. Speaker:*

Your Committee on Labor has had Assembly Bill No. 265 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

Also, Assembly Bill No. 269, and reports the same without recommendation.

PAT McAULIFFE, *Chairman.*

*Mr. Speaker:*

The majority of your Committee on Education has had Assembly Bill No. 47 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

M. C. HAMLIN, ROY PERSSON,  
WILLIAM F. TABER, BOB MOORE.

*Mr. Speaker:*

The minority of your Committee on Education has had Assembly Bill No. 47 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

H. E. MALONE.

*Mr. Speaker:*

Your Committee on Education has had Assembly Bill No. 264 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

BOB MOORE, *Chairman.*

#### SPECIAL ORDER OF BUSINESS

Assembly Bill No. 273.

Bill read third time.

Amendment proposed by Committee on Judiciary: Amend section 1, page 1, line 6, by striking out the word "July," and insert in lieu thereof the word "August."

Mr. Kenny moved adoption of amendment.

Amendment proposed by Mr. Taber: Amend section 1 of Assembly Bill No. 273 in line 13 by adding the following new sentence at the end of the paragraph: "Every applicant within ninety days after receiving notice of the result of his examination is hereby given the right to appeal to the Supreme Court of the State of Nevada from the decision rendered by said Board of Bar Examiners on his examination; and in case of each such appeal it shall be the duty of the Supreme Court to pass upon the answers given by the applicant to the questions propounded to such applicant by said board, and the Supreme Court in its discretion may further examine said applicant, and is hereby authorized and empowered to either grant or refuse to grant to the applicant a license to practice law in the State of Nevada."

Mr. Taber moved adoption of amendment.

Remarks by Messrs. Kenny, Taber, Smith, Brown, Hamlin and Cahlan.

Roll call on Mr. Taber's amendment asked for by Messrs. McAuliffe, Smith and Persson.

Roll called:

YEAS—Messrs. Anderson, Barnes, Butler, Cahill, Cahlan, Carroll, Cooper, Hamlin, Murphy, O'Connor, Reynolds, Roberts, Smith, Taber and Tandy—15.

NAYS—Messrs. Blundell, Brown, Bugbee, Dunseath, Ebert, Hussman, Kenny, McAuliffe, Malone, Noble, Raycraft, Strosnider and Wheelwright—13.

Absent—Mr. Cobb.

Not voting—Messrs. Beverly, Black, Goodin, Hatton, Heward, Johnson, Lage, Moore, Persson, Stewart and Mr. Speaker—11.



Amendment adopted.

Amendment proposed by Mr. Strosnider: Amend section 23a of Assembly Bill No. 273 by adding a new paragraph: "*Provided, however, that in the event that said board fail to give such examination as above set out, it shall be the duty of the Supreme Court to examine the qualified applicants within thirty days after the above-mentioned examination periods, and to admit or deny such applicants without recommendation of the State Bar.*"

Mr. Strosnider moved adoption of amendment.

Remarks by Messrs. Kenny and Strosnider.

At 2:40 p. m. house recessed.

### HOUSE IN SESSION

At 2:45 p. m.

Mr. Speaker in the chair.

Quorum present.

Mr. Strosnider withdrew amendment.

Amendment proposed by Mr. Anderson: Amend Assembly Bill No. 273 by adding thereto the following new section: SEC. 2. The above-entitled Act is further amended by adding thereto another new section, to be known as section 24b, which section shall read as follows: Section 24b. The Supreme Court of the State of Nevada shall, at least five days before each examination, submit to said Board of Bar Examiners a full and complete list of the questions to be propounded to each applicant at the ensuing bar examination, and such board shall submit each of such questions and none others to each applicant.

Mr. Anderson moved adoption of amendment.

Discussion by Messrs. Hatton and Taber.

Motion lost.

Remarks by Mr. Kenny.

Roll call on Assembly Bill No. 273:

YEAS—Messrs. Barnes, Cahlan, Hamlin, Murphy, O'Connor, Reynolds and Smith—7.

NAYS—Messrs. Anderson, Blundell, Brown, Bugbee, Carroll, Dunseath, Ebert, Goodin, Kenny, Moore, Noble, Roberts, Stewart, Strosnider, Taber and Wheelwright—16.

Absent—Messrs. Beverly, Cobb, Lage and McAuliffe—4.

Not voting—Messrs. Black, Butler, Cahill, Cooper, Hatton, Heward, Hussman, Johnson, Malone, Persson, Raycraft, Tandy and Mr. Speaker—13.

Assembly Bill No. 273 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Mr. Taber gave notice that on the next legislative day he would move for a reconsideration of the vote on Assembly Bill No. 273.

Assembly Bill No. 275.

Remarks by Mr. Taber.

Roll call on Assembly Bill No. 275:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin,

Hatton, Heward, Hussman, Johnson, Kenny, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Stro-sneider, Taber, Tandy, Wheelwright and Mr. Speaker—39.

NAYS—None.

Absent—Mr. Lage.

Assembly Bill No. 275 having received a constitutional majority, Mr. Speaker declared it passed.

Judge J. Emmett Walsh of the Fifth Judicial District was escorted to the Speaker's desk.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 296, 295, 293, 292, 291, 290, 289 and 282, and Assembly Substitute for Assembly Bill No. 195, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

Assembly Bill No. 277.

Mr. Cahlan moved that Assembly Bill No. 277 be indefinitely postponed.

Carried.

Assembly Bill No. 118.

Remarks by Messrs. Anderson, Hatton and Taber.

Roll call on Assembly Bill No. 118:

YEAS—Messrs. Anderson, Cobb, Murphy, O'Connor, Reynolds, Smith and Taber—7.

NAYS—Messrs. Barnes, Blundell, Brown, Bugbee, Cahill, Carroll, Dunseath, Ebert, Goodin, Hamlin, Hatton, Hussman, Kenny, McAuliffe, Malone, Noble, Persson, Roberts, Stewart, Stro-sneider, Tandy and Wheelwright—22.

Absent—Messrs. Lage and Moore—2.

Not voting—Messrs. Beverly, Black, Butler, Cahlan, Cooper, Heward, Johnson, Raycraft and Mr. Speaker—9.

Assembly Bill No. 118 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 255.

Upon motion of Mr. Goodin, Assembly Bill No. 255 was laid over until the next legislative day.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Ways and Means has had Senate Bill No. 104 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

J. H. CAHILL, *Chairman.*

*Mr. Speaker:*

Your Committee on Roads and Highways has had Assembly Bill No. 153 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass, with the following amendments:

Amendment No. 1—Page 3, line 31, insert after the word "public" the following: "But shall not include that portion of highways under construction or reconstruction."

Amendment No. 2—Page 4, line 6, insert the following after the word "Nevada": "Nor to city licensed taxicabs operating within a ten-mile radius of

the limits of a city or town; nor to the city or town draymen operating within a two-mile radius of the limits of a city or town."

Amendment No. 3—Page 4, lines 8 and 9, eliminate the words "bona fide agent or."

Amendment No. 4—Page 4, line 11, insert after the word "school" the words: "or to the transportation of highway contractor's own equipment in his own motor vehicle from job to job wholly within the confines of this State; or to the transportation of ore or minerals in the producer's own vehicle; *provided, however, only one vehicle with an unladen weight not exceeding 10,000 pounds shall be exempted for the transportation of ore or minerals or mining supplies; or to the operation of a privately owned truck in personal services as distinguished from those using the highways in a gainful occupation shall be exempted; provided, however, this exemption shall be limited to one such vehicle not exceeding an unladen weight of five thousand pounds.*"

Amendment No. 6—Page 7, line 4, insert after the word "policy" the words "or bond."

Amendment No. 7—Page 8, line 4, insert after the word "policy" the words "or bond."

Amendment No. 8—Pages 9 and 10, eliminate all of section 16, and substitute the following: "In issuing the licenses provided in section 18, the Public Service Commission shall require, within such time and in such amounts as it may designate, the filing with the Commission in form required and approved by the Commission of a liability insurance policy or bond of a surety and bonding company or other surety, in such reasonable sum as the Commission may deem necessary to adequately protect the interests of the public and the public safety, and which liability insurance policy or bond of a surety and bonding company or other surety shall bind the obligors thereunder to pay the compensation for injuries to third persons or for loss or damage to their property resulting from the negligent operating of such carrier."

Amendment No. 9—Page 11, line 5, substitute for the words and numbers "fifty (\$50) dollars" the words and numbers "twenty (\$20) dollars."

Amendment No. 10—Page 11, line 6, substitute for the words and numbers "thirty (\$30) dollars" the words and numbers "twenty (\$20) dollars."

Amendment No. 11—Page 11, line 7, substitute for the words and numbers "fifty (\$50) dollars" the words and numbers "twenty (\$20) dollars."

Amendment No. 12—Page 11, line 9, substitute the word "two" for the word "one," and add "s" to the word "unit."

Amendment No. 13—Page 11, line 12, substitute for the words and numbers "fifty (\$50) dollars" the words and numbers "twenty (\$20) dollars."

Amendment No. 14—Page 11, lines 21-29, eliminate all of line 21 to 29, inclusive, and substitute the following: "Up to five hundred (500) pounds, weighing up to 18,000 pounds unladen, a fee of one and  $\frac{5}{100}$  (\$1.50) dollars per hundred pounds or major fraction thereof; all motor vehicles weighing over 18,001 pounds unladen, a fee of two and  $\frac{5}{100}$  (\$2.50) dollars per hundred pounds."

Also, Assembly Bill No. 263, and reports favorably on the same, with the recommendation that it do pass.

W. H. GOODIN, *Chairman.*

*Mr. Speaker:*

Your Committee on Education has had Assembly Bill No. 271 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

BOB MOORE, *Chairman.*

Mr. Tandy moved that the amendments to Assembly Bill No. 153 be printed.

Carried.

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 52, which has this day passed the Senate, as amended, by

the following vote: Yeas, 17; nays, none. Amend as follows: Page 1, lines 1 and 2, substitute the word "paragraph" for the word "section." In line 3, strike the words "so as." Page 2, line 9, strike the word "seven," and insert in lieu thereof the words "seven and one-half." In line 1 of the title, after the first word "amend" strike the remainder of the line. At the beginning of line 2 place a double quotation mark, also after the word "herewith." In line 8 of the title, after the figures "1928" strike a comma and insert a period in lieu thereof, and strike the remainder of the title.

Also, to inform you that the Senate has concurred in the Assembly amendments to Senate Bill No. 87.

Also, to present Senate Bill No. 99, which passed, as amended: Yeas, 12; nays, 5. Amend section 1, page 1, line 13 of the printed bill, by inserting a comma after the word "power," strike the word "or" after said comma, and insert the words "or water" after the comma following the word "light."

Also, Senate Bill No. 108, which passed, as amended: Yeas, 15; nays, 2. Amend as follows: Page 1, lines 1 and 2, strike the word "section," and insert in lieu thereof the word "paragraph."

Also, Senate Bill No. 109, which passed, as amended: Yeas, 17; nays, none. Amend as follows: Page 1, lines 1 and 2, strike the word "section," and insert in lieu thereof the word "paragraph." In same line strike the words "so as."

LENA GALE,

*Assistant Secretary of the Senate.*

#### MOTIONS, RESOLUTIONS AND NOTICES

By Mr. Cahill:

Assembly Concurrent Resolution No. 11, relative to an investigation of expenditures of relief funds in the State of Nevada.

WHEREAS, It has come to the attention of members of this Legislature that considerable sums of money lent to the State of Nevada by government agencies, which the State of Nevada must repay, is being used for the relief of persons who are not entitled to the same; and

WHEREAS, It is reported that evidences of such improper relief can be obtained in the city of Reno; now, therefore, be it

*Resolved by the Assembly of the State of Nevada, the Senate concurring,* That a committee consisting of two members of the Assembly and two members of the Senate, to be appointed respectively by the Speaker of the Assembly and the President of the Senate, be appointed to determine whether or not there are any improper diversions of relief funds to persons not entitled to it; and be it further

*Resolved,* That this committee make proper investigation thereof, and report to the Legislature on or before the 14th day of March, 1933.

Mr. Cahill moved adoption of amendment.

Carried.

Mr. Smith moved that the vote taken on Assembly Joint Resolution No. 28 yesterday be reconsidered.

Remarks by Messrs. Smith, Dunseath and Cahlan.

Motion lost.

Upon motion of Mr. Strosnider, Assembly Joint Resolution No. 27 was withdrawn.

Mr. Cahlan moved that when the Assembly does adjourn, it adjourn until 10 o'clock Thursday morning.

Carried.

#### INTRODUCTION AND FIRST READING

By Messrs. Hatton and McAuliffe:

Assembly Bill No. 299—An Act to amend section 22 of an Act

entitled "An Act to regulate the settlement of the estates of deceased persons," approved March 23, 1897, as amended.

Mr. Hatton moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

Senate Bill No. 109.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

Senate Bill No. 108.

Mr. Cahill moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

Senate Bill No. 52.

Mr. Cahill moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

Senate Bill No. 99.

Mr. McAuliffe moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Corporations and Railroads.

Carried.

Without objection all bills reported out of committees were placed on top of the file for third reading and final passage.

At 3:37 p. m. house recessed.

## HOUSE IN SESSION

At 3:47 p. m.

Mr. Speaker in the chair.

Quorum present.

### GENERAL FILE AND THIRD READING

Assembly Bill No. 47.

Mr. Blundell moved that Assembly Bill No. 47 be indefinitely postponed.

Remarks by Messrs. Moore, Tandy, Kenny and Blundell.

Carried.

Assembly Bill No. 153.

Upon motion of Mr. Goodin, Assembly Bill No. 153 was put over until the next legislative day.

Assembly Bill No. 199.

Amendment proposed by Committee on Live Stock: Amend section 1, page 2, of Assembly Bill No. 199, by inserting in line 6 after the

words "may be" the following: "for the purposes of this Act vested right holders to stock water use shall, so far as the period of use is concerned, include all persons who initiated use of the stock water concerned at any time within two years prior to enactment of this Act."

Mr. Heward moved adoption of the amendment.

Remarks by Messrs. Hussman, Heward, Anderson, Hatton, Smith and Tandy.

Amendment lost.

Amendment proposed by Committee on Live Stock: Amend section 1, page 2, of Assembly Bill No. 199 by striking out the semicolon in line 10 after the word "necessity," and inserting instead a period. Strike out the remainder of line 10, also lines 11, 12, 13, 14, 15 and 16.

Mr. Anderson moved adoption of amendment.

Remarks by Messrs. Heward and Smith.

Mr. Cahlan moved that Assembly Bill No. 199 be indefinitely postponed.

Remarks by Messrs. Hamlin, Tandy and Brown.

Mr. Cahlan withdrew motion.

Remarks by Mr. Heward.

Amendment lost.

Further discussion by Messrs. Hatton, Anderson, Smith and Heward.

Roll call on Assembly Bill No. 199:

YEAS—Messrs. Anderson, Blundell, Brown, Butler, Cahill, Carroll, Cobb, Dunseath, Hamlin, Heward, Johnson, Kenny, McAuliffe, Malone, Moore, Noble, Persson, Raycraft, Stewart, Strosnider and Taber—21.

NAYS—Messrs. Barnes, Beverly, Bugbee, Cahlan, Ebert, Hatton, Hussman, O'Connor, Roberts, Smith, Tandy and Wheelwright—12.

Absent—Messrs. Goodin, Lage, Murphy and Reynolds—4.

Not voting—Messrs. Black, Cooper and Mr. Speaker—3.

Assembly Bill No. 199 having received a constitutional majority, Mr. Speaker declared it passed.

Without objection Mr. Speaker signed Assembly Bills Nos. 3, 100, 119, 136 and 143.

Assembly Bill No. 264.

Remarks by Messrs. Hussman and Dunseath.

Upon motion of Mr. Hussman, Assembly Bill No. 264 was rereferred to the Committee on Education.

Assembly Bill No. 265.

Remarks by Messrs. Hatton, Dunseath, Black and Goodin.

Roll call on Assembly Bill No. 265:

YEAS—Messrs. Barnes, Hatton, McAuliffe, O'Connor, Persson, Raycraft, Roberts and Smith—8.

NAYS—Messrs. Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Heward, Johnson, Kenny, Malone, Moore, Murphy, Noble, Reynolds, Stewart, Strosnider, Tandy and Wheelwright—27.

Absent—Messrs. Anderson, Hussman and Lage—3.

Not voting—Mr. Taber and Mr. Speaker—2.

Assembly Bill No. 265 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Assembly Bill No. 269.

Remarks by Messrs. Malone, Dunseath and Black.

Roll call on Assembly Bill No. 269 :

YEAS—Messrs. Beverly, Bugbee, Cahlan, Cobb, Cooper, Dunseath, Goodin, Hamlin, Heward, McAuliffe, Malone, Murphy, Noble, O'Connor, Raycraft, Stro-snyder, Taber and Tandy—18.

NAYS—Messrs. Black, Brown, Carroll, Ebert, Hatton, Kenny, Persson, Reynolds, Roberts, Smith and Stewart—11.

Absent—Messrs. Hussman, Lage, Moore and Wheelwright—4.

Not voting—Messrs. Anderson, Barnes, Blundell, Butler, Cahill, Johnson and Mr. Speaker—7.

Assembly Bill No. 269 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Assembly Bill No. 271.

Remarks by Messrs. Brown, Hamlin, Cahlan, Dunseath, Tandy and Black.

Roll call on Assembly Bill No. 271 :

YEAS—Messrs. Barnes, Bugbee, Cobb, Cooper, Hatton, Malone, Moore, Ray-craft, Roberts, Strosnyder and Tandy—11.

NAYS—Messrs. Anderson, Black, Brown, Cahill, Cahlan, Carroll, Dunseath, Ebert, Goodin, Hamlin, Heward, Hussman, Johnson, Kenny, McAuliffe, Murphy, Noble, O'Connor, Reynolds, Stewart and Taber—21.

Absent—Messrs. Beverly, Blundell, Butler, Lage and Wheelwright—5.

Not voting—Messrs. Persson, Smith and Mr. Speaker—3.

Assembly Bill No. 271 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Mr. Hamlin gave notice that on the next legislative day he would move for a reconsideration of the vote on Assembly Bill No. 271.

Mr. McAuliffe gave notice that on the next legislative day he would move for a reconsideration of the vote on Assembly Bill No. 199.

Mr. Dunseath moved that Assembly Bill No. 198 be referred to the Committee of the Whole.

Remarks by Messrs. Noble, Tandy and Dunseath.

Carried.

At 5:09 p. m. Mr. Smith moved that the Assembly adjourn until Thursday, March 9, 1933, at 10 a. m.

Carried.

Approved :

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,

*Chief Clerk of the Assembly.*

## THE FIFTY-THIRD DAY

---

CARSON CITY (Thursday), March 9, 1933.

Assembly called to order at 10 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Mr. Lage.

Prayer by Father Smith.

On motion of Mr. Persson the reading of the Journal was dispensed with, and Mr. Speaker and the Chief Clerk were authorized to make any necessary corrections.

Without objection Mr. Speaker signed Senate Bills Nos. 73, 94 and 113.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Joint Committee of Ways and Means and Live Stock has had Assembly Bill No. 76 under consideration, and begs leave to report the same back, with a substitute therefor, with the recommendation that the substitute be adopted.

L. F. ANDERSON,  
MORLEY MURPHY,  
CHAS. A. BUTLER,  
GEO. HUSSMAN,

FRED BLACK,  
J. H. HEWARD,  
WILLARD SMITH,  
THOS. CARROLL,  
J. H. CAHILL,  
ROY PERSSON,

*Committee on Live Stock. Committee on Ways and Means.*

*Mr. Speaker:*

The majority of your Committee on Ways and Means has had Assembly Bill No. 57 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

C. L. NOBLE,  
WILLARD W. SMITH,  
FRED D. BLACK,

ROY PERSSON,  
GEO. G. HUSSMAN,  
J. H. CAHILL.

*Mr. Speaker:*

The minority of your Committee on Ways and Means has had Assembly Bill No. 57 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

THOMAS CARROLL.

### MOTIONS, RESOLUTIONS AND NOTICES

On motion of Mr. Brown, Assembly Bill No. 242 was placed on top of the file for third reading and final passage.

On motion of Mr. Cahlan, Senate Bill No. 97 was placed on top of the file for third reading and final passage.

### INTRODUCTION AND FIRST READING

By Mr. Carroll (by request):

Assembly Bill No. 300—An Act to repeal an Act entitled "An Act to provide for the compensation and payment of grand and trial jurors,



and fixing the fees and compensation of witnesses in criminal cases, Justices of the Peace, Coroners, and Constables in and for the county of Clark," approved March 20, 1909.

Mr. Carroll moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee of Clark County Delegation.

Carried.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 242.

Mr. Brown moved that all rules be suspended, and that the vote of the Assembly concurring in the Senate amendments to Assembly Bill No. 242 be rescinded.

Carried.

Amendment proposed by Mr. Brown: Amend section 1 of Assembly Bill No. 242 by striking out on page 1, line 1, after the word Statutes the figures "1933," and insert in lieu thereof the figures "1931."

Mr. Brown moved adoption of amendment.

Carried.

Mr. Brown moved to concur with the Senate amendment to Assembly Bill No. 242, with the attached amendment, to said Senate amendment.

Carried.

Senate Bill No. 97.

Mr. Tandy moved that the Assembly now resolve itself into Committee of the Whole for consideration of Senate Bill No. 97.

Remarks by Messrs. Cahlan and Cahill.

Carried.

Mr. Speaker appointed Mr. Tandy as Chairman of the Committee of the Whole.

At 10:36 a. m. Assembly in Committee of the Whole.

#### HOUSE IN SESSION

At 10:40 a. m.

Mr. Speaker in the chair.

Quorum present.

Mr. Cahill moved that the Assembly now resolve itself into a Committee of the Whole for consideration of Senate Bill No. 105.

Carried.

Mr. Speaker appointed Mr. Tandy as Chairman of the Committee of the Whole.

#### HOUSE IN SESSION

At 10:45 a. m.

Mr. Speaker in the chair.

Quorum present.

Mr. Cahlan moved that the Assembly now resolve itself into a Committee of the Whole for consideration of Senate Bill No. 104.

Carried.

Mr. Speaker appointed Mr. Tandy as Chairman of the Committee of the Whole.

At 10:47 a. m. Assembly in Committee of the Whole.

## HOUSE IN SESSION

At 10:50 a. m.

Mr. Speaker in the chair.

Quorum present.

## REPORT OF COMMITTEE OF THE WHOLE

*Mr. Speaker:*

Your Committee of the Whole House has had under consideration Senate Bills Nos. 97, 104 and 105, and begs leave to report favorably on the same, with the recommendation that they do pass.

DOUG. H. TANDY, *Chairman.*

Mr. Tandy moved adoption of the report.

## GENERAL FILE AND THIRD READING

Senate Bill No. 97.

Remarks by Mr. Cahill.

Roll call on Senate Bill No. 97:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Butler, Cahill, Cahlan, Cobb, Cooper, Dunseath, Ebert, Goodin, Hatton, Heward, Kenny, Hussman, Johnson, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Taber, Tandy, Wheelwright and Mr. Speaker—35.

Absent—Messrs. Bugbee, Carroll, Hamlin, Lage and Strosnider—5.

Senate Bill No. 97 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 104.

Roll call on Senate Bill No. 104:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Butler, Cahill, Cahlan, Cobb, Cooper, Ebert, Goodin, Hatton, Heward, Johnson, McAuliffe, Malone, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Taber, Tandy, Wheelwright and Mr. Speaker—31.

Absent—Messrs. Bugbee, Carroll, Dunseath, Hamlin, Hussman, Kenny, Lage, Moore and Strosnider—9.

Senate Bill No. 104 having received a constitutional majority, Mr. Speaker declared it passed.

Without objection Mr. Speaker signed Assembly Bill No. 110.

At 10:55 a. m. house recessed until 1:30 p. m.

## HOUSE IN SESSION

At 1:55 p. m.

Mr. Speaker in the chair.

Quorum present.

## MOTIONS, RESOLUTIONS AND NOTICES

Mr. Cahlan moved that the amendments proposed by the Committee on Banks and Banking to Assembly Bill No. 268 be printed.

Carried.

Remarks by Messrs. Cahill and Cahlan.

Mr. Cooper moved that Mr. Lage be excused for his absence today.

Carried.

On motion of Mr. Smith, Senate Bill No. 17 was withdrawn from the Committee on Corporations and Railroads, and returned to the Clerk's desk.

Mr. Taber moved that the vote taken on Assembly Bill No. 273 yesterday be reconsidered.

Carried.

On motion of Mr. Noble, Senate Bill No. 27 was withdrawn from Committee on Irrigation and placed on the general file for third reading and final passage.

Mr. Cahill moved that Assembly Bills Nos. 58 and 62 be withdrawn from the Committee on Banks and Banking and placed on the general file for third reading and final passage.

Carried.

On motion of Mr. Anderson, Assembly Bill No. 73 was withdrawn and placed on the general file for third reading and final passage.

Mr. Smith moved that when the Assembly does adjourn, it adjourn until 10 o'clock Friday morning.

Carried.

Mr. Tandy moved that after tomorrow no other bills be permitted to be introduced in the Assembly.

Remarks by Messrs. Cahlan, Hamlin, Smith and Cahill.

Mr. Cahill amended motion to read excepting those bills considered emergency measures.

Mr. Speaker ruled motion out of order.

#### GENERAL FILE AND THIRD READING

Senate Bill No. 105.

Mr. Bugbee moved that Senate Bill No. 105 be laid on the Speaker's desk.

Remarks by Messrs. Tandy and Dunseath.

Mr. Dunseath amended motion to read "laid on the table."

Carried.

Senate Bill No. 76.

On motion of Mr. McAuliffe, Senate Bill No. 76 was laid on the table.

Senate Bill No. 107.

On motion of Mr. Moore, Senate Bill No. 107 was laid on the table.

At 2:33 p. m. house recessed.

#### HOUSE IN SESSION

At 2:42 p. m.

Mr. Speaker in the chair.

Quorum present.

On motion of Mr. Goodin, Assembly Bill No. 153 was made a special order of business for Friday at 10:30 a. m.

Remarks by Messrs. Tandy and Goodin.

Assembly Bill No. 273.

Roll call on Assembly Bill No. 273:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Heward, Johnson, Murphy, O'Connor, Reynolds, Roberts, Smith, Taber and Wheelwright—19.

NAYS—Messrs. Blundell, Brown, Bugbee, Dunseath, Ebert, Goodin, Hamlin, Hatton, Hussman, Kenny, McAuliffe, Malone, Moore, Noble, Persson, Raycraft, Stewart and Strosnider—18.

Absent—Mr. Lage.

Not voting—Mr. Tandy and Mr. Speaker—2.

Assembly Bill No. 273 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Assembly Bill No. 198.

On motion of Mr. Dunseath, Assembly Bill No. 198 was laid over until the next legislative day.

Mr. Goodin moved that Assembly Bill No. 255 be placed on the bottom of the file.

Carried.

Assembly Bill No. 135.

Mr. Murphy moved that Assembly Bill No. 135 be indefinitely postponed.

Carried.

At 3:02 p. m. house recessed.

## HOUSE IN SESSION

At 3:17 p. m.

Mr. Speaker in the chair.

Quorum present.

## REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Education has had Assembly Bill No. 264 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

BOB MOORE, *Chairman.*

*Mr. Speaker:*

Your Committee on Irrigation has had Assembly Bill No. 224 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass, as amended. Amend as follows: Amend section 1 of Assembly Bill No. 224 by striking the words "a majority" after the word "represent," line 2, page 3 of the printed bill, and insert in lieu thereof "at least two-thirds."

FRED STROSNIDER, *Chairman.*

*Mr. Speaker:*

Your Committee on Mines and Mining has had Senate Bill No. 20 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

FRANK BUGBEE, *Chairman.*

*Mr. Speaker:*

Your Committee on Claims has had Assembly Bill No. 176 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

We do not believe this to be a just claim against the State of Nevada.

TOM P. EBERT, *Chairman.*

*Mr. Speaker:*

Your Committee on Public Lands has had Assembly Bill No. 148 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

L. F. ANDERSON, *Chairman.*

*Mr. Speaker:*

Your Committee on Enrollment has carefully compared Assembly Enrolled Bills Nos. 100, 143, 136, 3, and 119 with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. H. BARNES, *Chairman.*

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 75, which has this day passed the Senate, as amended, by the following vote: Yeas, 12; nays, 5. Amend as follows: Page 1, line 3, strike out the word "section," and insert in lieu thereof the word "paragraph." Page 1, line 4, strike out the words "so as." Page 2, line 12, after the word "shall" add the following: "present satisfactory evidence as to moral character and qualifications as an educator." Strike out the rest of line 12 and all of lines 13, 14, 15, 16, 17, 18, 19 and 20.

Also, to return Assembly Bill No. 196, which passed, as amended: Yeas, 16; nays, 1. Amend as follows: Page 1, line 6, strike out the figures "250," and insert in lieu thereof the figures "200." Page 1, lines 1 and 2, strike the words "so as." Page 3, line 23, strike out the word "two," and insert in lieu thereof the word "six."

Also, Assembly Bill No. 24, which passed, as amended: Yeas, 17; nays, none. Amend as follows: Page 1, line 1, insert a comma after word "Act" and add: "being paragraph 10888 N. C. L. 1929." Page 2, line 7, after word "information" and before the colon add: "other than one filed by the District Attorney by leave of court, after the accused has been discharged." Page 2, line 2, insert comma after word "Act" and add: "being paragraph 10957 N. C. L. 1929." Page 3, line 1, insert between the words "of" and "court" the words: "and be bound by the admonition of the court upon each adjournment thereof," and strike the word "court." Page 3, line 12, insert comma after word "Act" and add: "being paragraph 10992 N. C. L. 1929." Amend title in first line after the word "amend," strike all up to and including the word "entitled." Also by placing period after figures "1911" and striking balance of title.

Also, to present Senate Substitute for Assembly Bill No. 9, which passed, as amended: Yeas, 13; nays, 1; absent, 3. Amend as follows: Page 1, line 1, after the word "Act" insert the words "to be." Page 1, line 2, strike the word "reading," and insert in lieu thereof the words "and to read." Page 2, line 16, after the word "same" insert the word "shall." Page 3, line 16, after the word "Act" insert the words "to be." Page 3, line 17, strike the word "reading," and insert in lieu thereof the words "and to read." Page 5, line 30, strike the word "that" after the word "provided." Page 5, line 32, strike the word "that" after the word "provided." Page 6, line 2, strike the word "section," and insert in lieu thereof the word "paragraph." Page 6, line 3, after the word "Act" insert the words "to be." Page 6, line 4, strike the word "reading," and insert in lieu thereof the words "and to read." Page 7, line 3, after the word "Act" insert the words "to be." Page 7, line 4, strike the word "reading," and insert in lieu thereof the words "and to read."

Also, Senate Joint Resolution No. 19, which passed, as amended: Yeas, 15; nays, 1; not voting, 1. Amend as follows: Page 1, by striking line 5, down to and including line 14 on page 2. Page 2, line 22, strike the word "chairman," and insert in lieu thereof the word "chairmen."

Also, to return Assembly Concurrent Resolution No. 11, which was adopted by the Senate.

LENA GALE,  
*Assistant Secretary of the Senate.*

## MOTIONS, RESOLUTIONS AND NOTICES

Mr. Kenny moved that the Assembly concur in the Senate amendments to Assembly Bill No. 24.

By Mr. Roberts:

Assembly Resolution No. 21:

*Resolved by the Assembly,* That the State Controller be and he is hereby authorized and directed to draw his warrants on the Legislative Fund in favor of the various firms or persons named below for the amounts set opposite their names, as per itemized statements herewith, and the State Treasurer is hereby directed to pay the same:

Bell Telephone Company.....	\$7.25
Southworth & Kinnikin.....	22.95
Harry's, Inc. ....	2.43
Underwood Typewriter Company.....	20.00
Fred S. Alward, money advanced Industrial School invest- igation .....	80.04
	\$132.67

## REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Contingent Expenses has had Assembly Resolution No. 21 under consideration, and begs leave to report that it has examined the items making the total named in said resolution, finds the same correct, and recommends the adoption of the resolution and the payment of the claims.

W. H. ROBERTS, *Chairman.*

Mr. Roberts moved adoption of the resolution.

Carried.

By Mr. Heward:

Assembly Resolution No. 22, requesting the return from the Senate of Assembly Bill No. 199:

WHEREAS, Assembly Bill No. 199 was erroneously transmitted to the Senate while a motion for reconsideration thereof was pending in the Assembly; and

WHEREAS, It is the desire of the Assembly that said bill be returned to the Assembly for consideration under such motion for reconsideration; now, therefore, be it

*Resolved by the Assembly of the State of Nevada,* That Assembly Bill No. 199 be returned to the Assembly for further consideration.

Mr. Heward moved adoption of amendment.

Carried.

Upon motion of Mr. Noble all bills reported out of committees were placed on the general file for third reading and final passage.

Mr. Hamlin moved that the Assembly refuse to concur in the Senate amendments to Assembly Bill No. 196, and that a Conference Committee of the Mineral County Delegation be appointed to confer with a like committee appointed by the Senate.

Carried.

Upon motion of Mr. Dunseath, Assembly Bill No. 198 was placed on top of the file for third reading and final passage.

Senate Bill No. 17 was referred to the Committee on Judiciary upon motion of Mr. Smith.

## INTRODUCTION AND FIRST READING

Senate Bill No. 75.

Mr. Smith moved that Senate Bill No. 75 be laid on the table.

Motion lost.

Mr. Hamlin moved that Senate Bill No. 75 be referred to the Committee on Ways and Means.

Mr. Malone amended motion to read Committee on Education instead of Committee on Ways and Means.

Carried.

At 3:40 p. m. house recessed.

## HOUSE IN SESSION

At 4:05 p. m.

Mr. Speaker in the chair.

Quorum present.

## INTRODUCTION AND FIRST READING

Senate Joint Resolution No. 19.

Mr. Dunseath moved that Senate Joint Resolution No. 19 be laid on the table.

Carried.

## GENERAL FILE AND THIRD READING

Assembly Bill No. 198.

Mr. Dunseath moved that the Assembly resolve itself into Committee of the Whole for consideration of Assembly Bill No. 198.

Mr. Speaker appointed Mr. Cahlan as Chairman of Committee of the Whole.

At 4:07 p. m. Assembly in Committee of the Whole.

## HOUSE IN SESSION

At 4:25 p. m.

Mr. Speaker in the chair.

Quorum present.

## REPORT OF COMMITTEE OF THE WHOLE

*Mr. Speaker:*

Your Committee of the Whole House has had under consideration Assembly Bill No. 198, and begs leave to report favorably on the same, as amended, with the recommendation that it do pass.

A. E. CAHLAN, *Chairman.*

Mr. Cahlan moved adoption of report.

Carried.

## GENERAL FILE AND THIRD READING

Assembly Bill No. 198.

Amendment proposed by Mr. Dunseath: Amend section 1, page 2, line 6, of Assembly Bill No. 198 by striking out the period after the word "court" and inserting in lieu thereof a comma, and add the following: "said compensation to be paid out of the five (\$5) dollar fee required to be paid daily by the parties in each civil case."

Mr. Dunseath moved adoption of amendment.

Carried.

Amendment proposed by Mr. Dunseath: Amend Assembly Bill No. 198 by adding a new section to read as follows: SEC. 2. This Act shall take effect immediately upon its passage and approval.

Mr. Dunseath moved adoption of amendment.

Carried.

Remarks by Messrs. Goodin, Dunseath, Cahill, Brown and Hamlin.

Mr. Brown moved that Assembly Bill No. 198 be laid on the table.

Discussion by Messrs. Dunseath, Cahill, Cahlan and Brown.

Motion lost.

Further discussion by Messrs. Dunseath and Anderson.

Mr. Tandy moved previous question, seconded by Messrs. Cahlan and Dunseath.

Roll call on Assembly Bill No. 198:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Bugbee, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Heward, Johnson, McAuliffe, Malone, Moore, Murphy, O'Connor, Raycraft, Roberts, Smith and Strosnider—22.

NAYS—Messrs. Brown, Butler, Ebert, Goodin, Hamlin, Kenny and Noble—7.

Absent—Messrs. Lage and Wheelwright—2.

Not voting—Messrs. Anderson, Hatton, Hussman, Persson, Stewart, Taber, Tandy, Reynolds and Mr. Speaker—9.

Assembly Bill No. 198 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Upon motion of Mr. Hussman, Assembly Bill No. 57 was laid over until the next legislative day.

Assembly Bill No. 148.

Remarks by Mr. Black.

Roll call on Assembly Bill No. 148:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—38.

NAYS—None.

Absent—Messrs. Lage and Wheelwright—2.

Assembly Bill No. 148 having received a constitutional majority, Mr. Speaker declared it passed.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 288, 297, 298 and 294, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 176.

Upon motion of Mr. Bugbee, Assembly Bill No. 176 was withdrawn.

Assembly Bill No. 224.

Amendment proposed by Committee on Irrigation: Amend section 1 of Assembly Bill No. 224 by striking out the words "a majority" after



the word "represent" in line 2, page 3 of the printed bill, and insert in lieu thereof "at least two-thirds."

Mr. Strosnider moved adoption of amendment.

Carried.

Remarks by Mr. Stewart.

Roll call on Assembly Bill No. 224:

YEAS—Messrs. Barnes, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Dunseath, Ebert, Hamlin, Hatton, Hussman, Johnson, Kenny, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—32.

NAYS—None.

Absent—Messrs. Anderson, Lage and Wheelwright—3.

Not voting—Messrs. Beverly, Black, Cooper, Goodin and Heward—5.

Assembly Bill No. 224 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 264. Amendment proposed by Mr. Hussman: Amend section 1 of Assembly Bill No. 264 by striking out the word "deputy" in lines 4, 10 and 12, page 1, and in lines 2, 9 and 16, page 2.

Mr. Hussman moved adoption of amendment.

Carried.

Roll call on Assembly Bill No. 264:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cooper, Dunseath, Ebert, Goodin, Hatton, Heward, Hussman, Johnson, Kenny, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—35.

NAYS—None.

Absent—Messrs. Anderson, Cobb, Hamlin, Lage and Wheelwright—5.

Assembly Bill No. 264 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Upon motion of Mr. Taber, Assembly Bill No. 73 was made a special order of business for 2:30 p. m. Friday.

At 5:11 p. m. Mr. Cahlan moved that the Assembly adjourn until Friday, March 10, 1933, at 10 a. m.

Carried.

Approved:

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,

*Chief Clerk of the Assembly.*

## THE FIFTY-FOURTH DAY

---

CARSON CITY (Friday), March 10, 1933.

Assembly called to order at 10 a. m.

Mr. Speaker in the chair.

Roll called.

All present.

Prayer by Father Smith.

On motion of Mr. Persson the reading of the Journal was dispensed with, and Mr. Speaker and the Chief Clerk were authorized to make any necessary corrections.

### PRESENTATION OF PETITIONS

A letter from W. J. McDonald, regarding economic conditions, was referred to the Committee on Mines and Mining.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on State Institutions has had Assembly Bill No. 154 under consideration, and begs leave to report same without recommendation.

FRANK BUGBEE, *Chairman.*

*Mr. Speaker:*

Your Committee of Lyon County Delegation has had Assembly Bill No. 181 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass, as amended. Amend as follows: Amend section 1 of Assembly Bill No. 181 by striking the words and figures "one thousand nine hundred sixty (\$1,960)" on page 1, lines 5 and 6, and insert in lieu thereof the words and figures "one thousand nine hundred twenty (\$1,920)."

FRANK BUGBEE,  
FRED STROSNIDER.

### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 92, which has this day passed the Senate, as amended, by the following vote: Yeas, 17; nays, none. Amend as follows: Page 1, lines 1 and 2, strike the word "section," and insert in lieu thereof the word "paragraph." Also strike the words "so as." Page 1, line 7, after the word "dollar" add the words "fifty cents." Page 1, line 9, strike out the words "fifty cents," and insert in lieu thereof the words "seventy-five cents." Page 1, line 7, before the brackets insert the words "not exceeding." Page 1, line 9, at the beginning of the line before the brackets insert the words "not exceeding."

LENA GALE,  
*Assistant Secretary of the Senate.*

### INTRODUCTION AND FIRST READING

Senate Bill No. 92.

Mr. Cahlan moved that Senate Bill No. 92 be laid on the table.

Carried.

By Mr. Smith :

Assembly Bill No. 301—An Act authorizing the issuance and sale of bonds of Pahranaagat Consolidated School District No. 1, Lincoln County, Nevada.

Mr. Smith moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Lincoln County Delegation.

Carried.

By White Pine County Delegation :

Assembly Bill No. 302—An Act to amend an Act entitled "An Act providing for the incorporation of cities, their classification, the establishment and alteration of their boundaries, the government and disincorporation thereof, and repealing all Acts and parts of Acts in conflict therewith," approved March 27, 1907, as amended.

Mr. Lage moved that rules be suspended, reading to far had considered first reading, rules further suspended, bill read second time by title, and referred to White Pine County Delegation.

Carried.

#### GENERAL FILE AND THIRD READING

Senate Bill No. 20.

Mr. Dunseath moved that Senate Bill No. 20 be laid on the table.

Carried.

Senate Substitute for Senate Bill No. 27.

Mr. Dunseath moved that Senate Substitute for Senate Bill No. 27 be laid on the table.

Carried.

Assembly Bill No. 76.

Mr. Brown moved that Assembly Bill No. 76 be laid on the table.

Motion lost.

Remarks by Messrs. Noble, Tandy, Cahill and Cahlan.

Without objection the Assembly resolved itself into Committee of the Whole for consideration of Assembly Bill No. 76.

Mr. Speaker appointed Mr. Brown Chairman of Committee of the Whole.

At 10:30 a. m. Assembly in Committee of the Whole.

At 10:31 a. m. Committee of the Whole recessed to take care of special order of business.

#### HOUSE IN SESSION

At 10:31 a. m.

Mr. Speaker in the chair.

Quorum present.

#### SPECIAL ORDER OF BUSINESS

Assembly Bill No. 153.

Remarks by Mr. Hatton.

Without objection the Assembly resolved itself into Committee of the Whole for consideration of Assembly Bill No. 153.

Mr. Speaker appointed Mr. Malone as Chairman of Committee of the Whole.

At 10:33 a. m. Assembly in Committee of the Whole.

#### HOUSE IN SESSION

At 11:10 a. m.

Mr. Speaker in the chair.

Quorum present.

The Assembly again resolved itself into Committee of the Whole for consideration of Assembly Bill No. 76.

Mr. Brown resumed the chair.

At 11:11 a. m. Assembly in Committee of the Whole.

#### HOUSE IN SESSION

At 11:21 a. m.

Mr. Speaker in the chair.

Quorum present.

Mr. Anderson moved that the special order of business set for 2:30 p. m. for consideration of Assembly Bill No. 73 be vacated.

Carried.

On motion of Mr. Anderson Assembly Bill No. 73 was made a special order of business for 10:30 a. m. Saturday.

Mr. Cahill moved that the Assembly recess until 2 p. m.

Remarks by Mr. Goodin.

Motion withdrawn.

Without objection Mr. Speaker signed Senate Bills Nos. 104 and 97.

#### REPORT OF COMMITTEE OF THE WHOLE

*Mr. Speaker:*

Your Committee of the Whole House has under consideration Assembly Bill No. 153, and begs leave to report favorably on the same, with the recommendation that it do pass, as amended.

H. E. MALONE, *Chairman.*

Mr. Malone moved adoption of the report.

Carried.

*Mr. Speaker:*

Your Committee of the Whole House has under consideration Assembly Bill No. 76, and begs leave to report favorably on the same, with the recommendation that it do pass, as amended.

ERNEST S. BROWN, *Chairman.*

Mr. Brown moved adoption of the report.

Carried.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 153.

Amendments proposed by Committee on Roads and Highways:

Amendment No. 1—Page 3, line 31, insert after the word "public" the following: "but shall not include that portion of highways under construction or reconstruction."

Mr. Goodin moved adoption of amendment.

Carried.

Amendment No. 2—Page 4, line 6, insert the following after the word “Nevada”: “Nor to city licensed taxicabs operating within a ten-mile radius of the limits of a city or town; nor to the city or town draymen operating within a two-mile radius of the limits of a city or town.”

Mr. Goodin moved adoption of amendment.

Carried.

Amendment No. 3—Page 4, lines 8 and 9, eliminate the words “bona fide agent or.”

Mr. Goodin moved adoption of amendment.

Carried.

Amendment No. 4—Amend section 3 of Assembly Bill No. 153 by inserting on page 4, line 11, after the word “school” the words “or to the transportation of highway contractor’s own equipment in his own motor vehicle from job to job wholly within the confines of this State; or to the transportation of ore or minerals in the producer’s own vehicle; *provided, however,* only one vehicle with an unladen weight not exceeding 10,000 pounds or two vehicles whose combined unladen weight does not exceed 10,000 pounds, shall be exempted for the transportation of ore or minerals or mining supplies; or to the operation of a privately owned truck in personal services as distinguished from those using the highways in a gainful occupation shall be exempted; *provided, however,* this exemption shall be limited to one such vehicle not exceeding an unladen weight of five thousand pounds.”

Mr. Goodin moved adoption of amendment.

Carried.

Amendment No. 5—Page 5, line 31, insert after the word “policy” the words “or bond.”

Mr. Goodin moved adoption of amendment.

Carried.

Amendment No. 6—Page 7, line 4, insert after the word “policy” the words “or bond.”

Mr. Goodin moved adoption of amendment.

Carried.

Amendment No. 7—Page 8, line 4, insert after the word “policy” the words “or bond.”

Mr. Goodin moved adoption of amendment.

Carried.

Amendment No. 8—Pages 9 and 10, eliminate all of section 16, and substitute the following: “In issuing the licenses provided in section 18, the Public Service Commission shall require, within such time and in such amounts as it may designate, the filing with the Commission, in form required and approved by the Commission, of a liability insurance policy or bond of a surety and bonding company or other surety, in such reasonable sum as the Commission may deem necessary to adequately protect the interests of the public and the public safety, and which liability insurance policy or bond of a surety and bonding company or other surety shall bind the obligors thereunder to pay the compensation for injuries to third persons or for loss or damage to

their property resulting from the negligent operation of such carrier.”

Mr. Goodin moved adoption of amendment.

Carried.

Amendment No. 9—Page 11, line 5, substitute for the words and numbers “fifty (\$50) dollars” the words and numbers “twenty (\$20) dollars.”

Mr. Goodin moved adoption of amendment.

Carried.

Amendment No. 10—Page 11, line 6, substitute for the words and numbers “thirty (\$30) dollars” the words and numbers “twenty (\$20) dollars.”

Mr. Goodin moved adoption of amendment.

Carried.

Amendment No. 11—Page 11, line 7, substitute for the words and numbers “fifty (\$50) dollars” the words and numbers “twenty (\$20) dollars.”

Mr. Goodin moved adoption of amendment.

Carried.

Amendment No. 12—Page 11, line 9, substitute the word “two” for the word “one,” and add “s” to the word “unit.”

Mr. Goodin moved adoption of amendment.

Carried.

Amendment No. 13—Page 11, line 12, substitute for the words and numbers “fifty (\$50) dollars” the words and numbers “twenty (\$20) dollars.”

Mr. Goodin moved adoption of amendment.

Carried.

Amendment No. 14—Page 11, lines 21–29, eliminate all of lines 21 to 29, inclusive, and substitute the following: “up to five hundred (500) pounds, weighing up to 18,000 pounds unladen, a fee of one and  $\frac{5}{100}$  (\$1.50) dollars per hundred pounds or major fraction thereof; all motor vehicles weighing over 18,001 pounds unladen a fee of two and  $\frac{5}{100}$  (\$2.50) dollars per hundred pounds.”

Mr. Goodin moved adoption of amendment.

Carried.

Remarks by Mr. Goodin.

Roll call on Assembly Bill No. 153:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Taber, Tandy, Wheelwright and Mr. Speaker—38.

NAYS—None.

Absent—Messrs. Strosnider and Cahill—2.

Assembly Bill No. 153 having received a constitutional majority, Mr. Speaker declared it passed as amended.

Mr. Dunseath gave notice that on the next legislative day he would move for a reconsideration of the vote taken on Assembly Bill No. 153.

At 11:45 a. m. house recessed until 2 p. m.

## HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the chair.

Quorum present.

## REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bill No. 300 and Assembly Substitute for Assembly Bill No. 76, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

## GENERAL FILE AND THIRD READING

Assembly Bill No. 76.

Mr. Cahill moved adoption of the substitute bill.

Carried.

Remarks by Messrs. Cahill, Noble, Bugbee, Goodin and Moore.

Mr. Moore moved that Assembly Bill No. 76 be indefinitely postponed.

Remarks by Messrs. Cahill, O'Connor and Moore.

Motion lost.

Further discussion by Messrs. Anderson, Lage, Malone, Tandy, Noble, Smith, O'Connor, Bugbee, Cahlan and Cahill.

Roll call on Assembly Bill No. 76:

YEAS—Messrs. Anderson, Black, Brown, Butler, Cahill, Carroll, Cobb, Dunseath, Ebert, Hatton, Heward, Hussman, Johnson, Murphy, O'Connor, Reynolds, Roberts, Smith, Stewart and Taber—20.

NAYS—Messrs. Barnes, Beverly, Blundell, Bugbee, Cahlan, Goodin, Hamlin, Kenny, Lage, McAuliffe, Malone, Moore, Noble, Persson, Raycraft, Strosnider, Tandy and Wheelwright—18.

Absent—Mr. Cooper.

Not voting—Mr. Speaker.

Assembly Bill No. 76, as amended, having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Mr. Brown asked that his protest be entered regarding Assembly Substitute for Assembly Bill No. 76 on the ground that there was a Farm Bureau lobbyist on the floor of the Assembly contrary to the rules and regulations.

Messrs. Hussman, Dunseath, Black, Ebert, Cahill and Anderson entered their protests also.

Remarks by Mr. Tandy.

At 3:35 p. m. house recessed.

## HOUSE IN SESSION

At 3:40 p. m.

Mr. Speaker in the chair.

Quorum present.

## PRESENTATION OF PETITIONS

A letter from Flora Snowden regarding a California Land Development Company was referred to a Joint Committee consisting of Committees on Corporations and Railroads and Judiciary.

## REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Joint Committee on Ways and Means and Labor has had Assembly Bill No. 226 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass with the following amendments: Amend section 1, line 7, by striking out the word "dollars," and insert in lieu thereof the words "three hundred dollars." Strike out the figures "\$6,000" in line 8, and insert in lieu thereof the figures "\$6,300." In line 12, strike out the word "dollars," and insert in lieu thereof the words "five hundred dollars." Strike out the figures "\$4,000" in line 12, and insert in lieu thereof the figures "\$4,500."

Also, Assembly Bill No. 253, and reports favorably on the same, with the recommendation that it do pass with the following amendment: Amend section 1 by striking out in lines 7 and 8 the following words: "six thousand dollars a year," and substitute in lieu thereof "six thousand seven hundred fifty dollars a year."

Also, Assembly Bills Nos. 257 and 259, and reports unfavorably on the same, with the recommendation that they do not pass.

Also, Assembly Bills Nos. 261 and 293, and reports favorably on the same, with the recommendation that they do pass.

Also, Assembly Bill No. 274, and reports favorably on the same, with the recommendation that it do pass with the following amendments: Amend section 1 by striking out in line 6, following the semicolon after the word "dollars," the remainder of said line; also all of lines 7, 8 and 9 and up to the word "to" following the word "dollars" in line 10.

PAT MCAULIFFE,

*Chairman of Committee on Labor.*

J. H. CAHILL,

*Chairman of Committee on Ways and Means.*

*Mr. Speaker:*

Your Committee on Ways and Means has had Senate Bills Nos. 108 and 109 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

J. H. CAHILL, *Chairman.*

*Mr. Speaker:*

Your Committee on Judiciary has had Assembly Bill No. 296 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass with the following amendments: No. 1—Amend section 3, page 3, line 26, by striking out the character and word "or."

No. 2—On page 3, line 26, after the word "treatment" insert a comma and the words "or any or either of them."

Also, Assembly Bill No. 297, and reports favorably on the same, with the recommendation that it do pass.

Also, Assembly Bill No. 298, and reports favorably on the same, with the recommendation that it do pass with the following amendment: Amend section 2, page 2, line 5, by striking out the comma after the word "compounded," and inserting a period in lieu thereof, and by striking out all the words following, beginning with the word "nor" down to and including the word "therewith," on page 2, line 7.

G. J. KENNY, *Chairman.*

*Mr. Speaker:*

Your Committee on State Institutions has had Assembly Bills Nos. 243 and 254 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

Also, Assembly Bill No. 291, and reports favorably on the same, with the recommendation that it do pass, as amended. Amend as follows: Amend title of Assembly Bill No. 291 by striking out in line 3 the words "or elsewhere within the State." Amend section 1 of Assembly Bill No. 291 by striking out in line 10, section 1, page 1, the figures "4:30," and inserting in lieu thereof the figure "4."



Also, Assembly Bill No. 292, and reports favorably on the same, with the recommendation that it do pass, as amended. Amend as follows: Amend Assembly Bill No. 292 by adding after section 2 of said Act a section to be known as section 2½, which said section shall read as follows: Sec. 2½. All Acts and parts of Acts in conflict with the provisions of this Act are hereby repealed.

FRANK BUGBEE, *Chairman.*

*Mr. Speaker:*

Your Committee on Fish and Game has had Assembly Bills Nos. 195, 288, 289, and Assembly Substitute for Assembly Bill No. 195 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

Also, Assembly Bill No. 203, and reports favorably on the same, with the recommendation that it do pass with the accompanying amendment: Amend section 2 of Assembly Bill No. 203 by striking out all of the words in lines 18 and 19, page 4, after the words "SEC. 2," and insert in lieu thereof the following: "All Acts and parts of Acts in conflict with the provisions of this Act are hereby repealed.

ROY PERSSON, *Chairman.*

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 12, which has this day passed the Senate, as amended, by the following vote: Yeas, 14; nays, 2; not voting, 1. Amend as follows: Page 1, lines 1 and 2, strike the word "section" and insert in lieu thereof the word "paragraph." Page 4, lines 4 and 16, strike the word "section" and insert in lieu thereof the word "paragraph." Page 8, line 14, strike out after the word "Act" all words down to word "provided" in line 20, and insert in lieu thereof the following: "and the said Commissioners shall revise, modify and change such budget in such manner as they deem proper for the purposes for which such budget was drawn." Page 8, line 27, strike the word "section" and insert in lieu thereof the word "paragraph." Page 9, line 1, strike out the words "is in the treasury and" after the word "thereof." Page 9, line 11, strike the word "section" and insert in lieu thereof the word "paragraph." Page 10, lines 11, 12 and 18, strike the word "section" and insert in lieu thereof the word "paragraph." Amend title to read as follows: Strike the first four lines of the title and insert in lieu thereof the following: "An Act to amend sections 3, 4, 9, 10, 11 and 14, and to repeal section 8 of." In line 7 of the title, insert a period after the word "amended" and strike balance of the title.

Also, Senate Bill No. 66, which passed, as amended: Yeas, 16; nays, none; not voting, 1. Amend as follows: Page 1, line 2, strike the word "section" and insert in lieu thereof the word "paragraph"; also, strike the words "so as." Page 2, line 17, strike out the period after the word "Board" and insert in lieu thereof a semicolon and the following: "provided further, that nothing in this Act shall be held to conflict with or affect the salaries of County Commissioners in any county in this State where the salaries thereof are fixed by law for the particular county."

Also, Senate Bill No. 106, which passed: Yeas, 16; nays, none; not voting, 1.

Also, Senate Bill No. 110, which passed: Yeas, 13; nays, 1; not voting, 3.

Also, Senate Bill No. 119, which passed, as amended: Yeas, 17; nays, none. Amend as follows: Page 1, lines 1 and 2, strike the word "section" and insert in lieu thereof the word "paragraph"; also strike the words "so as." Page 1, lines 5 and 7, insert a hyphen between the words "pari mutuels."

Also, Senate Bill No. 124, which passed, as amended: Yeas, 17; nays, none. Amend as follows: Page 5, strike all of section 6 and number the remaining sections accordingly. Page 8, line 3, add after the word "blowpipe" the following words: "in loading or charging such holes." Page 9, line 22, after the

word "code" insert the word "of." Page 9, line 23, strike the word "section" and insert in lieu thereof the word "paragraph." Page 10, strike all of section 18 and insert in lieu thereof the following: "If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provisions or application, and to this end the provisions of this Act are declared to be severable." Amend title to read as follows: "An Act concerning excavations and underground workings, and imposing additional duties and powers upon the Inspector of Mines in connection therewith."

Also, Senate Bill No. 128, which passed, as amended: Yeas, 17; nays, none. On page 2, line 17, correct the spelling of the word "directed."

Also, to return Assembly Bill No. 137, which passed, as amended: Yeas, 17; nays, none. Amend as follows: Page 1, line 1, after the word "Act" insert a comma and the words and figures "being paragraph 11441 N. C. L. 1929." Page 1, line 8, after the word "to" insert "and returning from." Page 1, line 9, strike the word "ten," and insert in lieu thereof "seven and one-half." Amend title as follows: In the third line of the title after the figures "1909" place a period and strike balance of the title.

Also, Assembly Bill No. 142, which passed: Yeas, 17; nays, none.

Also, Assembly Bill No. 215, which passed, as amended: Yeas, 15; nays, 1; not voting, 1. Amend as follows: Page 1, lines 1 and 2, strike the word "section," and insert in lieu thereof the word "paragraph." Page 2, line 32, strike the word "section," and insert in lieu thereof the word "paragraph." Page 4, line 18, strike the word "section," and insert in lieu thereof the word "paragraph."

Also, Assembly Bill No. 183, which was this day indefinitely postponed.

Also, to return Assembly Bill No. 199 pursuant to Assembly Resolution No. 22.

LENA GALE,

*Assistant Secretary of the Senate.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Tandy gave notice that on the next legislative day he would move for a reconsideration of the vote on Assembly Substitute for Assembly Bill No. 76.

Mr. McAuliffe moved that the vote taken on Assembly Bill No. 199 be reconsidered.

Carried.

Mr. Heward moved that Assembly Bill No. 199 be rereferred to the Committee on Live Stock.

Carried.

By Mr. Moore:

Assembly Resolution No. 23:

WHEREAS, An error was made in the allowance of mileage to Assemblyman Bob Moore, of Clark County, from Boulder City instead of from Las Vegas, Nevada; and

WHEREAS, There was an excess allowance of \$4.40 for such mileage, which excess amount was refunded to the State Treasury by said Assemblyman Moore upon the discovery of such error, and the State Treasurer has given his receipt therefor; now, therefore, be it

*Resolved by the Assembly of the State of Nevada,* That such refunding of excess mileage by said Assemblyman Bob Moore to the State Treasury be and the same is hereby approved.

Mr. Moore moved adoption of resolution.

Remarks by Messrs. Moore, Dunseath, Tandy and O'Connor.

Carried.

By Messrs. Black, Brown and Hussman:

Assembly Concurrent Resolution No. 12, endorsing the principles of the recommendation of the Taxpayers Association:

WHEREAS, On March 7, 1933, there appeared before a Joint Session of the Nevada Legislature a large delegation of vitally interested taxpayers of this State, petitioning the Legislature for relief in the nature of retrenchments, economies, and constructive legislation; and

WHEREAS, Said taxpayers at said session suggested numerous plans which they believed were appropriate to the present situation; and

WHEREAS, After mature deliberation and consideration, it appears to us that the petitions and the principles expressed by said taxpayers are sound and worthy of our deepest consideration; and

WHEREAS, We, the servants of the people of the State of Nevada, have a duty to perform to our constituents, rather than personal preferment; and

WHEREAS, It is quite clear that the situation is desperate and a remedy therefor is urgent; now, therefore, be it

*Resolved by the Assembly of the State of Nevada, the Senate concurring,* That we endorse the principles advocated by said taxpayers; and be it further

*Resolved,* That we invite the honest attention and judgment of every member of this Legislature to the enactment of proposed legislation that will, in a measure at least, give relief to our constituents and restore prosperity and confidence to our people.

Mr. Black moved adoption of resolution.

Remarks by Messrs. Hamlin, Smith, Black, Tandy and Cahill.

Mr. Tandy moved that Assembly Concurrent Resolution No. 12 be postponed until tomorrow.

Mr. Black withdrew motion.

Carried.

Mr. Smith moved that when the Assembly does adjourn, it adjourn until 10 a. m. Saturday.

Carried.

#### INTRODUCTION AND FIRST READING

By Committee on Mines and Mining:

Assembly Bill No. 303—An Act to transfer the balance of money remaining in that certain fund created by that certain Act of the Legislature of the State of Nevada entitled "An Act to provide for the investigation of mineral resources of the State of Nevada and for geological recognizance and topographical surveys in cooperation with the United States Geological Survey, and providing an appropriation for the expense thereof," approved March 3, 1931, to the Bureau of Mines Fund.

Mr. Bugbee moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Mines and Mining.

Carried.

Senate Bill No. 124.

Mr. Hamlin moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Mines and Mining.

Carried.

Senate Bill No. 66.

Mr. Cahill moved that rules be suspended, reading so far had

considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

Senate Bill No. 128.

Mr. Cahill moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

Senate Bill No. 119.

Mr. Cahill moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Public Morals.

Carried.

Senate Bill No. 106.

Mr. Cahill moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

Senate Bill No. 110.

Mr. Malone moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Banks and Banking.

Carried.

Senate Bill No. 12.

Mr. Malone moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

Carried.

#### GENERAL FILE AND THIRD READING

On motion of Mr. Goodin, Assembly Bill No. 255 was laid over until the next legislative day.

Assembly Bill No. 263.

Remarks by Mr. Goodin.

Roll call on Assembly Bill No. 263:

YEAS—Messrs. Barnes, Beverly, Black, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—36.

NAYS—None.

Absent—Messrs. Blundell, Ebert and Lage—3.

Not voting—Mr. Anderson.

Assembly Bill No. 263 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 57.

Mr. Hussman moved that Assembly Bill No. 57 be laid over until the next legislative day.

Mr. Goodin moved that Assembly Bill No. 57 be made a special order of business for Monday at 10:30 a. m.

Amendment lost.

Motion carried.

Upon motion of Mr. Cahill, Assembly Bills Nos. 58 and 62 were laid over until the next legislative day.

At 5 p. m., on motion of Mr. Moore, the Assembly adjourned until Saturday, March 11, 1933, at 10 a. m.

Approved:

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,

*Chief Clerk of the Assembly.*

## THE FIFTY-FIFTH DAY

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CARSON CITY (Saturday), March 11, 1933.

Assembly called to order at 10 a. m.

Mr. Speaker in the chair.

Roll called.

All present.

Prayer by Father Smith.

On motion of Mr. Persson the reading of the Journal was dispensed with, and Mr. Speaker and the Chief Clerk were authorized to make any necessary corrections.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Counties and County Boundaries has had Assembly Bill No. 194 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

CLYDE P. JOHNSON, *Chairman.*

*Mr. Speaker:*

Your Committee on Corporations and Railroads has had Senate Bill No. 118 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

WILLARD W. SMITH, *Chairman.*

*Mr. Speaker:*

Your Committee on Corporations and Railroads has had Senate Bill No. 99 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

H. E. MALONE,  
WILLARD W. SMITH.

*Mr. Speaker:*

Your Committee on Corporations and Railroads has had Senate Bill No. 99 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

F. L. BEVERLY,  
WM. F. TABER.

*Mr. Speaker:*

Your Committee on Corporations and Railroads has had Senate Bill No. 99 under consideration, and begs leave to report without recommendation.

BOB MOORE.

*Mr. Speaker:*

Your Committee of Clark County Delegation has had Assembly Bill No. 300 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

A. E. CAHLAN, *Chairman.*

*Mr. Speaker:*

Your Committee of White Pine Delegation has had Senate Bill No. 102 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

WALTER LAGE, *Chairman.*

## MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Bill No. 242, which has this day passed the Senate, as amended, by the following vote: Yeas, 16; nays, none; absent, 1.

LENA GALE,  
*Assistant Secretary of the Senate.*

## MOTIONS, RESOLUTIONS AND NOTICES

Mr. Malone moved that Senate Substitute for Senate Bill No. 27 be taken from the table and placed on the general file.

Remarks by Messrs. Noble and Hamlin.

Carried.

Mr. Dunseath moved that Senate Bill No. 75 be reported out of the Committee on Education and placed on the file for third reading and final passage.

Remarks by Messrs. Malone, Dunseath, Cahlan and Tandy.

Mr. Tandy arose to a point of order that a two-thirds vote was required.

Roll call asked for by Messrs. Cahlan, Raycraft and Malone.

Roll called:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Carroll, Cooper, Dunseath, Ebert, Heward, Johnson, McAuliffe, Murphy, O'Connor, Roberts, Stewart, Strosnider, Taber and Wheelwright—23.

NAYS—Messrs. Cahlan, Goodin, Hamlin, Kenny, Lage, Malone, Noble, Raycraft, Smith and Tandy—10.

Absent—Messrs. Cobb and Hatton—2.

Not voting—Messrs. Hussman, Moore, Persson, Reynolds and Mr. Speaker—5.

Carried.

Mr. Goodin explained his vote.

Remarks by Messrs. McAuliffe, Smith and Malone.

Mr. Raycraft moved that the Assembly concur in Senate amendment to Assembly Joint Resolution No. 19.

Carried.

Mr. McAuliffe moved that the Assembly concur in Senate amendment to Assembly Bill No. 141.

Carried.

Mr. Tandy moved that the vote taken on Assembly Bill No. 76 be reconsidered.

Carried.

Mr. Black moved that the Assembly concur in the Senate amendment to Assembly Bill No. 15.

On motion of Mr. Hussman, Assembly Bill No. 57 was placed on top of the file for third reading and final passage.

Mr. Cahlan moved that the Assembly concur in Senate amendment to Assembly Bill No. 87.

Carried.

Mr. Cahlan moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 88.

Carried.

Mr. Dunseath moved that the Assembly refuse to adopt Senate Substitute for Assembly Bill No. 9.

Carried.

Mr. Smith moved that when the Assembly adjourns it do so until 9 a. m. Monday.

Mr. Moore amended motion to read until 10 a. m. Monday.

Carried.

Without objection Mr. Speaker signed Senate Concurrent Resolutions Nos. 6, 7 and 9.

#### SPECIAL ORDER OF BUSINESS

Assembly Bill No. 73.

Mr. Smith moved that Assembly Bill No. 73 be indefinitely postponed.

Remarks by Messrs. Tandy, Smith, Cooper, Dunseath, Brown, Anderson, Cahlan and Cahill.

Previous question asked for by Messrs. Tandy, Cahlan and Dunseath.

Carried.

Roll call asked for by Messrs. Cahlan, Smith and Cahill.

Roll called:

YEAS—Messrs. Barnes, Beverly, Brown, Bugbee, Cahlan, Ebert, Goodin, Hamlin, Hatton, Heward, Kenny, Lage, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Reynolds, Smith, Stewart, Strosnider, Taber and Tandy—24.

NAYS—Messrs. Anderson, Blundell, Butler, Cahill, Carroll, Cobb, Cooper, Dunseath, Johnson, McAuliffe, Murphy and Roberts—12.

Absent—Mr. Wheelwright.

Not voting—Messrs. Black, Hussman and Mr. Speaker—3.

Carried.

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Tandy moved that Assembly Bill No. 76 be placed on top of the file for immediate consideration.

Carried.

Mr. Lage moved that Senate Bill No. 102 be laid on the table.

Carried.

Assembly Concurrent Resolution No. 12.

Mr. Black moved adoption of resolution.

Remarks by Messrs. Hamlin, Smith, Tandy and Goodin.

Roll call asked for by Messrs. Dunseath, Cahlan and Malone.

Roll called:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—39.

NAYS—None.

Absent—Mr. Wheelwright.

Resolution adopted.



## GENERAL FILE AND THIRD READING

Assembly Bill No. 76, as amended.

Remarks by Messrs. Tandy and Bugbee.

Previous question asked for by Messrs. Dunseath, Black and Blundell.

Motion lost.

Further discussion by Messrs. Noble, Cahill and Brown.

Previous question asked for by Messrs. Cahlan, Dunseath and Black.

Carried.

Roll call on Assembly Bill No. 76:

YEAS—Messrs. Anderson, Barnes, Black, Brown, Butler, Cahill, Carroll, Cobb, Cooper, Dunseath, Ebert, Hatton, Heward, Hussman, Johnson, McAuliffe, Murphy, O'Connor, Reynolds, Roberts, Smith, Taber and Tandy—23.

NAYS—Messrs. Beverly, Blundell, Bugbee, Cahlan, Goodin, Hamlin, Kenny, Lage, Malone, Moore, Noble, Persson, Raycraft, Stewart, Strosnider and Wheelwright—16.

Not voting—Mr. Speaker.

Assembly Bill No. 76, as amended, having received a constitutional majority, Mr. Speaker declared it passed.

Amendment proposed by Mr. Cahill to title of Assembly Bill No. 76: Amend title of Assembly Bill No. 76 by striking out all of said title and inserting in lieu thereof the following: An Act to amend sections 3, 4, 5, 6 and 6a of an Act entitled "An Act to provide for cooperative agricultural and home economic extension work in the several counties in accordance with the Smith-Lever Act of Congress, approved May 8, 1914; providing for the organization of County Farm Bureaus; for county and State cooperation in support of such work; making an annual appropriation therefor, levying a tax and for other purposes," approved April 1, 1919, as amended.

Mr. Cahill moved adoption of amendment to the title.

Remarks by Messrs. Cahill and Hatton.

Carried.

At 11:13 a. m. house recessed.

## HOUSE IN SESSION

At 11:21 a. m.

Mr. Speaker in the chair.

Quorum present.

## GENERAL FILE AND THIRD READING

Assembly Bill No. 57.

Amendment proposed by Mr. Hussman: Amend section 1 of Assembly Bill No. 57 by striking out the word "two" in line 4, page 1, and inserting in lieu thereof the words "one and one-half."

Mr. Hussman moved adoption of the amendment.

Carried.

Mr. Dunseath moved a call of the house, seconded by Mr. Brown.

Carried.

Remarks by Messrs. Hussman, Carroll, Hatton, Malone, Goodin, Tandy, Cahill and Stewart.

Roll call on Assembly Bill No. 57 :

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Butler, Cahill, Cahlan, Cooper, Ebert, Hamlin, Hatton, Heward, Hussman, Johnson, Kenny, Lage, Malone, Moore, O'Connor, Persson, Reynolds, Smith, Stewart, Strosnider, Taber, Tandy and Wheelwright—29.

NAYS—Messrs. Bugbee, Carroll, Cobb, Dunseath, Goodin, McAuliffe, Noble, Raycraft and Roberts—9.

Not voting—Messrs. Murphy and Mr. Speaker—2.

Assembly Bill No. 57 having received a constitutional majority, Mr. Speaker declared it passed.

Without objection Mr. Speaker signed Assembly Bills Nos. 24 and 142.

At 12:04 p. m. house recessed until 2 p. m.

### HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the chair.

Quorum present.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Joint Committee on Labor and Ways and Means has had Assembly Bills Nos. 209 and 210 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

J. H. CAHILL,  
*Chairman of Ways and Means Committee.*

PAT MCAULIFFE,  
*Chairman of Labor Committee.*

*Mr. Speaker:*

Your Committee on Ways and Means has had Senate Bill No. 52 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

J. H. CAHILL, *Chairman.*

*Mr. Speaker:*

Your Committee on Counties and County Boundaries has had Assembly Bill No. 194 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

CLYDE P. JOHNSON, *Chairman.*

*Mr. Speaker:*

Your Committee on Judiciary has had Assembly Bill No. 295 under consideration and begs leave to report favorably on the same, with the recommendation that it do pass with the following amendments :

No. 1—Amend title by striking out the period after the word "amended" and insert a comma in lieu thereof and the following words "by adding thereto a new section to be known as section 113½."

No. 2—Amend section 1, page 1, line 2, by striking out the words and figures "122 of said Act, being section 9721" and insert in lieu thereof the words and figures "113 of said Act."

No. 3—Amend section 1, page 1, line 3, by striking out the words and figures "numbered 9721½" and insert in lieu thereof the words and figures "known as 9712½ N. C. L. 1929."

No. 4—Amend section 1, page 1, line 5, by striking out the figures "9721½" and insert in lieu thereof the figures "113½."

G. J. KENNY, *Chairman.*

## MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Substitute for Senate Bill No. 39, which has this day passed the Senate, as amended, by the following vote: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 1, line 2, strike out the words "so as." Page 1, line 8, strike out the figures "1933" and insert in lieu thereof the figures "1934." Page 1, line 9, strike out the figures "1934" and insert in lieu thereof the figures "1935." Amend title by striking out in first line of said title the word "repeal" and insert in lieu thereof the word "amend."

Also, Senate Substitute for Senate Bill No. 40, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 1, lines 1 and 2, strike out the word "section" and insert in lieu thereof the word "paragraph." Page 1, line 2, strike out the words "so as." Page 1, line 6, strike the figures "1933" and insert in lieu thereof the figures "1934" and in the same line after the word "and" strike out the figures "1934" and insert in lieu thereof the figures "1935." Page 1, line 10, after the word "Act" insert the words "shall become." Amend title by striking out in first line of the title the word "repeal" and inserting in lieu thereof the word "amend."

Also, Senate Bill No. 60, which passed, as amended: Yeas, 17; nays, none. Amend as follows: Amend by striking out all of subdivision 5, on page 3 of the bill, and inserting in lieu thereof the following: 5. Any copies, notices and notifications required to be sent or given under this section shall be in writing, dated and under the seal of the Nevada Industrial Commission and shall be sent by registered mail, postage prepaid to the claimant or his attorney at his post-office address as shown by the records of the Commission, or his last known address. Said copies shall be deemed sent and such notices and notifications shall be deemed given as of the date of their mailing by the Commission, and time to act on same shall begin to run from said date of mailing. Amend subdivision "c," page 5, line 8, by striking out the words "occurring or being received" in said line and substituting in lieu thereof the words "which has occurred or been received."

Also, Senate Bill No. 85, which passed, as amended: Yeas, 17; nays, none. Amend as follows: Page 1, line 1, strike the words "the same." Page 1, line 2, change word "section" to "paragraph." Page 1, line 15, strike the words "the same." Page 2, line 1, change the word "section" to "paragraph." Page 2, line 18, strike the words "the same." Page 2, line 19, change the word "section" to "paragraph." Page 4, line 11, change the first word "provided" to "contain"; in same line strike the word "that." Page 4, line 16, change the word "however" to "further," and strike the word "that." Page 5, line 12, strike the word "that," and in same line change word "paragraph" to "Act." Page 5, line 16, strike the first word "that." Page 6, line 15, strike the word "that." Page 6, line 26, strike the word "that." Page 6, line 30, strike the words "provided for," and insert word "required." Page 7, line 2, strike the words "provided for," and insert word "required." Page 7, line 3, strike the word "that."

Also, Senate Bill No. 121, which passed, as amended: Yeas, 15; nays, none; absent, 2. Amend as follows: Page 2, line 12, strike the word "that." Page 2, lines 13 and 14, strike the words "come under the provisions of this Act," and insert in lieu thereof "be required to pay any additional fee for filing list of officers."

Also, Senate Bill No. 131, which passed: Yeas, 15; nays, none; absent, 2.

Also, Senate Bill No. 133, which passed, as amended: Yeas, 15; nays, none; absent, 2. Amend as follows: Page 1, line 17, change the period to a comma after the word "taxation," and insert the following words "when used solely for the purposes of the charitable corporation."

Also, Senate Bill No. 134, which passed: Yeas, 15; nays, none; absent, 2.

Also, Senate Bill No. 135, which passed, as amended: Yeas, 15; nays, none; absent, 2. Amend as follows: Page 1, lines 1 and 2, strike the word "section," and insert in lieu thereof the word "paragraph." Amend the title in line 2 by

striking the figures "153" and the semicolon, place a period after the word "amended," and strike the balance of the sentence.

Also, Senate Bill No. 140, which passed: Yeas, 15; nays, none; absent, 2.

Also, Senate Bill No. 143, which passed, as amended: Yeas, 15; nays, none; absent, 2. Amend as follows: Page 1, line 8, after letters "ated" change comma to semicolon. Page 1, line 9, after comma following the word "State" add the words "shall also be filed." Page 1, line 13, change the word "or" to the word "and." Page 1, line 14, strike the words "the same fee." Page 2, line 1, strike the words "as are," and insert in lieu thereof "the minimum fee of \$25."

Also, to return Assembly Bill No. 146, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 4, line 32, after the word "to" insert the word "knowingly." Page 5, line 15, after the word "persons" insert the word "knowingly." Page 5, line 16, after the word "or" insert the word "knowingly."

Also, Assembly Bill No. 239, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 1, line 10, strike the words "every deputy," and insert in lieu thereof the words "any or all deputies."

Also, Assembly Bill No. 247, which passed: Yeas, 14; nays, none; absent, 2; not voting, 1.

Also, to present Senate Concurrent Resolution No. 14, which has this day been adopted by the Senate.

Also, Senate Joint Resolution No. 20, which passed: Yeas, 14; nays, 2; absent, 1.

Also, Senate Bill No. 58, which passed: Yeas, 9; nays, 8.

Also, Senate Bill No. 96, which passed: Yeas, 9; nays, 8.

LENA GALE,

*Assistant Secretary of the Senate.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Malone moved that the Assembly concur in the Senate amendments to Assembly Bill No. 121.

Carried.

Mr. Dunseath moved that Senate Bill No. 75 be placed on top of the file for third reading and final passage.

Carried.

Mr. Taber moved that the Assembly concur in the Senate amendments to Assembly Bill No. 105.

Carried.

#### INTRODUCTION AND FIRST READING

Senate Bill No. 140.

Mr. O'Connor moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Lincoln County Delegation.

Carried.

Senate Bill No. 143.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

Senate Bill No. 131.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second

time by title, and referred to Committee of Clark County Delegation.  
Carried.

Senate Bill No. 60.

Mr. Hussman moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to a Joint Committee on Ways and Means and Labor.

Carried.

Senate Joint Resolution No. 20.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Federal Relations.

Carried.

Senate Bill No. 133.

Mr. Hamlin moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on State Institutions.

Carried.

Senate Bill No. 121.

Mr. Bugbee moved that Senate Bill No. 121 be indefinitely postponed.

Carried.

Senate Bill No. 85.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

Senate Bill No. 58.

Mr. Brown moved that Senate Bill No. 58 be laid on the table.

Carried.

Senate Bill No. 96.

Mr. Cahlan moved that Senate Bill No. 96 be indefinitely postponed.

Carried.

Senate Substitute for Senate Bill No. 40.

Mr. Hussman moved that Senate Substitute for Senate Bill No. 40 be referred to Committee on Ways and Means.

Mr. Dunseath moved that Senate Substitute for Senate Bill No. 40 be laid on the table.

Carried.

Senate Bill No. 134.

Mr. Cobb moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee of Storey County Delegation.

Carried.

Senate Bill No. 135.

Mr. Hussman moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

Senate Substitute for Senate Bill No. 39.

Mr. Cahill moved that rules be suspended, reading so far had considered first reading, rules further suspended, substitute read second time by title, and referred to Committee on Ways and Means.

Carried.

#### GENERAL FILE AND THIRD READING

Senate Bill No. 75.

Amendment proposed by Mr. Raycraft: Amend section 1 of Senate Bill No. 75 by striking out in lines 22 and 23, page 2 of the printed bill, the words "which shall not exceed six thousand dollars per annum."

Mr. Raycraft moved adoption of amendment.

Remarks by Messrs. Dunseath, Malone and Cahill.

Amendment lost.

Amendment proposed by Mr. Black:

Amend section 1 of Senate Bill No. 75 by striking out after the word "shall" in line 12, page 2 of the printed bill, all the remainder of lines 12, 13, 14, 15, 16, 17, 18, 19, 20, and insert in lieu thereof "presenting said evidence as to moral character and qualifications as an educator."

Mr. Black moved adoption of amendment.

Carried.

Amendment proposed by Mr. Raycraft: Amend section 1 of Senate Bill No. 75 by striking out the word "annually" in line 1, page 3, and inserting in lieu thereof the word "biannually."

Mr. Raycraft moved adoption of amendment.

Remarks by Messrs. Cahill, Dunseath and Raycraft.

Amendment lost.

Mr. Dunseath moved that the Assembly rescind the action taken on Mr. Black's amendment.

Remarks by Messrs. Bugbee, Dunseath, Brown, Taber, Black, Malone, Tandy, Moore and Hatton.

Mr. Dunseath amended his motion to read that the Assembly reconsider the vote taken on Mr. Black's amendment.

Roll called:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Hussman, Johnson, Kenny, McAuliffe, Moore, Murphy, Noble, O'Connor, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Wheelwright—33.

NAYS—Messrs. Cahlan, Malone and Raycraft—3.

Absent—Messrs. Heward and Lage—2.

Not voting—Mr. Persson and Mr. Speaker—2.

Motion carried.

Mr. Black withdrew motion.

Mr. Brown moved that Senate Bill No. 75 be made a special order of business at 2 p. m. Monday.

Remarks by Messrs. Dunseath, Taber and McAuliffe.

Motion lost.

Previous question moved by Messrs. Dunseath, McAuliffe and Taber.

Roll call on Senate Bill No. 75:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Butler, Cahill, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Hussman, Johnson, Kenny, McAuliffe, Moore, Murphy, Noble, O'Connor, Reynolds, Roberts, Stewart, Strosnider, Taber, Tandy and Wheelwright—29.

NAYS—Messrs. Brown, Bugbee, Cahlan, Malone and Raycraft—5.

Absent—Messrs. Heward and Lage—2.

Not voting—Messrs. Blundell, Persson, Smith and Mr. Speaker—4.

Senate Bill No. 75 having received a constitutional majority, Mr. Speaker declared it passed.

At 3:12 p. m. house recessed.

### HOUSE IN SESSION

At 3:20 p. m.

Mr. Speaker in the chair.

Quorum present.

### GENERAL FILE AND THIRD READING

Senate Bill No. 108.

Roll call on Senate Bill No. 108:

YEAS—Messrs. Black, Blundell, Hussman, Noble, O'Connor, Persson and Stewart—7.

NAYS—Messrs. Anderson, Bugbee, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Hamlin, Kenny, McAuliffe, Malone, Moore, Raycraft, Roberts, Smith and Strosnider—17.

Absent—Messrs. Brown, Cahill, Goodin, Heward, Lage, Murphy and Reynolds—7.

Not voting—Messrs. Barnes, Beverly, Butler, Hatton, Johnson, Taber, Tandy, Wheelwright and Mr. Speaker—9.

Senate Bill No. 108 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Mr. Smith gave notice that on the next legislative day he would move for a reconsideration of the vote taken on Senate Bill No. 108.

Remarks by Messrs. Smith, Dunseath and Black.

Senate Bill No. 109.

Amendment proposed by Mr. Smith: Amend section 1 of Senate Bill No. 109 by striking out the period at the end of line 11, page 1, and adding the following: "*provided*, upon written application of any executive officer of any local post or unit of any national organization of ex-service men, acting in his official capacity, such license or licenses shall be issued without charge for not to exceed two weeks in any calendar year."

Mr. Smith moved adoption of amendment.

Remarks by Messrs. Smith, Noble and Taber.

Carried.

Roll call on Senate Bill No. 109:

YEAS—Messrs. Anderson, Barnes, Beverly, Blundell, Brown, Bugbee, Butler, Cahlan, Carroll, Cobb, Cooper, Dunseath, Hamlin, Hatton, Hussman, Johnson, McAuliffe, Malone, Moore, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber and Tandy—28.

NAYS—Messrs. Ebert, Kenny, Noble and Wheelwright—4.

Absent—Messrs. Heward, Lage, Murphy and Reynolds—4.

Not voting—Messrs. Black, Cahill, Goodin and Mr. Speaker—4.

Senate Bill No. 109 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

On motion of Mr. Cooper, Assembly Bill No. 154 was withdrawn.

Assembly Bill No. 181.

Amendment proposed by Lyon County Delegation: Amend section 1 of Assembly Bill No. 181 by striking the words and figures "one thousand nine hundred sixty (\$1,960)."

Mr. Bugbee moved adoption of amendment.

Carried.

Roll call on Assembly Bill No. 181:

YEAS—Messrs. Anderson, Barnes, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hussman, Johnson, Kenny, McAuliffe, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—34.

NAYS—None.

Absent—Messrs. Hatton, Heward, Lage, Murphy and Reynolds—5.

Not voting—Mr. Beverly.

Assembly Bill No. 181 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Bill No. 195.

Mr. Tandy moved that Assembly Bill No. 195 be amended by striking out all after the enacting clause and inserting in lieu thereof Assembly Substitute for Assembly Bill No. 195.

Carried.

Mr. Blundell moved adoption of Assembly Substitute for Assembly Bill No. 195.

Carried.

Remarks by Messrs. Taber, Goodin, Persson, Cahill and Tandy.

At 4:03 p. m. house recessed.

## HOUSE IN SESSION

At 4:14 p. m.

Mr. Speaker in the chair.

Quorum present.

## GENERAL FILE AND THIRD READING

On motion of Mr. Blundell, Assembly Bill No. 195 was laid over until the next legislative day.



Assembly Bill No. 203.

Amendment proposed by Committee on Fish and Game: Amend section 2 of Assembly Bill No. 203 by striking out all of the words in lines 18 and 19, page 4, after the word and figure "SEC. 2," and insert in lieu thereof the following: "All Acts and parts of Acts in conflict with the provisions of this Act are hereby repealed."

Mr. Smith moved adoption of amendment.

Carried.

Remarks by Messrs. Anderson and Smith.

Roll call on Assembly Bill No. 203:

YEAS—Messrs. Barnes, Beverly, Blundell, Brown, Bugbee, Butler, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Hussman, Johnson, McAuliffe, Malone, Moore, Murphy, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider and Taber—30.

NAYS—Messrs. Anderson, Kenny and Noble—3.

Absent—Messrs. Heward, Lage and Wheelwright—3.

Not voting—Messrs. Black, Cahill, Tandy and Mr. Speaker—4.

Assembly Bill No. 203 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Dunseath asked permission to revert to order of business No. 8.

#### MOTIONS, RESOLUTIONS AND NOTICES

By Committee on Enrollment:

Assembly Resolution No. 24:

WHEREAS, There are usually numerous bills awaiting enrollment during the closing days of every session of the Legislature, resulting in unnecessary loss of time and many recesses caused by the congesting and delay of enrollment; and

WHEREAS, In order to avoid the said congestion it is necessary to employ additional assistance for said enrolling to expedite the business of this Assembly; now, therefore, be it

*Resolved*, That the Committee on Enrollment be and is hereby authorized and empowered to arrange for such additional assistance as may be deemed proper and necessary in enrolling Assembly bills during the remainder of the present session, and that the State Controller be and he is hereby authorized and directed to draw his official warrants on the Legislative Fund in favor of the persons employed by the said Committee on Education as provided by this resolution, and the State Treasurer is hereby directed to pay same.

Mr. Dunseath moved adoption of resolution.

Remarks by Messrs. Brown, Tandy, Noble, Hamlin, Hussman and Dunseath.

Carried.

Mr. McAuliffe moved that beginning Monday morning when bills are up for third reading and final passage, discussion will be limited to five minutes for each member with the exception of the introducer, who will speak five minutes on the opening and five minutes on the closing, or when he should so choose.

Carried.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 226.

Amendment proposed by Joint Committee of Ways and Means and Labor: Amend section 1, line 7, by striking out the word "dollars"

and insert in lieu thereof the words "three hundred dollars." Strike out the figures "\$6,000" in line 8 and insert in lieu thereof the figures "\$6,300." In line 12, strike out the word "dollars" and insert in lieu thereof the words "five hundred dollars." Strike out the figures "\$4,000" in line 12 and insert in lieu thereof the figures "\$4,500."

Mr. Cahill moved adoption of Joint Committee amendment.

Carried.

Amendment proposed by Mr. Raycraft: Amend section 1 of Assembly Bill No. 226 by striking out in line 7, page 1, "six thousand dollars" and inserting in lieu thereof "seven thousand dollars." In line 8 strike out the figures "\$6,000" and insert the figures "\$7,000." In line 8 strike out the words "thirty-two hundred" and insert words "thirty-six hundred." In line 9 strike out the words "fifty dollars" and strike out the figures "\$3,250" and insert in lieu thereof the figures "\$3,600." In line 9 strike out the words "thirty-two." In line 10 strike out the words "hundred fifty dollars" and insert in lieu thereof the words "thirty-six hundred dollars"; also strike out the figures "\$3,250" and insert in lieu thereof the figures "\$3,600." On page 2, line 1, strike out the words "thirty-two hundred fifty" and insert in lieu thereof the words "thirty-six hundred," and strike out the figures "\$3,250" and insert in lieu the figures "\$3,600." In line 11 strike out the words "thirty-two hundred fifty" and insert in lieu thereof the words "thirty-six hundred"; also strike out the figures "\$3,250" and insert in lieu thereof the figures "\$3,600." In line 12 strike out the words "four thousand" and insert in lieu thereof the words "five thousand"; also strike out the figures "\$4,000" and insert in lieu thereof the figures "\$5,000." In line 13 strike out the words "thirty-two hundred fifty" and insert in lieu thereof the words "thirty-six hundred," and strike out the figures "\$3,250" and insert in lieu thereof the figures "\$3,600." In line 14 strike out the words "thirty-two hundred" and insert in lieu thereof the words "thirty-six hundred." In line 15 strike out the words "fifty dollars" and strike out the figures "\$3,250," and insert in lieu thereof the figures "\$3,600." In line 2 strike out the words "thirty-two hundred fifty" and insert in lieu thereof the words "thirty-six hundred." In line 3 strike out the figures "\$3,250" and insert in lieu thereof the figures "\$3,600"; also strike out the words "thirty-two hundred" and insert in lieu thereof the words "thirty-six hundred." In line 4 strike out the words "fifty dollars"; also strike out the figures "\$3,250" and insert in lieu thereof the figures "\$3,600."

Mr. Raycraft moved adoption of amendments.

Amendments lost.

Discussion by Messrs. Tandy, Cahill, Dunseath, Anderson, Taber, McAuliffe, Cahlan, Smith, Hamlin and Cobb.

Roll call on Assembly Bill No. 226:

YEAS—Messrs. Anderson, Barnes, Black, Blundell, Brown, Butler, Cahill, Cahlan, Cooper, Ebert, Hatton, Hussman, Kenny, Murphy, Noble, Roberts, Stewart, Strosnider and Taber—19.

NAYS—Messrs. Beverly, Bugbee, Carroll, Cobb, Dunseath, Goodin, Hamlin,

Johnson, McAuliffe, Malone, Moore, O'Connor, Persson, Raycraft, Reynolds, Tandy and Wheelwright—17.

Absent—Messrs. Heward and Lage—2.

Not voting—Mr. Smith and Mr. Speaker—2.

Assembly Bill No. 226 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

At 5:05 p. m. Mr. Moore moved that the Assembly adjourn until Monday, March 13, 1933, at 10 a. m.

Carried.

Approved:

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,

*Chief Clerk of the Assembly.*

## THE FIFTY-SEVENTH DAY

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CARSON CITY (Monday), March 13, 1933.

Assembly called to order at 10 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Messrs. Johnson and Kenny.

Prayer by Rev. Hersey.

On motion of Mr. Persson the reading and approval of the Journal was dispensed with, and Mr. Speaker and the Chief Clerk were authorized to make any necessary corrections.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Roads and Highways has had Senate Bill No. 51 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

Also, Senate Bill No. 54, and reports favorably on the same, with the recommendation that it do pass, as amended. Amend as follows: Amend section 1 of Senate Bill No. 54 by striking out all of section 1 and inserting in lieu thereof the following: SECTION 1. No owner or operator of a motor vehicle carrying passengers or property for hire on any road or highway in the State of Nevada shall require, suffer or permit any driver of such motor vehicle to drive any such motor vehicle in any one period longer than the time permitted for such period by the order of the Public Service Commission of Nevada.

W. H. GOODIN, *Chairman.*

### MOTIONS, RESOLUTIONS AND NOTICES

On motion of Mr. Anderson, Assembly Bills Nos. 253, 257, 259, 261 and 274 were rereferred to a Joint Committee on Ways and Means and Labor.

### GENERAL FILE AND THIRD READING

Assembly Bill No. 243.

Remarks by Mr. Hamlin.

Roll call on Assembly Bill No. 243:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Carroll, Cobb, Cooper, Hamlin, Hatton, Heward, Hussman, Lage, McAuliffe, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Wheelwright—32.

NAYS—Messrs. Dunseath and Ebert—2.

Absent—Messrs. Johnson and Kenny—2.

Not voting—Messrs. Cahlan, Goodin, Malone and Mr. Speaker—4.

Assembly Bill No. 243 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 254.

Amendment proposed by Mr. Tandy: Amend section 4 of Assembly Bill No. 254, page 2, line 12, strike the word "or," and insert in lieu thereof a comma. Strike the period at the end of the line and insert "nor the State Printing Department."

Mr. Tandy moved adoption of amendment.

Carried.

Amendment proposed by Mr. Tandy: Amend Assembly Bill No. 254 by striking section 9 and inserting in lieu thereof the following: SEC. 9. Said board is authorized to employ an engineer, two janitors, one gardener and two watchmen and fix their compensation; *provided*, that the watchmen whose duty it shall be to guard the vault of the State Treasury shall be designated by the State Treasurer. Said board is also empowered to employ such additional assistance as necessity may require and fix their compensation. Said employees shall perform such duties as said board may direct, may be transferred from one branch of employment to another, shall take care of all buildings, grounds and offices under control of said board.

Mr. Tandy moved adoption of amendment.

Remarks by Messrs. Cahlan, Tandy, Malone, Cooper and Hamlin.

Carried.

Roll call on Assembly Bill No. 254:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—36.

NAYS—None.

Absent—Messrs. Johnson and Kenny—2.

Not voting—Messrs. Anderson and Cahill—2.

Assembly Bill No. 254 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Bill No. 288.

Amendment proposed by Mr. Ebert: Amend section 8 of Assembly Bill No. 288 by striking out in lines 17 and 18, page 6, the words and figures "one dollar and fifty cents (\$1.50)" and insert in lieu thereof the words and figure "three dollars (\$3)."

Mr. Ebert moved adoption of amendment.

Carried.

Remarks by Messrs. Tandy and Persson.

Mr. Tandy moved that Assembly Bill No. 288 be rereferred to the Committee on Fish and Game.

Remarks by Messrs. Persson, Brown, Cahill and Cooper.

Motion lost.

Further discussion by Messrs. Tandy, Persson, Noble, Cahill, Brown and Cooper.

Roll call on Assembly Bill No. 288:

YEAS—Messrs. Barnes, Beverly, Blundell, Brown, Cahlan, Cobb, Dunseath, Ebert, Goodin, Hatton, Heward, Hussman, McAuliffe, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Roberts, Smith and Stewart—22.

NAYS—Messrs. Anderson, Bugbee, Butler, Cahill, Carroll, Cooper, Hamlin, Strosnider and Tandy—9.

Absent—Messrs. Johnson and Kenny—2.

Not voting—Messrs. Black, Lage, Murphy, Reynolds, Taber, Wheelwright and Mr. Speaker—7.

Assembly Bill No. 288 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Bill No. 289.

Roll call on Assembly Bill No. 289:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—36.

NAYS—None.

Absent—Messrs. Johnson and Kenny—2.

Not voting—Messrs. Anderson and Cahill—2.

Assembly Bill No. 289 having received a constitutional majority, Mr. Speaker declared it passed.

At 11:09 house recessed.

### HOUSE IN SESSION

At 11:30 a. m.

Mr. Speaker in the chair.

Quorum present.

### GENERAL FILE AND THIRD READING

Assembly Bill No. 291.

Amendment proposed by Mr. Hamlin: Amend section 1 of Assembly Bill No. 291 by striking out in line 10, section 1, page 1, the figures 4:30 and inserting in lieu thereof the figure 4.

Mr. Hamlin moved adoption of amendment.

Carried.

Remarks by Messrs. Hamlin, Cahlan, Bugbee and Tandy.

Amendment proposed by Mr. Cahlan: Amend section 1 of Assembly Bill No. 291 by striking out in line 14 the word "not," and in line 1, page 2, the words "exceeding eight hours per day."

Mr. Cahlan moved adoption of amendment.

Carried.

Remarks by Messrs. Cahill and Hamlin.

Roll call on Assembly Bill No. 291:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahlan, Carroll, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Lage, McAuliffe, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Wheelwright—32.

NAYS—None.

Absent—Messrs. Cobb, Johnson and Kenny—3.

Not voting—Messrs. Anderson, Cahill, Cooper, Murphy and Mr. Speaker—5.

Assembly Bill No. 291 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Amendment proposed by Mr. Hamlin to title of Assembly Bill No. 291: Amend title of Assembly Bill No. 291 by striking out in line 3 the words "or elsewhere within the State."

Mr. Hamlin moved adoption of amendment.

Carried.

Without objection Mr. Speaker signed Assembly Bills Nos. 87 and 141, and Assembly Joint Resolution No. 19.

Assembly Bill No. 292.

Amendment proposed by Mr. Hamlin: Amend Assembly Bill No. 292 by adding after section 2 of said Act a section to be known as section 2½ which said section shall read as follows: SEC. 2½. All Acts and parts of Acts in conflict with the provisions of this Act are hereby repealed.

Mr. Hamlin moved adoption of amendment.

Remarks by Mr. Hamlin.

Carried.

Roll call on Assembly Bill No. 292:

YEAS—Messrs. Anderson, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Noble, Reynolds, Roberts, Stewart, Strosnider, Taber and Tandy—26.

NAYS—Mr. O'Connor.

Absent—Messrs. Johnson, Kenny, Malone and Moore—4.

Not voting—Messrs. Barnes, Lage, McAuliffe, Murphy, Persson, Raycraft, Smith, Wheelwright and Mr. Speaker—9.

Assembly Bill No. 292 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 299, 301, 302 and 303, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 293.

On motion of Mr. Anderson Assembly Bill No. 293 was rereferred to Joint Committee on Ways and Means and Labor.

Assembly Bill No. 296.

Amendment proposed by Committee on Judiciary: Amend section 3 of Assembly Bill No. 296, page 3, line 26, by striking out the character and word “/or.”

Mr. Hatton moved adoption of amendment.

Carried.

Amendment proposed by Committee on Judiciary: On page 3, line 26, after the word “treatment” insert a comma and the words “or any or either of them.”

Mr. Hatton moved adoption of amendment.

Carried.

Remarks by Mr. Hatton.

Roll call on Assembly Bill No. 296:

YEAS—Messrs. Anderson, Barnes, Blundell, Brown, Bugbee, Butler, Cahill, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hatton, Heward, Hussman,

Lage, McAuliffe, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber and Wheelwright—31.

YAYS—Mr. Tandy.

Absent—Messrs. Cahlan, Hamlin, Johnson and Kenny—4.

Not voting—Messrs. Beverly, Black, Murphy and Mr. Speaker—4.

Assembly Bill No. 296 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

At 12 noon house recessed until 1:30 p. m.

### HOUSE IN SESSION

At 1:56 p. m.

Mr. Speaker in the chair.

Quorum present.

### PRESENTATION OF PETITIONS

A letter from the International Brotherhood of Electrical Workers regarding office of State Labor Commissioner was referred to a Joint Committee of Labor and Ways and Means.

A letter from the Nevada State Federation of Labor regarding Labor was referred to a Joint Committee of Labor and Live Stock for further investigation.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Mines and Mining has had Assembly Bill No. 303 and Senate Bill No. 124 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

FRANK BUGBEE, *Chairman.*

*Mr. Speaker:*

Your Committee on State Institutions has had Senate Bill No. 133 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

FRANK BUGBEE, *Chairman.*

### REPORT OF SELECT COMMITTEE

*To the Honorable, the Senate and Assembly of the State of Nevada, 36th Session:*

Your Joint Committee, appointed under Senate Concurrent Resolution No. 6, begs leave to report the findings of its investigation and its recommendations under the authority and direction given said Joint Committee by said concurrent resolution.

The testimony given at the hearings was reported and transcribed, and such record is attached hereto and made a part of this report.

Your Joint Committee undertook a detailed investigation of the closed Wingfield banks, the affairs of the State Board of Examiners, the State Board of Finance, the State Treasurer's office, and the Bank Examiner's office; also made an examination into the affairs of the closed banks at Yerington and Gardnerville. The report is therefore divided into two parts: First, Findings of Fact relative to each bank and subject investigated; second, Recommendations and Conclusions, wherein your committee has also made certain recommendations relative to proposed legislation to rectify some of the defects in the present law governing the matters investigated.

And the Findings of Fact and Recommendations of your Joint Committee are as follows:



## FINDINGS OF FACT

**BANK OF NEVADA SAVINGS AND TRUST COMPANY****CASH RESERVE**

Your committee finds that the cash reserve of the above State bank was below the minimum required by section 14 of the Banking Code, from March 31, 1932, to date of closing, October 29, 1932, and that an apparent compliance with the law was effected by carrying "available funds" in the sum of \$100,000 as a cash item, when in fact the same was an item due from other banks or bankers, and should have been carried as such. The testimony of Mr. J. Sheehan, to the effect that this practice had been carried on for over five years in admitted violation of the Banking Code, and that said officer deemed it necessary to get permission of the Bank Examiner to continue said practice, is further evidence to your committee of their knowledge of the violation of the statute.

Mr. P. L. Nelson, cashier of said bank, testified that Mr. Seaborn, present Bank Examiner, stated he could not see how he could approve such practice under the law. On this subject Mr. Seaborn testified that prior to March 31, 1932, the item "available funds" was listed as currency on hand, when in fact such item consisted of amounts due from other banks in the sum of \$100,000; that thereafter Mr. Nelson took it up with the bank's attorneys, and said he "didn't like" to swear to further such reports which listed this item as currency; and thereafter this item was listed as "available funds" in the amount of \$100,000.

If the Board of Finance and the Bank Examiner had attempted to enforce section 14 of the Banking Code, and the bank failed to comply with the directions of the Bank Examiner within sixty days, said bank would have been deemed insolvent and closed, and any subsequent loss incurred by permitting the bank to remain open after the expiration of 60 days from March 31, 1932, might have been avoided.

Your committee finds that although the available funds on hand in the Bank of Nevada Savings and Trust Company were below the amount required by the statute, to the extent of \$100,000, during the period from March 31, 1932, to the date of closing, said bank was permitted to make new loans and discounts, contrary to the provisions of section 14 of the Nevada Banking Code.

**SALE OF ASSETS**

Your committee finds that the call report submitted by the above bank to the Bank Examiner under date of September 30, 1932, listed as due other banks and bankers, \$1,388,344.20, of which \$1,288,344.20 was due from the Reno National Bank, in Reno.

The Bank Examiner testified that this amount due, or the major part thereof, consisted of a series of transactions commencing in May, 1932, wherein the Bank of Nevada Savings and Trust Company "sold" assets to the Reno National Bank and secured therefor a credit on the books of the Reno National Bank.

This item due from the Reno National Bank represented approximately one-fourth of the total assets of the Bank of Nevada Savings and Trust Company. Mr. P. L. Nelson and the Bank Examiner testified that said bank was credited on the books of the Reno National Bank with the face value of said assets. It was further disclosed that these assets were pledged by the Reno National Bank to the Reconstruction Finance Corporation for a loan. It was further testified to that a major portion of the sum so realized was paid to the Crocker National Bank sometime in the middle of July, 1932.

Mr. Seaborn throughout his testimony presented to your committee maintained that such transaction was an outright *sale* of assets by the Bank of Nevada Savings and Trust Company to the Reno National Bank.

Mr. P. L. Nelson, cashier of said bank, and Mr. George Wingfield, both said the transaction was a means of borrowing money through the Reno National Bank to enable the Bank of Nevada Savings and Trust Company to meet the withdrawals of its depositors.

The testimony of Mr. Seaborn was to the effect that he considered the transaction a sale, and that in view of the fact that the call reports of the Bank of Nevada Savings and Trust Company listed due from the Reno National Bank on September 30, 1932, the sum of \$1,288,344.20, there was on deposit in the Reno National Bank that sum which could be withdrawn upon demand by the Bank of Nevada Savings and Trust Company; and that he counted part of that sum as cash due from other banks, making up part of the 10% of the deposits required to be kept on hand in the Bank of Nevada Savings and Trust Company, under the Nevada statute.

The Bank Examiner testified that he made no inquiry into the solvency of the Reno National Bank other than consulting with Mr. Wingfield, and examining the published statements before considering the item of cash due from said bank as part of the cash reserve of the Bank of Nevada Savings and Trust Company, although at that time, and for sometime prior to that time, the said Bank Examiner had considered the capital of the Bank of Nevada Savings and Trust Company impaired, and had discussed the matter of assessment with Mr. Wingfield.

Your committee finds although he knew that the capital of the Bank of Nevada Savings and Trust Company had been impaired for some time prior to the alleged sale of assets, and had discussed the matter with Mr. Wingfield, although the call report disclosing over a million dollars due from the Reno National Bank *excited his inquiry*, he made no effort to ascertain the solvency of the Reno National Bank other than as above stated, nor did he take any steps to enforce the provisions of the Nevada Banking Code, which we interpret as requiring him to close and take charge of such banks, under such circumstances. We feel this failure on the part of the Bank Examiner to close the bank probably had the effect of depriving the depositors of the Nevada Savings and Trust Company of 25% of their entire assets.

In view of the testimony of Mr. George Wingfield and Mr. P. L. Nelson, cashier of the Bank of Nevada Savings and Trust Company, the alleged sale of assets to the Reno National Bank was in fact a means of borrowing sufficient money through the medium of the Reno National Bank to meet the withdrawals of depositors. Your committee finds that the substance of Mr. Wingfield's and Mr. Nelson's testimony was that, of the \$968,080 of securities transferred to the Reno National Bank the latter realized but \$450,000 from the Reconstruction Finance Corporation, and that some \$285,000 had been used by the Bank of Nevada Savings and Trust Company to pay withdrawals by depositors.

In view of the testimony of the bank officials it is evident that there was an intent to circumvent section 35 of the Nevada Banking Code, which restricts any State bank from borrowing to a greater extent than the amount of the paid up capital of said bank; and if such transaction were simply a means of borrowing to a greater extent than the capital of said bank, which was \$100,000, the depositors were not only deprived of the safeguards provided by section 35 of the Nevada Banking Code, but the alleged sale of such assets was in our opinion without adequate consideration. And yet, the officials of said Bank of Nevada Savings and Trust Company continued to make new loans and discounts, and to accept deposits up to the time that the bank closed.

#### LOANS ON CHATTEL MORTGAGES

The Bank Examiner, Mr. Seaborn, testified that prior to 1931 loans had been made by the Bank of Nevada Savings and Trust Company upon chattel mortgages as sole security for such loans, in violation of section 6 of the Nevada Banking Code.

He further testified that he had insisted upon the officials of the above bank working these loans out as rapidly as possible, as they were in violation of law. But although he knew that such chattel mortgages were taken in violation of law, he did not insist or require said loans to be charged off before the payment of dividends.

For several years such loans were permitted by the Bank Examiners of this State, but in 1931, upon the recommendation of Mr. Seaborn, the Legislature of this State amended the statutes, permitting loans upon chattel mortgages,

with the approval of the Bank Examiner. The Bank Examiner testified that at no time thereafter did he approve the chattel mortgages which were made prior to 1931, but that these same loans were still permitted to be considered as a part of the resources of the Bank of Nevada Savings and Trust.

We feel that the officials of this bank assumed the position that they could make an exception to any of the provisions of the Banking Code, when the Bank Examiner approved such exception. We believe that this is borne out by the testimony of Mr. J. Sheehan, who testified that it was his belief and understanding that the Bank Examiner was clothed with the authority to set aside any provisions of the Banking Code, when he considered circumstances justified so doing. This is especially borne out by the examination of your committee into violations of section 13 of the Banking Code, which prohibits shares of stock in other corporations from being carried as resources of a State bank for a period longer than 12 months. It was discovered that the Bank of Nevada Savings and Trust Company had carried shares of stock for several years as resources in excess of \$100,000. This practice was "justified" by the officials of the Wingfield banks, namely, Mr. P. L. Nelson and Mr. J. Sheehan, because they and the Bank Examiner considered that such shares of stock so carried possessed market value.

The Bank Examiner permitted this violation of section 13 of the Nevada Banking Code without requiring said alleged resources to be charged off before the payment of dividends, which your committee feels was detrimental to the best interest and security of the depositors.

#### EXCESS LOANS

Two loans in excess of the statutory limit of 25% of capital stock and surplus of the Bank of Nevada Savings and Trust Company appear on the call reports rendered the Bank Examiner; one in the amount of \$40,000 and one in the amount \$37,860, both of which had been carried for a considerable period of time. The first loan was approved by the Bank Examiner, but the second loan was never so approved as required by the statute. The loan which was not approved by the Bank Examiner was carried for a period of several years, yet the Bank Examiner permitted said bank to pay dividends, which your committee feels to be contrary to sound banking practice and supervision.

#### INDORSEMENT BY DIRECTORS

Your committee finds that at least in one instance a director in the above bank indorsed an obligation to the extent of \$34,000, and that no steps were taken by the board of directors, Bank Examiner, or State Board of Finance to declare said directorship vacant, as is made mandatory by section 17 of the Banking Code as amended in 1931.

We find that the depositors of the Bank of Nevada Savings and Trust Company were at a decided disadvantage throughout the lifetime of this bank because of the fact that the Reno National Bank and the Bank of Nevada Savings and Trust Company were operated as a single financial institution, with identical directors and stockholders, thus depriving the depositors of the latter institution of a proper supervision on the part of the State Bank Examiner, as he was not permitted by law to supervise or inspect a national bank.

#### UNITED NEVADA BANK

We find that most of the ills of this bank were inherited as a result of the consolidation of the Scheeline Banking and Trust Company with the Washoe County Bank, which transaction was approved by the court, but which, in our opinion, contained many features that were repugnant to the Nevada Banking Code and sound banking administration as contemplated by said code.

That, in particular, your committee finds that the banking house and furniture were carried in excess of the amount permitted by statute.

That two loans in excess of the 25% of capital and surplus provided by statute were recorded on the call reports of said bank in the respective sums of \$158,701.36 and \$134,324.34.

That shares of stock in other corporations were carried as resources, to the extent of \$8,716.55 for a period of more than 12 months, in contravention of the requirements of section 13 of the Nevada Banking Code.

That one of the directors of said bank was permitted to remain as such director from the inception of the organization of said bank, in spite of the fact that he was an indorser to the extent of \$262,468.94, which your committee contends is contrary to the statutory provision making such directorship vacant by operation of law when such indorsements are made.

That sound administration of the Banking Code of this State would have dictated that the State Board of Finance and the State Bank Examiner should have directed that these violations of the code, above set forth, should have been adjusted before the distribution of surplus or the payment of dividends. It was disclosed that shortly after the organization of said bank, some \$250,000 of surplus was distributed among the stockholders, and many thousands of dollars were paid as dividends without first requiring that the proper adjustments be made.

The cash reserve of this bank was also below the legal minimum for some time prior to its closing, and the Bank Examiner testified that the cash deficiency as shown by the call report of September 30, 1932, existed from that date until the date of the closing of said bank.

Your committee finds that the depositors of the United Nevada Bank were not protected by proper supervision or sound banking practice, for the reason that dividends were paid and surplus was distributed without the same being justified by the condition of the bank as disclosed to your committee.

#### **THE RIVERSIDE BANK EXCESS LOANS**

Section 15 of the Nevada Banking Code, as amended in 1931, provides that a bank is not permitted to loan in excess of 40% of its capital and surplus, but the Bank Examiner may permit loans in excess of 25% of the capital and surplus for a limited period of time, not exceeding six months. Your committee finds that in the case of the Riverside Bank, which was capitalized for \$50,000, and with a surplus of \$25,000, there had existed for a period longer than six months five (5) loans in excess of 40% of the capital and surplus.

In the opinion of your committee, the Bank Examiner and the Board of Finance took no steps to enforce this provision of the State Banking Code, and permitted dividends to be paid to the stockholders of said bank, which aggregated, according to the testimony of its cashier, Mr. Roy Frisch, in excess of 200% of its capital. We feel that sound administration of the Banking Code would have made it mandatory upon the State Board of Finance and the State Bank Examiner to have required that the excess loans be reduced to the statutory requirements before permitting the payment of dividends to stockholders.

We feel that, through violation of the Banking Code, as amended in 1931, the depositors were deprived of proper protection by the payment of such dividends. And yet the Bank Examiner testified to your committee that he felt the Riverside Bank was in excellent shape, and upon that ground excused himself for not complying with the Banking Code in respect to making two examinations during the year 1932, the testimony before your committee disclosing that the last examination was made prior to January 1, 1932.

#### **LOANS TO DIRECTORS**

Calling attention to section 17 of the Nevada Banking Code, which provided that: "It shall be unlawful for any director, officer, or employee of any bank to become an indorser or surety for loans to any other person, or in any manner become obligor for money borrowed of or loaned by such banks" \* \* \* except in cases where the State Bank Examiner shall request an indorsement or guarantee for the purpose of protecting such bank against loss from a loan made not less than one year prior to date of such request; and also section 18, which makes it unlawful for any director, officer, or employee of any bank,

directly or indirectly to borrow money from such bank unless \* \* \* security be approved by a majority vote of the board of directors.

Your committee finds a loan in the original amount of \$30,000 to a director (A), which brought his total obligation to the sum of \$41,852.92. This loan was secured by a note in favor of director A, and signed by "B," another director of this bank. This transaction constitutes a two-way violation of the State Banking Code, in the opinion of your committee. Director A was also indorser of another loan in this bank, in the sum of \$5,000; and had the intent of the Nevada Banking Code been enforced by the Bank Examiner and the Board of Finance, both of these directors, A and B, would have been ineligible, under the Code, to continue in office. The total indebtedness of director A to the Riverside Bank was over \$11,000 in excess of the 40 per cent maximum which the statute placed on loans to any individual.

The Riverside Bank was not a victim of the "split loan" policy followed by the Wingfield banks, according to the testimony of Mr. Frisch, who regarded this policy as unsound banking practice, and refused to accept any of these large loans which were split among the various Wingfield banks.

The testimony shows also that the Riverside Bank was required to take loans from the Crocker National Bank in San Francisco, and also the Reconstruction Finance Corporation, when no need for such loans existed in this bank. The Riverside Bank paid dividends up to and including June, 1932, and was not hard pressed for cash. According to the testimony of Mr. Frisch, the cashier, some of the assets of the Riverside Bank were pledged both to Crocker and later to the R. F. C., to secure cash to aid the Reno National Bank in the difficulties with which it was confronted at that time. These transactions were carried into effect against the wishes of Mr. Frisch, and resulted in a considerable loss to the depositors. Mr. Frisch also revealed that *officials of the Crocker National Bank were virtually in charge of all Wingfield banks for a period of 90 days, during the summer of 1932*; and in the mind of Mr. Frisch, at least, according to his testimony before this committee, the idea of their presence here was to insure repayment of the loans made from the Crocker National Bank to the various units of the Wingfield group. Mr. Frisch seemed to feel that this indicated a belief in the minds of the Crocker National Bank officials that the Wingfield banks at that time might be insolvent. This opinion is further corroborated by the fact that Mr. J. Sheehan testified that at about this time the Crocker National Bank officials assumed virtual charge of the management of the Wingfield chain of banks in the State of Nevada; and upon inquiry by Mr. Sheehan from Mr. Wingfield, he was informed by the latter that the situation was entirely in the hands of the officials of the Crocker National Bank to work out.

It is therefore the opinion of your committee that the Crocker National Bank and the officials of the Wingfield chain knew, in July of 1932, that the condition of said banks was such that their continued functioning was questionable. It is also, in the opinion of your committee, rightly to be assumed from the testimony that the transactions and the arrangements with the Crocker National Bank of San Francisco gave a preference to the detriment of the depositors of the respective Wingfield State banks.

#### **THE USE OF RENO NATIONAL BANK AS A DEPOSITARY**

It was also revealed by Mr. Frisch that it had been the practice of the Riverside Bank to maintain correspondent deposit accounts in New York and other outside points, a policy which is considered sound banking practice. This policy was continued until the Crocker bank officials were given free rein in operation of the Wingfield banks, at which time, upon their instructions, all other correspondent accounts were closed out, and the deposits of the various Wingfield banks concentrated in the Reno National Bank, thereby placing all of the banks of the group virtually at the mercy of the condition of the Reno National Bank.

Mr. Frisch testified further that the insolvency of the Riverside Bank was due primarily to its deposit of \$88,710.10 in the Reno National Bank, which was made unavailable by the closing of the latter institution.

**BORROWINGS BY THE RIVERSIDE BANK**

It also seems significant to your committee that, in spite of the testimony of the cashier of the Riverside Bank that it had earned over 200% on its capital during its existence, and that in many instances it had more cash on deposit than it could use, they were instructed to borrow \$50,000 on two different occasions, which represented the total amount of its capital, and pay interest on that sum of money.

It appears to your committee from the above testimony that the sums that were realized from these loans were obtained for the purpose of placing additional cash in the Reno National Bank; and it certainly resulted in an additional overhead expense in the form of interest payment on such loans which, according to the testimony of its cashier, were not warranted by the current condition of said bank.

**LOANS ON SUTTER-BUTTE CANAL COMPANY STOCK**

In this bank, as well as in other banks of the Wingfield chain, loans appear on stock of the Sutter-Butte Canal Company, in which Mr. Wingfield was a large stockholder, as shown by the records of the California Railroad Commission. Mr. Frisch testified that these loans were sent to him by Mr. Wingfield, and that while he "didn't like it," they were accepted because he believed the borrower would pay out. Mr. Frisch testified that as far back as March, 1932, the bonds of the Sutter-Butte Canal Company were carried at approximately 30% of their face value which would make the preferred and common stock virtually worthless at that time. Mr. Frisch stated he had no difficulty in obtaining this information from their San Francisco broker, and that the same information would have been available to anyone desiring the same, with very little difficulty.

**VIRGINIA CITY BANK**

Your committee did not deem it necessary to go very deeply into the affairs of this bank, it appearing on the surface that its insolvent condition was due entirely to its connection as a member of the Wingfield chain. A deposit of \$25,000 in the Reno National Bank, together with a large number of excess loans, assigned to it under the "split loan" system in vogue in all of the Wingfield banks, in the opinion of your committee, tells the story. There were two loans in excess of 40% margin allowed by statute, one being almost 80% of the capital and surplus of this bank. Of the \$191,809.72 shown as the total loans and discounts of this bank on the September call report, \$145,326.69 was tied up in this type of loans, which under the theory of the Nevada Banking Code, are deemed unsafe. The statement submitted to your committee by the Bank Examiner shows 12 loans in excess of the 25% figure, none of which carried the written authority of the Bank Examiner. This is another example of the unsoundness of the split loan policy of banking, which makes it impossible for resident officers of banks to give the depositors the protection they are entitled to expect.

**CASH RESERVE**

The call report of the Virginia City Bank of June 30, 1932, shows that the required cash on hand was \$2,000 below the legal reserve. An examination of subsequent reports indicates that this situation continued from that date until the time the State bank closed on October 29, 1932. The statute contemplates that when the cash reserve is below the legal requirement for a period of 60 days after notice it shall be deemed insolvent. Evidently no effort was made on the part of the Bank Examiner to enforce the Banking Code in this respect in relation to the condition of the Virginia City Bank, for there is no record of any demand made on the State bank to bring up its legal reserve at any time subsequent to June 30, 1932.

This condition of the cash reserve of the Virginia City Bank at the times hereinbefore stated was generally the condition of the other Wingfield State banks at the same time; and in the opinion of your committee is an indication that the entire system was insolvent at that time, namely, in June, 1932.

## HENDERSON BANKING COMPANY OF ELKO

### EXCESS LOANS

Of all of the Wingfield State banks coming under our observation the Henderson Banking Company had the largest amount in excess and illegal loans. There were eight (8) which totaled approximately \$900,000, and represented almost 40% of the entire amount loaned by this bank. The testimony indicated that none of these amounts were excess loans at the time originally made, but were gradually built up over a period of years. None carried the authorization of the Bank Examiner, who stated that all were inherited from previous administrations. They were also inherited by the Wingfield group when the Henderson Bank was taken over. It is the opinion of this committee, however, that because during a greater portion of the time these excess loans were in existence the Henderson Bank was paying regular dividends, steps should have been taken to wipe them off, and bring the bank into harmony with the provisions of the Nevada Banking Code. It is the belief of your committee that these eight loans constituted a very serious menace to the solvency of this institution, and were regarded altogether too lightly by the State Bank Examiner.

As further evidence of the attitude taken by the Board of Finance and the Bank Examiner, it was discovered by your committee on the testimony of Mr. Seaborn that dividends were permitted to be paid to the stockholders of the Henderson Banking Corporation without first requiring an adjustment in respect to the excess loans, and that the Bank Examiner permitted the board of directors of that bank to pay a dividend in the sum of \$20,000, which the Bank Examiner testified was an oversight on his part, as he only intended that they should pay a dividend of \$10,000.

### BANKING HOUSE AND FIXTURES

The call reports submitted by the Henderson Banking Company to the Bank Examiner disclose that the banking house and fixtures were carried at a greater figure than permitted by statute. It was testified, too, that the Board of Finance and the Bank Examiner directed the Henderson Banking Corporation to write down the value placed on the banking house and fixtures to the maximum permitted by statute, as rapidly as possible; but it is the opinion of your committee that if the Banking Code were properly enforced it would have been impossible for the Henderson Banking Corporation to have paid any dividends until this excess figure was written off the resource side of their call reports.

### CONTINUED BORROWING ON THE PART OF THE HENDERSON BANKING COMPANY

Call reports dating from March to September, 1932, disclose the fact that at least in one instance the Henderson Bank was permitted to borrow in excess of its capital, and that it was in the habit of borrowing to the extent of its capital to carry on its ordinary course of business, and that this situation had continued for some time without a demand on the part of the State Bank Examiner to repay such borrowings, as required by statute.

### CASH RESERVE

It was disclosed by the testimony of the Bank Examiner, and also by the call reports submitted to him by the Henderson Banking Company, that he was forced to require the Henderson Banking Company to restore its cash reserve within a period of 60 days, and that he simply took their word for such restoration without an examination of the same.

It is the opinion of your committee that there were not frequent enough and thorough enough examinations of the Henderson Banking Company to fully afford the depositors of that institution the supervision they were entitled to expect under the Nevada Banking Code. Further, that said bank was permitted, as were other members of the Wingfield chain, to continue operations long after the total value of their loans and resources had depreciated to an extent that any reasonable examination on the part of the Bank Examiner and the State Board of Finance would have disclosed that their capital was impaired.

**CHURCHILL COUNTY BANK**

There are submitted to your committee the call reports rendered to the State Board of Finance and the Bank Examiner, as of the dates of March 31, 1932, June 30, 1932, and September 30, 1932, which reports disclosed the following facts:

That the report of March 31, 1932, showed the cash reserve of this bank to be \$36,618.04 below the minimum the statute required; the call report of June 30, 1932, disclosed that the total cash was \$28,221.60 below the minimum; and the call report of September 30, 1932, disclosed that said bank was some \$36,376.45 below the minimum.

The Bank Examiner testified that neither he nor the State Board of Finance required said cash reserve to be raised to the legal minimum within 60 days as required by statute; and in the opinion of your committee the above findings disclose that within 60 days after March 31, 1932, the Churchill County Bank was deemed insolvent under the provisions of the statute. In spite of this existing condition in respect to cash reserves, the State Board of Finance and the Bank Examiner permitted such bank to make new loans and discounts, and to accept new deposits.

**STOCK CARRIED AS RESOURCES**

It has been disclosed to your committee that the Churchill County Bank carried as resources stocks in other corporations in the sum of \$11,000 for a longer period than 12 months, which is in violation of section 13 of the Nevada Banking Code; but not withstanding said violation a dividend in the sum of \$2,250 was permitted to be paid on December 24, 1931.

**INDORSEMENT BY DIRECTORS**

Your committee finds that, as in the case of several of the State banks in the Wingfield chain, the call reports of the Churchill County Bank disclose that directors had indorsed loans without complying with the statute requiring such directorship to immediately become vacant.

**THE TONOPAH BANKING CORPORATION**

This bank, which is a consolidation of the John S. Cook Bank of Goldfield and the First National Bank of Tonopah, with the Tonopah Banking Corporation, has been in actual operation as a combined bank only for about a year. This bank, like the Virginia City Bank, showed a large amount tied up in split loans involving companies in the northern part of the State, all of which loans were in excess of the legal maximum. These loans, six (6) in number, and totaling \$171,482.89, showed four in excess of 40 per cent and two additional in excess of 25%. None of these had the approval of the Bank Examiner as is required by law. Here again the excuse was offered that these loans were contracted many years ago, and were inherited; but this does not appeal to your committee as a valid excuse. The law very clearly states that no bank shall carry loans over 40% of the capital and surplus; and wherever loans exceeded that figure it is the opinion of your committee a violation of the banking code was committed, and, no matter what the circumstances, should not have been allowed if the interests of the depositors were to be properly protected.

**CASH RESERVE**

An examination of the call reports rendered the Bank Examiner and State Board of Finance by said bank over a period extending from March, 1932, to September 30, 1932, disclosed that the call report of September 30, 1932, showed cash on hand \$18,000 below that required by statute, but that there was a heavy deposit due from the Reno National Bank in Reno to the Tonopah Banking Corporation. This situation existed with relation to several banks at that time. In other words, your committee believes that if the Reno National Bank had been in a position to pay cash on demand, represented by the deposits on the part of the various State banks of the Wingfield chain, that those various



State banks would have withdrawn cash from the Reno National Bank to make good their depleted cash on hand, as shown by such reports.

Your committee further determined that the Bank Examiner had suggested that the loans in excess of 40% be reduced to within the legal amount, and that Mr. Wingfield had assured him that this would be done. The list of excess loans in this bank at the time it closed, however, indicated that the promise of Mr. Wingfield in this regard was never carried out.

#### CARSON VALLEY BANK

Your committee finds from an examination of the call report submitted the State Bank Examiner by the Carson Valley Bank that throughout the period from March 30, 1932, up to and including September 30, 1932, the cash reserve was below the amount required by statute; and the general conclusion reached by your committee in this respect is similar to that reached in the case of other banks. In other words, that such banks should have been deemed insolvent, under section 14 of the Banking Code, by the State Board of Finance and the Bank Examiner, and should have been taken care of in the manner in such statute provided.

#### NEVADA SURETY AND BONDING COMPANY

The Nevada Surety and Bonding Company was investigated by your committee, as a surety for various State officials, and a concern to write surety bonds guaranteeing State, county, and other public funds. In addition to the testimony of the various witnesses, your committee sent Mr. C. D. Baker to San Francisco and Sacramento to make an investigation of the stock listed as assets of this company; and the report of Mr. Baker is appended hereto, and is made a part of the report of your committee.

The Nevada Surety and Bonding Company was incorporated March 17, 1924, and has been doing business in this State ever since that date. Mr. George Wingfield has been president and sole stockholder in this company, according to his testimony, ever since its organization.

His stock subscriptions were paid in stock in the Sutter-Butte Canal Company, a California utility, and this stock has, from the date of incorporation, comprised the principal asset of the Nevada Surety and Bonding Company. The report of the company as of December 31, 1931, shows legal assets totaling \$337,576.99, of which \$274,820, or approximately 80%, is represented by stock in the Sutter-Butte Company. This high ratio established the solvency and financial stability of the Nevada Surety and Bonding Company as no stronger than that of the Sutter-Butte Canal Company, whose stock it held. This should naturally result in an exhaustive investigation of the assets of the latter company. It is a fundamental rule that assets of this character should be diversified. The statements of the bonding company showed no diversification of assets whatever; and when it appeared that their assets were limited to the stock of one corporation, common prudence demanded that the bonds written by said company should be limited. The approving boards had access to, and it was their duty to investigate, the financial statements of the bonding company; and when those statements disclosed not only no diversification of assets but practically only one asset, it was the duty of these approving officers to object.

Reported statements showing but one asset, coupled with the constant payment of dividends practically equal to the earnings of the company, was another suspicious circumstance. In the face of these things, the testimony of the State Treasurer and members of the Board of Finance show that only one investigation of any character was made to ascertain the strength of the Nevada Surety and Bonding Company, made in 1929 by M. A. Diskin, then Attorney-General, whose investigation was confined to an examination of the reports of the company on file in the office of the State Controller.

Mr. Diskin testified that at the time the examination was made, in 1929,

Governor Balzar stated that he thought the Nevada Surety and Bonding Company was writing too many bonds, and Mr. Diskin stated in effect that he believed it was bad policy for the State to have all of its eggs in one basket, and pointed out that the Nevada Surety and Bonding Company was surety for practically all of the State officers and a great number of the depositaries for State money in banks; and he suggested to the Governor, so he said, that they should not accept more bonds written by the Nevada Surety and Bonding Company. He further testified that he was under the impression that there was a meeting of the Board of Examiners which discussed this matter.

The doubts which had entered the mind of the Governor and the Attorney-General were conveyed to the Nevada Surety and Bonding Company, and on or about January 26, 1929, Mr. Zoebel, the secretary of the Nevada Surety and Bonding Company, directed a letter to Secretary of State Greathouse, who is also a member of the State Board of Examiners. In this communication the Nevada Surety and Bonding Company referred the Board of Examiners to the fact that there was a surplus credited to their company, and that said surplus had increased during 1928 by approximately \$30,000, and they wished permission to tender to the State of Nevada two surety bonds. This letter was presented to the Board of Examiners February 7, 1929, and the board at that time passed a resolution to the effect that an examination had been made of the report of the Nevada Surety and Bonding Company, as filed with the Controller, and the report disclosed that the company had assets of \$171,000, and the company had increased its operations in the sum of \$98,628; and based upon that fact alone, the Board of Examiners authorized the acceptance of a bond of the Reno National Bank, written by the Nevada Surety and Bonding Company, of \$65,000, and a bond for the Riverside Bank in the sum of \$15,000. After such acceptance by the Board of Examiners, the then Attorney-General made his first investigation of the Nevada Surety and Bonding Company, and conferred with Mr. Zoebel, the secretary of the bonding company, relative to its assets and obligations, and discovered that under the law relative to surety companies operating in the State of Nevada, a liability was not considered as such until judgment was obtained or the bonding company became liable for the payment of an obligation which it had underwritten, and that there was no limit upon the amount of bonds under the laws of Nevada which a surety bonding company could write, irrespective of its capitalization and surplus.

At that time, former Attorney-General M. A. Diskin testified that he also investigated the Sutter-Butte Canal Company and took the word of Mr. Zoebel that the principal asset held by this corporation was "a ditch as long as the Humboldt River." The then Attorney-General further investigated the worthiness of the Sutter-Butte Canal Company and the Nevada Surety and Bonding Company by conferring with Mr. George Wingfield, president of the Nevada Surety and Bonding Company, at which time Mr. Diskin related to Mr. Wingfield that the Board of Examiners, Governor Balzar and himself had discussed the matter, and suggested that they felt the Nevada Surety and Bonding Company should be investigated "a little." Mr. Wingfield, according to the testimony, informed Mr. Diskin that the former had adopted a policy of not withdrawing any of the surplus of his companies, which was also one of the major factors upon which the Board of Examiners based their approval of the bonds of the Nevada Surety and Bonding Company. The former Attorney-General also suggested that some of the bonds issued for State deposits and insuring State officials be reinsured, which, in some instances, was done. But it has also come to the attention of your committee that the reinsurance feature only protects the State to the amount which can be recovered by judgment against the Nevada Surety and Bonding Company, and is therefore of little practical value. Your committee finds that at present none of the depositary bonds are reinsured.

The State Treasurer, George B. Russell, who is charged under section 3 of "An Act to authorize the deposit of State moneys in banks in this State" with joint responsibility with the Board of Examiners in the approval of all depositary bonds, testified that the only investigation he made of the Nevada Surety

and Bonding Company was to consult his own opinion as to his (Mr. Wingfield's) responsibility. That opinion was based upon what he believed to be the condition of the Wingfield organization. The statement of the Nevada Surety and Bonding Company, of December 31, 1931, shows 972 shares of Sutter-Butte Canal preferred, valued at \$95,320, and 3,500 Sutter-Butte Canal common valued at \$179,500.

The investigation of Mr. Baker for this committee showed several salient facts in this connection. The California Railroad Commission lists the Nevada Surety and Bonding Company as owner of 972 shares of preferred stock, but does not show this company as owner of any of the common stock. This report further shows that the Sutter-Butte Canal Company operated at a loss of \$21,800 in 1931, and also showed a deficit of \$20,040 for 1932. The bonds of the company, par value \$100, which are a prior lien to the stock issued, were selling for \$82 in January, 1931, and had dropped to \$31 by January, 1932. From these figures it can be easily seen that the stock was worth practically nothing during both of these years.

The statement of Mr. Baker that "the stock (of the Sutter-Butte Canal Co.) is closely held, brokers report no trading, and my information is there has been no demand for said stock, and that for at least four years last past said stock has had no ready cash value," indicates that the assets behind the Nevada Surety and Bonding Company were not in excess of \$60,000 at any time during the past two years.

This information could readily have been obtained by the State Treasurer and the State Board of Examiners had they made any investigation; and indicates that the ability of the Nevada Surety and Bonding Company to pay its liabilities as represented in surety bonds and official bonds was dependent almost wholly on the amount realized in premiums on those bonds, which constituted practically the only assets of the company.

Because of this failure on the part of the officers and board above mentioned, the people of the State of Nevada will lose an as yet undetermined amount.

The warning sounded by Attorney-General M. A. Diskin and Governor Fred B. Balzar, that the State was placing "all its eggs in one basket" in allowing the Nevada Surety and Bonding Company to secure public funds on deposits in any and all banks, was sound, and if it had been observed at that time would have resulted in a saving to the people of the State.

Following the investigation as to the solvency of the Nevada Surety and Bonding Company, even if the same were solvent and the good business policy had been followed of requiring a diversification of security behind State deposits, it would have been possible, under chapter 135, section 3, Statutes of Nevada, 1931, for the State Treasurer or the Board of Examiners from time to time to require such deposits of additional bonds and securities, or the giving of additional depository bonds or securities as to properly secure State deposits.

Your committee believes that considering the fact that Mr. Wingfield was the majority stockholder in all of the Wingfield banks in which public moneys were on deposit, and also the sole owner of the Nevada Surety and Bonding Company, the acceptance of bonds of the latter concern as surety for public funds amounted to the depository banks being in the same position as a man indorsing his own notes, which is regarded in sound banking practice as being of no security whatsoever. Seemingly the Board of Examiners and State Treasurer regarded the solvency of the Nevada Surety and Bonding Company and the Wingfield State banks as depending upon Mr. Wingfield's personal resources.

Even the fact that practically all of the old line surety companies withdrew from the writing of depository bonds in this State, failed to suggest to the minds of the State Treasurer or the Board of Examiners that perhaps the Nevada Surety and Bonding Company was not as strong as it should be. The testimony of Mr. Russell on this score: "I was absolutely certain that the Nevada Surety and Bonding Company was absolutely sound, and it never entered my head—it never even suggested itself—that it might not be sound."

Another significant fact is that in at least one instance the provisions of paragraph 7627 Nevada Compiled Laws of 1929, prescribing that neither foreign nor domestic surety companies may write bonds for public officials in amount exceeding 10% of capital and surplus, were violated with the knowledge and approval of the Board of Finance.

The capital and surplus of the Nevada Surety and Bonding Company was on December 31, 1931, approximately \$300,000, which, under the paragraph above mentioned, would limit the amount of any one bond for a public official to \$30,000. In the face of this limitation, the Board of Finance approved the bond of the Bank Examiner in the amount of \$100,000, written by the Nevada Surety and Bonding Company. The Depository Act does not make any such limitations, but when the Legislature laid down the 10% provision with respect to bonds of State officers, it certainly amounted to a declaration of public policy as to all bonds; and whenever any State board accepted a bond for a greater amount than this 10% it violated this rule of public policy and violated all rules of common wisdom and prudence.

It has also come to the knowledge of this committee that the bonds of several county treasurers were written by the Nevada Surety and Bonding Company in excess of the 10% restriction placed by statute; and we recommend to the various Boards of County Commissioners that in the future they limit official bonds in any one company to this figure.

It is significant that the Treasury Department of the United States permits surety companies to write single bonds only up to 10% of their capital and surplus. This principle was recognized by our Legislature when it enacted the Surety Company Act of 1929, and provided that the printed circular of the Treasury Department should be prima facie evidence of the amount of capital and surplus of the corporation, and a complete justification of any amount not exceeding 10% of the capital and surplus (Nevada Compiled Laws 1929, paragraph 7630).

With respect to depository bonds the approving officers knew that single bonds were being written greatly in excess of 10% of capital and surplus. They also knew that the aggregate of these bonds was greatly in excess of the capital and surplus reported.

#### **ACTION TAKEN BY STATE OFFICIALS TO RECOVER UPON SECURITY BEHIND STATE DEPOSITS**

Paragraph 7032, Nevada Compiled Laws 1929, as amended March 24, 1931, requires: "In the event that any bank or banks, depository of said money, shall fail to pay any deposit or deposits, or any part thereof, on demand of the said Treasurer, that it shall be the duty of the State Treasurer, with the written approval of the State Board of Examiners, to forthwith convert into money so much of said bonds or securities and interest as may be necessary to pay such deposit then due the State, and to disburse the same according to law. In the event that any deposit is secured by depository bond, as hereinbefore provided, upon failure of such bank to pay the amount of deposit on demand, the Treasurer shall immediately commence action in the name of the State against such bank, and the securities on the depository bond on the amount due the State from such depository bank, together with all costs of any court action."

The testimony of the State Treasurer before your committee disclosed the fact that a demand had been made by him of the depository banks for the payment of the State deposits; but he further testified to the effect that he had talked the matter over with the Attorney-General and had taken the Attorney-General's advice, which was in effect that suit should be delayed.

Attorney-General Gray Mashburn testified before your committee that he had not undertaken any suits against any depository bank or sureties for the recovery of State deposits, for the reason that he was waiting to ascertain the outcome of proposed reorganization plans, and also to ascertain the will of the Legislature respecting any adjustments that may be made by said Legislature with the depository banks of the sureties behind State deposits.

The Attorney-General testified before your committee to the effect that he

believed some recovery could be made by way of suit, execution, and sale, against the depository banks and their sureties, but as to the exact amount he was not informed.

Attorney-General Mashburn, in his testimony to your committee, interpreted the word "immediately," as used in the statute, to be synonymous with the phrase "a reasonable time," implying that a *reasonable time* must be interpreted in light of all circumstances and might, under some circumstances, mean within six months. But your committee finds that there is authority for interpreting the word "immediately" as synonymous with "forthwith." These terms are stronger than the expression "within a reasonable time," and imply prompt, vigorous action, without any delay, and whether there has been such action is a question of fact having regard to the circumstances of the particular case.

The Attorney-General also testified to your committee that any compromise whereby the State agreed with a depository bank or one of its sureties to forego the payment of any of the State deposits is of questionable constitutionality.

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#### THE AFFAIRS OF THE YERINGTON AND GARDNERVILLE BANKS

Considerable testimony was presented to your committee relative to the affairs of the closed bank in Gardnerville, which is now in the charge of the Bank Examiner for liquidation under the law; and also two closed banks in Yerington, which are also in his hands for liquidation. It finds that the depositors of the respective banks are dissatisfied with the administration of the Bank Examiner, for the reason that they believe his process of liquidation to be too slow. Your committee is of the opinion that the judgment of the Bank Examiner in this respect is not a question of law for your committee to decide, but is rather a question to be decided with an eye to market values today and at some future time.

However, your committee does find from the testimony of the Governor, the Bank Examiner, and members of the Board of Finance that the cash on hand in the respective closed banks was deposited by the Bank Examiner in the Carson Valley Bank and the United Nevada Bank (both members of the Wingfield chain), which depositaries have not yet been approved by the State Board of Finance, according to law.

It was also testified by the State Bank Examiner that in the case of the deposit made by him in the United Nevada Bank in Reno of funds of the closed Yerington banks, that such depository has not yet been approved by the Board of Finance, according to law.

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#### NEVADA STATE INDUSTRIAL COMMISSION DEPOSITS

Your committee finds that the Industrial Commission not only had more than \$100,000 on open account in the Carson Valley Bank, which we feel should have been turned into the office of the State Treasurer, but was left on account in said bank because of the convenience of using said bank to clear checks which constituted premium payments, and also in view of the fact that an agreement had been entered into between said Industrial Commission and said bank whereby the recipients of benefits under the Industrial Commission account could have their checks or warrants cleared without charge if said commission maintained a deposit on hand at all times in said bank in a sum not less than \$50,000.

The chairman of the Nevada State Industrial Commission testified to your committee that the deposit in this State bank, in place of a deposit with the State Treasurer, was unauthorized and was contrary to the contemplation of the statute providing that all funds coming to the commission should be deposited with the State Treasurer. Mr. Sullivan, chairman of the Industrial Commission, further testified before your committee to the effect that the Industrial Insurance Commission, with the approval of certain ex officio State

officers, is authorized to invest the funds of said commission in certain forms of securities, one of which permits loans to be made to State banks secured by surety bonds, and said loans to draw not more than three per cent interest.

It was disclosed to your committee that some \$50,000 had been loaned to the Carson Valley Bank under the statute for many years, and that said sum was secured by a bond of the Nevada Surety and Bonding Company, and was drawing 3% interest. Likewise it was testified that there was another loan in the United Nevada Bank, which was inherited by said bank from the Scheeline Bank when said latter institution was consolidated with the Washoe County Bank.

In the opinion of your committee, the statutes of the State of Nevada should be so amended as to prevent the Industrial Commission or any other State commission from investing funds by loaning the same to a State bank, unless said investment be secured by proper government bonds.

Your committee also suggests that this Legislature provide either that all moneys received by the Nevada Industrial Commission must be deposited with the State Treasurer in order that the State Treasurer in turn may deposit said funds in solvent banks with proper security, or that legislation should be passed making it mandatory that if the Industrial Commission makes deposits, itself, in State banks or trust companies, said deposits must be properly secured in order to prevent the situation which your committee finds to exist at this time when said Commission has on open account in the Carson Valley Bank over \$100,000 unsecured.

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## CONCLUSIONS AND RECOMMENDATIONS

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From the evidence presented to your committee, it was discovered that there are certain outstanding conclusions which we believe are supported by such evidence, and which we feel are necessary for your committee to make in order that your honorable bodies may obtain the full import of our extensive and detailed investigation.

1. It has been repeatedly stated by officials of the closed banks that failure of such institutions was attributable to the decline in livestock prices, and that they had extended all of their resources to preserve the livestock industry in the State of Nevada. However, your committee finds upon investigation that under similar circumstances there are an equal number of banks in the State of Nevada that are solvent and open, and doing business. Therefore, it is the opinion of your committee that the cause of the failure of the Wingfield chain of banks must not be attributed entirely to the depression and the decline in livestock prices, but was due to a great extent to certain managerial policies of the Wingfield chain of banks.

As an inseparable part of that managerial policy, we find that the Wingfield banks specialized in livestock loans, and from the evidence before your committee, these banks continued to advance sums of money after it became apparent that such continued policy of making advances would probably result in the insolvency of these banks.

This fact is borne out by the testimony of the Bank Examiner, when he testified in response to questions relative to the failure of the Wingfield State banks, that there were unquestionably advances made which increased those loans after the situation had reached a point where their value was doubtful.

The question was then asked of the Bank Examiner:

Question—Were additional sums loaned on transactions?

Answer—Yes.

The question was then propounded to ascertain if the Bank Examiner or the State Board of Finance were consulted respecting these additional advances, and in reply the Bank Examiner testified in effect, "no"; that the State banks had gotten themselves in such a condition that it was necessary to foreclose on the ranches and other securities held by the bank, or to continue to make

advances with the hope that a turn for the better would be experienced in the future.

The Bank Examiner even went to the extent of testifying that he suggested to Mr. Wingfield two years before the banks closed that it might be well to foreclose upon the loans which were questionable, and to charge off such losses, and that perhaps if this policy had been pursued at that time the banks would have been able, eventually, to continue as solvent banks, and to have remained open.

We believe that the incorrect policy pursued by the Wingfield banks was not entirely due to a simple mistake in business judgment; but your committee feels that it is justified, after its investigation, in reaching the conclusion that the relation certain banking interests of this State had with the State official family, and in particular with the State Board of Finance and the Bank Examiner, contributed to the adoption of a more liberal policy than would have been possible if the intent of the Banking Code had been enforced in all respects. In particular, your committee refers to the policy of the State Board of Finance and the Bank Examiner, in permitting:

First—Loans on chattel mortgages as sole security, which was prohibited by statute; (a) the permitting of excess loans which in some instances constituted a large proportion of the total loans of some of the banks in the Wingfield chain; (b) the permission given by the State Board of Finance and the Bank Examiner to pay dividends and distribute surplus without requiring that excess loans and unlawful loans be written off or adjusted by many banks, and their banking houses carried at the proper legal ratio; and permitting certain items to be carried as resources, contrary to the provisions of the statute.

It was testified before your committee that the State Board of Finance and the Bank Examiner gave direction to the Wingfield State banks to make these adjustments as rapidly as possible; but we feel that their mistaken policy, which resulted in their ultimate failure, was due, to a great extent, to the fact that the Board of Finance and the Bank Examiner's policy were equally liberal.

Failure of the State Bank Examiner to make proper appraisal of securities behind loans during the period of declining values was disclosed. Had proper appraisals been made, many of these banks, we believe, would have been found to be insolvent as early as a year ago; and, in strict compliance with the banking statutes, would have been closed at that time, or at least would have resulted in a very considerable reduction in the amounts in which these loans were carried among the assets of the banks. It also seems evident that such estimates as were made respecting the values of these loans were based on what it was hoped would be realized through an advance in market price, rather than on an actual consideration of the present value of the security.

If such an accurate appraisal had been had at an early date, as above suggested, it probably would have resulted in the taking over of at least some of the banks by the State Bank Examiner before the extensive withdrawals of deposits which ensued, and the extensive outlays for the maintenance of the live stock by which these loans were secured. We feel that the theory of the Banking Code affording supervision over State banks contemplates that adjustments should be made on the actual present values, rather than upon hoped for or speculative trends.

Second—Your committee finds that the State Board of Finance and the Bank Examiner did not effect the necessary examinations as required by law. The Bank Examiner testified that when an examination was made in many instances his report of such examination was only an approximation as to the valuation of loans. Your committee therefore thinks that any new banking legislation should require four examinations per year, and provide that all loans upon which neither interest nor principal has been paid for a period of 24 months shall be listed separately in the reports submitted to the Bank Examiner, under a special heading as noncurrent assets.

Third—Your committee finds that on the date of December 3, 1932, eleven banks of the Wingfield chain had on deposit in the Reno National Bank

\$2,044,394.71, all of which indebtedness made it mandatory for those banks to close their doors when the Reno National Bank found its cash reserve in such a state that it could not open for business on November 1, 1932. Your committee feels that any proposed banking legislation should provide that a State bank cannot deposit more than 25% of its paid up capital and surplus in any one bank as a depository, and that in addition thereto said depository bank must have at least 10% of the amount deposited on hand as additional cash reserve, and proper exception being made for deposits in Federal Reserve Banks will rectify the situation. Further, your committee found that it is the duty of the Bank Examiner to make an investigation of the solvency of a depository bank, and that he has the right to refuse to count as a part of the cash reserve of any bank its deposit with another bank, when the former refuses, neglects or fails to give him complete and accurate information relevant to the solvency of the depository bank. We feel that the State Board of Finance and the Bank Examiner failed to perform their full duty by simply accepting the word of Mr. George Wingfield that the Reno National Bank was solvent.

Fourth—Your committee finds that the Nevada Banking Code contemplates that the funds of savings banks should only be invested in certain definite kinds of loans secured by enumerated collateral; and we find that in only one instance was there even a pretense of observing this code provision, namely, the case of the Bank of Nevada Savings and Trust, which was the only bank in Wingfield chain engaged exclusively in a savings bank business, and your committee fails to find that any Bank Examiner or any State Board of Finance made any rules or regulations, as contemplated by statute, requiring the savings department of other banks to keep *separate* accounting systems in order that their savings depositors might be protected by the sections of the Banking Code regulating the type of collateral that could be accepted to secure such loans.

Your committee feels that any banking code adopted should require such segregation in banks doing a commercial and savings bank business, to give savings depositors in the State of Nevada the benefit of the intent and purport of the statute.

Fifth—Your committee finds that, although the law as amended in 1931 permitted the State Treasurer, with the consent of the State Board of Examiners, to accept as security for State deposits surety bonds and other securities, the better type of securities were not given in many instances to secure State deposits; and your committee finds that the majority of the State deposits in the Wingfield banks were secured by bonds of the Nevada Surety and Bonding Company. Therefore, your committee recommends earnestly to the consideration of your honorable bodies legislation which will eliminate from the old statute the permission of the State Treasurer and Board of Examiners to accept irrigation bonds, stock listed on the New York Exchange, and surety bonds, to secure State deposits, which your committee believes will rectify the evils in the present practice, and the deficiencies in the statute.

We believe that if the security which is contemplated above is accepted to secure State deposits, county deposits, etc., then the State and its political subdivisions of the State Government should have no preference.

Your committee also believes it is regrettable that both the Treasurer and members of the Board of Examiners failed to make a rigid examination of the assets behind the Nevada Surety and Bonding Company, especially in the face of a decline in the value of all stocks of the kind they well knew, or should have known, comprised practically the sole assets of the Nevada Surety and Bonding Company. This failure is particularly censurable in view of the fact that it was largely due to a similar laxness on the part of a prior board of examiners in exercising the functions assigned to it by statute that the Cole-Malley defalcation remained so long undiscovered. We are not likening the two situations, one to the other, but pointing out only that if any lesson were to be learned from the prior instance, it was the one of guarding against the loose administration of public affairs by public officers, boards and commissions.

Sixth—Your committee finds that the State Board of Finance was more or



less inactive in exercising control over State finances and over the affairs of the banks of this State, which we believe from the evidence can be attributable to: First, the fact that the ex officio officers are overburdened with duties in their respective departments, and duties placed upon them in other ex officio capacities; second, that the members of the State Board of Finance were not particularly qualified to handle the duties imposed upon that board by law.

We therefore direct your earnest attention to proposed legislation which places practically all of the responsibility upon the State Superintendent of Banks, which we believe will obviate the difficulties experienced by the State Board of Finance.

Seventh—Your committee finds that depositors were not given full and sufficient information through State supervision of banks; and due to the condensed form of the various reports required to be published by the statute, it was impossible for the depositors to know the true condition of any of the banks.

Your committee therefore feels legislation should be enacted to correct this situation upon the part of all the State banks.

Respectfully submitted this 13th day of March, 1933.

A. S. HENDERSON,

A. L. SCOTT,

H. C. HEIDTMAN,

*Members of Senate Committee.*

A. E. CAHLAN,

ERNEST S. BROWN,

L. F. ANDERSON,

*Members of Assembly Committee.*

Mr. Tandy moved that the report of the committee be printed.

Carried.

#### MESSAGES FROM THE GOVERNOR

*To the Honorable the Assembly:*

There is returned herewith Assembly Bill No. 94, being an Act to amend an Act entitled "An Act to regulate traffic on the highways of this State, to provide punishment for violation thereof, and other matters properly connected therewith," approved March 21, 1925, as amended. This Act amends section 12 of the above-entitled Act, being paragraph 4361 Nevada Compiled Laws 1929, which was intended to protect live stock on highways from approaching or passing motor vehicles.

The general purpose of this Act is very laudable, as it tends to clarify and amplify existing laws regarding the use of motor vehicles on the public highways and is intended for the protection of owners of live stock.

However, a comparison of the proposed amendment with existing Statutes discloses that, if allowed to become a law, this Act will, in effect, severely penalize every motorist because it omits, in referring to live stock on highways, the following words: "being lawfully driven on the public highway," and adds "any number thereof," thus tending to convert our highways, particularly those fenced, into stock driveways.

The practical effect of omitting such words from the law and of the added words is to legalize the presence, at all times, of live stock of all kinds, in any number, on any highway in the State, and thus penalizes any motorist who should be so unfortunate, even inadvertently, as to injure or kill any animal, although this was done absolutely without fault upon his part.

In view of the wide-spread use of motor driven vehicles in this modern day and the necessity of protecting fast moving traffic, it does not seem possible that it is the intention of the Legislature to take away the protection heretofore accorded motorists regarding live stock, through the deletion of the words, "being lawfully driven on the public highway," and to further penalize them by adding the words "or any number thereof."

There would seem to be no valid reason why the words "being lawfully driven on the public highway," should not be restored to the Act, as passed, and while I believe the further provision in the Act "The amount of the injury and the value thereof (referring to injured or killed live stock) shall be determined by the Judge or Court in which the action is filed," without making provision as to the manner of reaching such determination, is very indefinite,

yet, if the Act be amended as hereinabove suggested regarding stock being lawfully driven on highways, the Act will have my approval.

Assembly Bill No. 94, introduced by Mr. Stewart on February 9, 1933, is therefore returned to your honorable body without my approval at this time.

Very truly yours,

F. B. BALZAR,  
*Governor.*

Mr. Hamlin moved that the veto message and bill be made a special order of business for Wednesday at 2:30 p. m.

Carried.

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 37, which has this day passed the Senate, as amended, by the following vote: Yeas, 15; nays, 1; absent, 1. Amend title as follows: Page 2, line 5, after the figures "1909," insert the following words: "approved March 22, 1913."

Also, Senate Bill No. 46, which passed: Yeas, 13; nays, 2; absent, 2.

Also, Senate Bill No. 132, which passed, as amended: Yeas, 14; nays, 2; absent, 1. Amend as follows: Page 11, line 17, strike the word "property" and insert in lieu thereof the word "proper."

Also, Senate Bill No. 144, which passed: Yeas, 16; nays, none; absent, 1.

Also, Senate Bill No. 137, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend the title after the figures "1919" by striking the words "and the amendments thereto," and insert in lieu thereof the words "as amended."

Also, Senate Bill No. 156, which passed: Yeas, 15; nays, none; absent, 1; not voting, 1.

Also, Senate Bill No. 149, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 2, lines 4, 25 and 26, strike out the words and figures "four dollars (\$4)," and insert in lieu thereof the words and figures "five dollars (\$5)." Page 3, lines 3 and 20, strike out the words and figures "four dollars (\$4)," and insert in lieu thereof the words and figures "five dollars (\$5)." Page 3, line 28, after the word "Commissioners" add the words "by unanimous consent."

Also, to inform your honorable body that the Senate refuses to recede from its action on Senate Substitute for Assembly Bill No. 9 and Assembly Bill No. 88.

Also, to return Assembly Bill No. 107, which passed, as amended: Yeas, 15; nays, none; absent, 2. Amend as follows: Insert the following after the word "line," page 3, line 12: "Route 3a. Beginning at a point on Route 3 at or near Coaldale, thence running in a southwesterly direction through Fish Lake Valley to the Nevada-California state line." Strike out on page 6 all of lines 28 to 34, inclusive, and substitute the following:

Route 25. Beginning at a point east of Tonopah on Route 4, running thence easterly to a connection in Lincoln County with Route 7, and thence through the town of Panaca to the Nevada-Utah state line.

Page 7, insert the following between lines 11 and 12: Route 29. Beginning at a convenient point between Carrara and Rosewell on Route 5, thence southwesterly to the Nevada-California state line to a connection with the California State highway system near Death Valley Junction, California.

Route 30. Beginning at the Utah-Nevada state line near Montello, thence southwesterly through Montello and Cobre to a feasible connection with Route 1.

Route 31. Beginning at the town of Hawthorne, thence southerly on the most feasible route through Whiskey Flat to a point on the California state line near the town of Benton, California.

Also, Assembly Bill No. 113, which passed, as amended: Yeas, 15; nays, 1; absent, 1. Amend as follows: Page 1, lines 1 and 2, strike the second word

"section" and insert in lieu thereof the word "paragraph." Page 1, line 2, strike the words "so as." Page 2, line 30, after the word "State" add the following: "This Act shall not apply to work done directly by any public utilities company pursuant to order of the Public Service Commission of Nevada, or other public supervision or direction or paid for wholly or in part out of public funds." Page 2, lines 20, 23 and 26, strike the word "that." Page 2, line 31, strike the word "section" and insert in lieu thereof the word "paragraph." Page 2, line 32, strike the words "so as." Page 3, line 15, strike the word "that." Amend the title by placing a period after the figures "1919," in lieu of the comma and strike the balance of the title.

Also, Assembly Bill No. 133, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Amend section 2 of Assembly Bill No. 133 by striking out the word "He" in line 7, page 1 of the printed bill, all of lines 8, 9, 10, 11, 12 and 13, and the word "commissioners" in line 14. In line 5, page 2, change the word "is" to "as." Amend section 4 by striking out in line 23 the words "such deputies" and inserting in lieu thereof the words "one deputy"; strike out the word "as" in line 24, page 2, and insert the word "if"; insert before the word "necessary" in line 26, page 2, the words "such deputy." Amend section 7 by striking out the word "deputy" in line 4, page 4 of the printed bill, and insert in lieu thereof the word "deputies"; in line 21, page 4, strike out the word "deputy" and insert the word "deputies"; strike out the word "competent" in line 24, page 4, and insert the words "so located as." Amend by striking the Senate amendments in section 2, page 1, and restoring the section to its original form.

Also, Assembly Bill No. 28, which passed: Yeas, 16; nays, none; absent, 1.

Also, Assembly Bill No. 270, which passed, as amended: Yeas, 14; nays, none; absent, 2; not voting, 1. Amend the title by adding after the word "do" the following words: "providing for."

LENA GALE,

*Assistant Secretary of the Senate.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Cahlan moved that when the Assembly adjourns it adjourn until Tuesday at 10 a. m.

Carried.

Mr. Kenny moved that the Assembly refuse to concur in the Senate amendments to Assembly Bill No. 65, and asked for a conference.

Carried.

On motion of Mr. Cahill, Mr. Johnson was excused for his absence today.

Mr. Black moved that the Assembly concur in the Senate amendments to Assembly Bill No. 146.

Carried.

Mr. Goodin moved that the Assembly concur in the Senate amendments to Assembly Bill No. 107.

Carried.

By Committee on Public Printing:

Assembly Resolution No. 25:

*Resolved by the Assembly of the State of Nevada, That the thanks and appreciation of the Nevada Assembly are hereby extended to the newspapers of Reno and Carson City, and especially the Carson City Daily Appeal-News and Nevadian Times, for placing their newspapers on the desks of members,*

and to the United Press and the newspapers of Nevada generally for their fair reports of the proceedings of this session; and

*Resolved further,* That we hereby commend the State Printer for the diligence and accuracy of his office in the printing of bills and other matters required by the members of the Assembly.

Mr. Lage moved adoption of resolution.

Remarks by Messrs. Tandy, Moore, Anderson and Noble.

Carried.

#### INTRODUCTION AND FIRST READING

By Mr. Alward :

Assembly Bill No. 304—An Act providing for the registration of contractors, and defining the term contractor; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing a method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this Act.

Mr. Alward moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Roads and Highways.

Carried.

Senate Bill No. 144.

Mr. Moore moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee of Clark County Delegation.

Carried.

Senate Bill No. 132.

Mr. Brown moved that Senate Bill No. 132 be indefinitely postponed.

Carried.

Senate Bill No. 149.

Mr. Hamlin moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Mineral County Delegation.

Carried.

Senate Bill No. 46.

Mr. Lage moved that Senate Bill No. 46 be indefinitely postponed.

Carried.

Senate Bill No. 156.

Mr. Kenny moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

Senate Bill No. 137.

Mr. Strosnider moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Irrigation.

Carried.

Senate Bill No. 37.

Mr. Dunseath moved that Senate Bill No. 37 be placed on the table. Motion lost.

Mr. Strosnider moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Irrigation.

Carried.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 297.

Amendment proposed by Mr. Heward: Amend section 1 of Assembly Bill No. 297 by striking out the period after the word "hours" in line 14, page 1, insert a semicolon and the following: "nothing in this Act shall apply to Justices of the Peace receiving more than fifty dollars a month salary."

Mr. Heward moved adoption of amendment.

Carried.

Remarks by Mr. Heward.

Roll call on Assembly Bill No. 297:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Butler, Cahill, Cahlan, Carroll, Cooper, Dunseath, Ebert, Goodin, Hatton, Heward, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Taber and Wheelwright—32.

NAYS—Messrs. Bugbee, Cobb, Strosnider and Tandy—4.

Absent—Messrs. Hamlin, Hussman and Johnson—3.

Not voting—Mr. Speaker.

Assembly Bill No. 297 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Bill No. 298.

Amendment proposed by Committee on Judiciary: Amend section 2, page 2, line 5, by striking out the comma after the word "compounded," and inserting a period in lieu thereof, and by striking out all the words following, beginning with the word "nor" down to and including the word "therewith," page 2, line 7.

Mr. Brown moved adoption of amendment.

Carried.

Roll call on Assembly Bill No. 298:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Roberts, Reynolds, Stewart, Strosnider, Taber, Wheelwright and Mr. Speaker—34.

NAYS—Messrs. Murphy and Tandy—2.

Not voting—Mr. Anderson.

Absent—Messrs. Cahlan, Johnson and Smith—3.

Assembly Bill No. 298 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

At 2:55 p. m. house recessed.

## HOUSE IN SESSION

At 3: 10 p. m.

Mr. Noble in the chair.

Quorum present.

## GENERAL FILE AND THIRD READING

On motion of Mr. Cahill, Assembly Bills Nos. 58 and 62 were placed on the Speaker's desk.

Assembly Bill No. 255.

Amendments proposed by Committee on Roads and Highways: Amendment No. 1—Amend section 1, page 2, line 6, after the word "fees" add "provided by this Act."

Mr. Goodin moved adoption of amendment.

Carried.

Amendment No. 2—Amend section 1, page 2, line 19, by striking out paragraph (b) and inserting in lieu thereof the following: All non-resident owners and/or operators of motor vehicles used or to be used on the public highways of this State in the carrying of persons and/or property for hire, shall be governed by the provisions of all laws of this State pertaining thereto, and shall, in addition to the licenses provided for by this Act, before commencing operations in this State, comply with and secure the licenses provided by the motor vehicle carrier licensing laws of this State.

Mr. Goodin moved adoption of amendment.

Carried.

Amendments proposed by Mr. Goodin: Amendment No. 2—Insert after the word "State" in line 6, page 2, "for a period of 45 days."

Mr. Goodin moved adoption of amendment.

Carried.

Amendment No. 4—Strike out "SEC. 2" on line 24, page 2, and insert in lieu thereof "SEC. 4."

Mr. Goodin moved adoption of amendment.

Carried.

Amendment No. 3—Add a new section to the bill to be known as section 2, by inserting the same after line 23, page 2, as follows:

SEC. 2. Section 25 of the above-entitled Act is hereby amended to read as follows:

Section 25. There shall be paid to the department for the registration of motor vehicles, trailers and semitrailers, fees according to the following schedule:

(a) For every stock passenger car, thirty cents per hundred pounds or major fraction thereof computed on the advertised factory weight, together with one hundred and twenty-five pounds for every passenger for which said vehicle is built to accommodate when loaded to capacity.

(b) For every reconstructed or specially constructed passenger car, thirty cents per hundred pounds or major fraction thereof, said weight to be the actual weight of said vehicle as shown by a public weigh-master's certificate, and in addition one hundred and twenty-five pounds for every passenger which said vehicle is built to accommodate

when loaded to capacity; *provided*, that on and after January 1, 1934, there shall be paid to the department for registration of every stock passenger car and of every reconstructed or specially constructed passenger car, regardless of weight or number of passengers capacity, a flat registration fee of five dollars only.

(c) For every motorcycle the sum of five dollars.

(d) For every truck, trailer, truck-tractor and semitrailer, forty-five cents per hundred pounds, or major fraction thereof, of unladen weight as shown by a public weighmaster's certificate. At the time of weighing each vehicle shall have in place each and every accessory and appliance belonging to and used on such vehicle in the transportation of property.

The provisions of the "Public Weighmaster Act of Nevada," approved March 8, 1923, the same being sections 8307-8319 Nevada Compiled Laws 1929, are hereby made applicable to this Act. All motor vehicles required to be weighed under the provisions of this Act shall be weighed by a public weighmaster under such rules and regulations as may be deemed advisable by the Vehicle Commissioner and the State Sealer of Weights and Measures, and according to the provisions of the Public Weighmaster Act. It shall be the duty of the State Sealer of Weights and Measures from time to time, upon request of the Vehicle Commissioner, to appoint additional public weighmasters, according to the provisions of the Public Weighmaster Act, as may be necessary to effectuate the purpose of this Act; *provided*, public weighmaster's certificates issued in States other than Nevada, when such certificates bear the seal of such weighmaster, may be accepted by the Vehicle Commissioner as evidence of the weight of the motor vehicle for which a license is applied.

Mr. Goodin moved adoption of amendment.

Remarks by Messrs. Hussman and Goodin.

Carried.

Roll call on Assembly Bill No. 255:

YEAS—Messrs. Barnes, Beverly, Black, Brown, Bugbee, Butler, Cahill, Cahlan, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Kenny, Lage, McAuliffe, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Roberts, Stewart and Strosnider—28.

NAYS—Messrs. Hussman, Murphy and Tandy—3.

Absent—Messrs. Anderson, Blundell, Carroll, Johnson, Smith, Wheelwright and Mr. Speaker—7.

Not voting—Messrs. Reynolds and Taber—2.

Assembly Bill No. 255 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Amendment proposed by Mr. Goodin to title of Assembly Bill No. 255: Amend the title by inserting the letter "s" at the end of the word "section" in line 1, and after the figures "17" in line 1 insert the word and figures "and 25."

Mr. Goodin moved adoption of amendment to the title.

Carried.

Mr. Lage was granted permission to revert to order of business No. 8.

## MOTIONS, RESOLUTIONS AND NOTICES

Mr. Lage moved that the Assembly concur in the Senate amendments to Assembly Bill No. 133.

Carried.

Mr. Moore moved that Senate Bill No. 114 be lifted from the table. Remarks by Messrs. Hamlin, Dunseath, Moore, Cahlan and Tandy. Motion lost.

Mr. Moore moved that Senate Bill No. 76 be lifted from the table and placed on the file.

Carried.

Mr. Taber moved that Senate Bill No. 92 be lifted from the table. Motion lost.

Mr. Smith moved that the vote taken on Senate Bill No. 108 be reconsidered.

Remarks by Messrs. Tandy and Smith.

Carried.

By Mr. Malone:

Assembly Joint Resolution No. 35, indorsing Fred S. Alward for Trade Commissioner to Australia:

WHEREAS, In the list of appointive offices to be filled through our National departments there is the appointment of Trade Commissioner to Australia; and

WHEREAS, Our trade relations with Australia will be largely influenced by the ability and personality of our appointee; and

WHEREAS, The friendships formed between our boys and the Australians over seas created a strong attachment between the then young men, which it should be our endeavor to strengthen; and

WHEREAS, We have in this State, in the person of Speaker Alward, a man of ability, sound judgment and engaging personality, whom we can conscientiously indorse as an ideal candidate for such position; and

WHEREAS, Mr. Alward, in addition to all other fine qualities, possesses the added value of being a native of Australia, familiar with its government and the needs and requirements of the position for which we commend him; now, therefore, be it

*Resolved by the Assembly and Senate of the State of Nevada,* That we indorse for the position of Trade Commissioner from the United States to Australia our Speaker, Honorable Fred S. Alward; and be it further

*Resolved,* That certified copies of this resolution be transmitted by the Secretary of State to the Secretary of Commerce of the United States, to each of our Senators in the United States Senate, and to Congressman Scrugham, our Representative in Congress.

Mr. Malone moved that all rules be suspended, Assembly Joint Resolution No. 35 be considered an emergency measure, considered engrossed, and placed on top of the file for third reading and final passage.

Remarks by Messrs. Tandy, Dunseath, Cahlan and Cooper.

Carried.

Roll call on Assembly Joint Resolution No. 35:

YEAS—MESSRS. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore,



Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Wheelwright—38.

NAYS—None.

Absent—Mr. Johnson and Mr. Speaker—2.

Assembly Joint Resolution No. 35 having received a constitutional majority, Mr. Speaker declared it passed.

#### GENERAL FILE AND THIRD READING

Senate Bill No. 108 (reconsideration).

Remarks by Messrs. Smith and Dunseath.

Roll call on Senate Bill No. 108:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—38.

NAYS—None.

Absent—Mr. Johnson.

Not voting—Mr. Anderson.

Senate Bill No. 108 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Speaker in the chair.

Without objection Mr. Speaker signed Senate Bill No. 75 and Assembly Bills Nos. 15, 105, 239 and 247.

Mr. Moore was granted permission to revert to order of business No. 8.

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Moore moved that the Assembly refuse to concur in the Senate amendments to Assembly Bill No. 113, and that a conference committee be appointed to confer with the Senate.

Carried.

On motion of Mr. Anderson, Assembly Bills Nos. 209 and 210 were rereferred to a Joint Committee on Ways and Means and Labor.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 194.

Amendment proposed by Mr. Ebert: Amend section 1 of Assembly Bill No. 194 by striking out in line 23, page 2, the words and figures "three hundred (\$300)" and insert in lieu thereof the words and figures "four hundred and twenty (\$420)."

Mr. Ebert moved adoption of amendment.

Carried.

Amendment proposed by Mr. Ebert: Amend section 2 of Assembly Bill No. 194 by striking out all of lines 3, 4, 5 and 6 after the word "effect" in line 3, section 2, and insert "April 1, 1933."

Mr. Ebert moved adoption of amendment.

Carried.

Roll call on Assembly Bill No. 194:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee,

Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Heward, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Rayercraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—35.

NAYS—None.

Absent—Messrs. Hamlin, Hatton, Hussman, Johnson and Wheelwright—5.

Assembly Bill No. 194 having received a constitutional majority, Mr. Speaker declared it passed as amended.

Assembly Bill No. 295.

Amendments proposed by Committee on Judiciary: Amend section 1, page 1, line 2, by striking out the words and figures "122 of said Act, being section 9721," and insert in lieu thereof the words and figures "113 of such Act."

Mr. Taber moved adoption of amendment.

Carried.

Amend section 1, page 1, line 3, by striking out the words and figures "numbered 9721½," and insert in lieu thereof the words and figures "known as 9712½ N. C. L. 1929."

Mr. Taber moved adoption of amendment.

Carried.

Amend section 1, page 1, line 5, by striking out the figures "9721½," and insert in lieu thereof the figures "113½."

Mr. Taber moved adoption of amendment.

Carried.

Amendment proposed by Mr. Taber: Amend section 1 of Assembly Bill No. 295, line 8, by striking out the word "action" at the end of said line, and inserting in lieu thereof the word "section."

Mr. Taber moved adoption of amendment.

Carried.

Roll call on Assembly Bill No. 295:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Heward, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Rayercraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—36.

NAYS—None.

Absent—Messrs. Hatton, Hussman, Johnson and Reynolds—4.

Assembly Bill No. 295 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Amendment proposed by Committee on Judiciary to title of Assembly Bill No. 295: Amend title by striking out the period after the word "amended," and insert a comma in lieu thereof and the following words: "by adding thereto a new section to be known as section 113½."

Mr. Taber moved adoption of amendment to title.

Carried.

Assembly Bill No. 300.

Remarks by Messrs. Hamlin, Moore, Carroll and Cahlan.

Roll call on Assembly Bill No. 300:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee,

Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Kenny, Lage, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Hussman, Johnson and McAuliffe—3.

Assembly Bill No. 300 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Substitute for Assembly Bill No. 195.

Bill read third time:

Amendment proposed by Mr. Persson: Amend section 3 of Assembly Substitute for Assembly Bill No. 195 by striking out the words "or traps," and the brackets enclosing said words, in line 26, page 3, and in line 29, page 3, strike out the capital letter "T," and insert in lieu thereof a small letter "t," and insert immediately preceding the word "trappers," line 29, page 3, "Nonresident and alien."

Mr. Persson moved adoption of amendment.

Carried.

At 4:40 p. m. house recessed.

#### HOUSE IN SESSION

At 4:55 p. m.

Mr. Speaker in the chair.

Quorum present.

#### GENERAL FILE AND THIRD READING

Amendment proposed by Mr. Taber to Assembly Substitute for Assembly Bill No. 195: Amend section 3 of Assembly Substitute for Assembly Bill No. 195 by adding the following sentence at the end of the paragraph ending on page 3, line 29: "Any nonresident person and every alien person who traps any of the wild birds or animals without having first procured hunting license, as provided in this Act, shall be guilty of a misdemeanor."

Mr. Taber moved the adoption of the amendment.

Amendment proposed by Mr. Dunseath: Amend section 3 of Assembly Substitute for Assembly Bill No. 195 by inserting after the word "therefor," line 28, page 3, the following: "except that persons who are 65 years of age and have resided in the State for a period of 10 years shall be exempt from procuring said license upon making affidavit to that effect before the County Clerks of their respective counties."

Mr. Dunseath moved the adoption of the amendment.

Carried.

Remarks by Messrs. Hussman, Anderson, Smith, Cahill, Goodin and Stewart.

Roll call on Assembly Substitute for Assembly Bill No. 195:

YEAS—Messrs. Blundell, Brown, Carroll, Cobb, Goodin, Hamlin, Malone, Moore, O'Connor, Persson and Smith—11.

NAYS—Messrs. Anderson, Barnes, Beverly, Bugbee, Butler, Cahill, Cooper,

Dunseath, Ebert, Heward, Hussman, Kenny, McAuliffe, Murphy, Reynolds, Roberts, Stewart, Strosnider and Wheelwright—19.

Absent—Mr. Johnson.

Not voting—Messrs. Black, Cahlan, Hatton, Lage, Noble, Raycraft, Taber, Tandy and Mr. Speaker—9.

Assembly Substitute for Assembly Bill No. 195, as amended, having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Senate Bill No. 52.

Amendment proposed by Mr. Reynolds: Amend section 1 of Senate Bill No. 52 by striking out on page 1, line 9, the word "four," and insert in lieu thereof the word "five."

Mr. Reynolds moved adoption of amendment.

Carried.

Amend section 1 of Senate Bill No. 52 by striking out on page 2, line 9, the word "seven," and insert in lieu thereof the word "ten."

Mr. Reynolds moved adoption of amendment.

Carried.

Roll call on Senate Bill No. 52:

YEAS—Messrs. Barnes, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber and Wheelwright—33.

NAYS—Messrs. McAuliffe and Tandy—2.

Absent—Messrs. Beverly, Johnson and Murphy—3.

Not voting—Mr. Anderson and Mr. Speaker—2.

Senate Bill No. 52 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Senate Bill No. 99.

Mr. Noble moved that Senate Bill No. 99 be indefinitely postponed.

Remarks by Messrs. Malone, Hamlin, Dunseath, Taber, Smith, McAuliffe, Kenny, Anderson and Cooper.

Roll call was asked for by Messrs. McAuliffe, Malone and Brown.

Roll called:

YEAS—Messrs. Hamlin, Hussman, Kenny, Lage, Moore, Noble, Raycraft, Reynolds, Taber and Tandy—10.

NAYS—Messrs. Anderson, Barnes, Black, Blundell, Brown, Bugbee, Butler, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hatton, Heward, McAuliffe, Malone, O'Connor, Roberts, Smith, Stewart, Strosnider and Wheelwright—24.

Absent—Messrs. Beverly, Johnson and Murphy—3.

Not voting—Messrs. Cahill, Persson and Mr. Speaker—3.

Motion to indefinitely postpone lost.

Amendment proposed by Mr. Noble: Amend section 1 of Senate Bill No. 99 by striking out the period in line 14, page 1, and insert the following: "*and provided further*, that interest at the rate of 7 per cent shall be charged on all past due accounts by the distributor."

Mr. Noble moved adoption of amendment.

Remarks by Messrs. Dunseath and Smith.

Amendment lost.

Roll call on Senate Bill No. 99 :

YEAS—Messrs. Anderson, Barnes, Black, Blundell, Brown, Bugbee, Butler, Carroll, Cobb, Cooper, Dunseath, Ebert, Hamlin, Heward, McAuliffe, Malone, O'Connor, Roberts, Smith, Stewart and Wheelwright—21.

NAYS—Messrs. Cahlan, Kenny, Lage, Moore, Noble, Raycraft, Reynolds, Strosnider, Taber and Tandy—10.

Absent—Messrs. Beverly, Goodin, Johnson and Murphy—4.

Not voting—Messrs. Cahill, Hatton, Hussman, Persson and Mr. Speaker—5.

Senate Bill No. 99 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 118.

Remarks by Mr. Smith.

Roll call on Senate Bill No. 118 :

YEAS—Messrs. Anderson, Barnes, Black, Blundell, Brown, Bugbee, Butler, Carroll, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, McAuliffe, Malone, Moore, Noble, O'Connor, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber and Tandy—30.

NAYS—None.

Absent—Messrs. Beverly, Johnson, Lage, Murphy and Wheelwright—5.

Not voting—Messrs. Cahill, Cahlan, Cobb, Persson and Mr. Speaker—5.

Senate Bill No. 118 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Hussman moved that the Assembly adjourn.

Motion lost.

Senate Bill No. 76.

Remarks by Messrs. Moore, Dunseath and Cahill.

Mr. Cahill moved that Senate Bill No. 76 be rereferred to the Committee on Ways and Means.

Remarks by Messrs. Cahlan, Brown, Persson, Hussman and Noble.

Motion lost.

Previous question asked for by Messrs. Malone, Cobb and Cahlan.

Carried.

Roll call on Senate Bill No. 76 :

YEAS—Messrs. Barnes, Black, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Hussman, Kenny, McAuliffe, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—31.

NAYS—None.

Absent—Messrs. Beverly, Johnson, Lage, Murphy, Smith and Wheelwright—6.

Not voting—Messrs. Anderson, Blundell and Heward—3.

Senate Bill No. 76 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Dunseath gave notice that on the next legislative day he would move for a reconsideration of the vote taken on Senate Bill No. 76.

Senate Bill No. 27.

Remarks by Mr. Noble.

Roll call on Senate Bill No. 27 :

YEAS—Messrs. Anderson, Barnes, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton,

Heward, Hussman, Kenny, McAuliffe, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Stewart, Taber, Tandy and Mr. Speaker—33.

NAYS—Mr. Strosnider.

Absent—Messrs. Beverly, Johnson, Lage, Murphy, Smith and Wheelwright—6.

Senate Bill No. 27 having received a constitutional majority, Mr. Speaker declared it passed.

At 6 p. m., on motion of Mr. Anderson, house adjourned until Tuesday, March 14, 1933, at 10 a. m.

Approved:

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,

*Chief Clerk of the Assembly.*

## THE FIFTY-EIGHTH DAY

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CARSON CITY (Tuesday), March 14, 1933.

Assembly called to order at 10 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Mr. Johnson, who was excused on account of illness.

Prayer by Rev. Hersey.

On motion of Mr. Persson the reading of the Journal was dispensed with, and Mr. Speaker and the Chief Clerk were authorized to make any necessary corrections.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on the State Library desires that the following report be recorded in the Assembly Journal for this session:

We find the State Library in a good workable condition, the majority of the books well taken care of, and the service to the people of the State all that could be asked for.

In both the law and miscellaneous departments, books are being purchased that will be used. That is, such books as have very favorable reviews in the reader's guides, magazines and newspapers. In other words, the State Librarian is adding only such material as will best suit the larger number of people.

We also find that the newspapers, magazines and law periodicals have not been bound for some eight or ten years. This, we understand, has been due to the fact that the funds appropriated have been insufficient to do so.

There has been no catalogue of the miscellaneous department for some twelve or fifteen years, and it is our belief that the schools of the State could be somewhat better served if one were printed.

Due to the congested condition over the whole building, books are necessarily piled on the floors and window ledges. The available shelf room is exhausted and the plan of the building will not permit the addition of any more.

The State Library is one of our real and tangible assets, and should receive the serious attention of this body to provide ways and means to properly care for all the volumes, but under the present economic conditions we have no specific recommendations to make.

H. E. MALONE, *Chairman.*

*Mr. Speaker:*

Your Committee on Enrollment has carefully compared Assembly Enrolled Bills Nos. 24, 87, 141, 142, and Assembly Joint Resolution No. 19, with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. H. BARNES, *Chairman.*

*Mr. Speaker:*

Your Committee on Banks and Banking has had Assembly Bill No. 268 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass with printed amendments attached hereto:

Amend section 47 of Assembly Bill No. 268 by striking on page 51 all of lines 14, 15 and 16, and adding at the end of said section a new paragraph to read as

follows: "No bank in this State shall hereafter open or maintain any branch bank or office."

Amend section 14, page 15, by changing period at the end of line 18 to a comma, and adding the words "and the other one-half thereof in actual cash."

Amend section 14, page 15, by adding a new paragraph to read as follows: "Any bank subject to the provisions of this Act may become a member of the Federal Reserve Bank in the district in which such bank is located, and may then deposit in such Federal Reserve Bank any of its available funds, including any part of the reserve required by this Act, and the provisions of this Act limiting the amount that may be deposited by a bank in a depository bank, and the requirements of this Act relative to the reserve that must be maintained by the depository bank against such bank deposits shall not be deemed to apply to such deposit in such Federal Reserve Bank."

On page 15, just before section 16, insert section 15, omitted by mistake, to read as follows: SEC. 15. The total liability to any bank of any person, company, corporation or firm for money borrowed, including in the liability of any unincorporated company or firm, the liabilities of the several members thereof, shall not at any time exceed twenty-five per cent of the capital and surplus of such bank, actually paid in, but the discount of bills of exchange drawn in good faith against actual existing values, as collateral security, and a discount or purchase of commercial or business paper, actually owned by the persons, shall not be considered as money borrowed.

Amend section 17, page 16, lines 14 and 15, by striking the words "immediately thereon becomes vacant," and insert in lieu thereof the words "shall be immediately declared vacant by the Superintendent of Banks."

Amend section 21, page 21, line 5, by changing the word "bank" to "banks."

Amend section 21, page 21, by inserting in the blank following the letters "tion" the figures "16," and on page 22, line 10, insert in the blank after the word "section" the figures "16."

Amend section 21, page 21, line 32, by changing the period to a comma, and adding the words "except as herein specified and explained."

Amend section 39, page 28, line 32, by changing the word "may" to "shall."

Amend section 51, page 33, line 27, by striking the words "it shall appear to the Superintendent of Banks that"; in line 30 strike the word "has," and change the word "violate" to "violates"; in line 31 after the word "or" insert the words "in the opinion of the Superintendent of Banks," and in line 32 strike the word "he," and insert the words "the Superintendent of Banks."

Amend section 56, page 38, line 6, by inserting after the word "mail" the words "by registered mail"; and in line 18 after the word "by" the word "registered."

Amend section 68, page 44, line 16, by changing the word "deputies" to "deputy."

Amend the title of said Act in line 13 by inserting after the first "and" in said line the word "all Acts or," and after the second "Acts" in the same line the words "in conflict herewith."

A. E. CAHLAN, *Chairman.*

*Mr. Speaker:*

Your Committee on Public Morals has had Senate Bill No. 119 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

THOMAS M. CARROLL, *Chairman.*

*Mr. Speaker:*

Your Committee on Ways and Means has had Senate Bills Nos. 106 and 128 under consideration and begs leave to report favorably on the same, with the recommendation that they do pass.

J. H. CAHILL, *Chairman.*

*Mr. Speaker:*

Your Committee on Judiciary has had Senate Bill No. 143 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

G. J. KENNY, *Chairman.*



*Mr. Speaker:*

Your Committee of Clark County Delegation has had Assembly Bills Nos. 131 and 144 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

A. E. CAHLAN, *Chairman.*

*Mr. Speaker:*

Your Committee of White Pine Delegation has had Assembly Bill No. 302 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

WALTER LAGE, *Chairman.*

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to inform your honorable body that the Senate refuses to concur in the Assembly amendments to Senate Bill No. 109.

Also, to return Senate Concurrent Resolution No. 14 with the message respectfully requesting your concurrence in the resolution, as otherwise necessary amendments cannot be made, and introduction and passage of a new bill would become necessary.

Also, to present Senate Joint Resolution No. 22, which, under the suspension of all rules, was declared an emergency measure under the Constitution, considered engrossed and placed on general file for third reading and final passage, and passed, as amended, by the following vote. Yeas, 15; nays, none; absent, 2. Amend the title as follows: Strike the title and insert in lieu thereof "Senate Joint Resolution relating to Carson City U. S. Mint and Assay Office."

LENA GALE,

*Assistant Secretary of the Senate.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Smith moved that the Assembly refuse to recede from its amendment to Senate Bill No. 109, and asked that a conference committee be appointed to confer with a similar committee of the Senate.

Carried.

Mr. Malone moved that the report of the State Library Committee be adopted.

Carried.

Mr. Raycraft moved that Senate Bill No. 58 be lifted from the table. Remarks by Messrs. Dunseath, Noble, McAuliffe and Tandy.

Motion lost.

Mr. Cooper moved that Assembly Bill No. 158 be called out of committee and placed on the general file for third reading and final passage.

Carried.

Mr. Speaker appointed Messrs. Smith, Cahlan and Murphy as the committee to confer with the Senate on Senate Bill No. 109.

Mr. Smith moved that when the Assembly adjourns it do so until 9 a. m. Wednesday.

Mr. Dunseath amended motion to read until 10 a. m.

Amendment lost.

Motion carried.

## INTRODUCTION AND FIRST READING

By Mr. Brown:

Assembly Bill No. 305—An Act to provide for a convention to pass on an amendment to the Constitution of the United States now proposed by the Congress for ratification by conventions in the several States.

Mr. Brown moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

Senate Joint Resolution No. 22.

Mr. Tandy moved that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to Committee on Ways and Means.

Carried.

## GENERAL FILE AND THIRD READING

Assembly Bill No. 303.

Mr. Bugbee moved that Assembly Bill No. 303 be rereferred to the Committee on Mines and Mining.

Carried.

Assembly Bill No. 158.

Remarks by Messrs. Heward, Cahill, Hatton, Cooper, Kenny, Hamlin, Cobb and Tandy.

Roll call on Assembly Bill No. 158:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Lage, McAuliffe, Malone, Moore, O'Connor, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber and Tandy—29.

NAYS—Messrs. Butler, Heward, Hussman, Kenny, Noble, Raycraft and Wheelwright—7.

Absent—Mr. Johnson.

Not voting—Messrs. Murphy, Persson and Mr. Speaker—3.

Assembly Bill No. 158 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 51.

Remarks by Messrs. Goodin, Tandy, Black, Dunseath and Cahill.

Roll call on Senate Bill No. 51:

YEAS—Mr. Lage.

NAYS—Messrs. Barnes, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hatton, Heward, Hussman, Kenny, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Wheelwright—34.

Absent—Messrs. Beverly, Hamlin and Johnson—3.

Not voting—Mr. Anderson and Mr. Speaker—2.

Senate Bill No. 51 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Senate Bill No. 54.

Amendment proposed by Committee on Roads and Highways:

Amend section 1 of Senate Bill No. 54 by striking out all of section 1 and inserting in lieu thereof the following: SECTION 1. No owner or operator of a motor vehicle carrying passengers or property for hire on any road or highway in the State of Nevada shall require, suffer or permit any driver of such motor vehicle to drive any such motor vehicle in any one period longer than the time permitted for such period by the order of the Public Service Commission of Nevada.

Mr. Goodin moved adoption of amendment.

Carried.

Remarks by Messrs. Dunseath and Malone.

Roll call on Senate Bill No. 54:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hatton, Heward, Kenny, Lage, McAuliffe, Malone, Murphy, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Wheelwright—32.

NAYS—Messrs. Anderson, Moore and Reynolds—3.

Absent—Messrs. Hamlin, Hussman and Johnson—3.

Not voting—Mr. Cahill and Mr. Speaker—2.

Senate Bill No. 54 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Mr. Dunseath explained his vote.

Senate Bill No. 133.

Remarks by Messrs. McAuliffe, Black, Cahill, Brown and O'Connor.

Roll call on Senate Bill No. 133:

YEAS—Messrs. Barnes, Beverly, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Goodin, Hamlin, Hatton, Kenny, Lage, McAuliffe, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider and Taber—27.

NAYS—Messrs. Black, Brown, Dunseath, Ebert, Hussman and Malone—6.

Absent—Mr. Johnson.

Not voting—Messrs. Anderson, Blundell, Heward, Tandy, Wheelwright and Mr. Speaker—6.

Senate Bill No. 133 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 124.

Mr. Bugbee moved that Senate Bill No. 124 be made a special order of business for 10:30 Wednesday morning.

Carried.

#### PRESENTATION OF PETITIONS

Letters from Culinary Worker's Union No. 45, Journeymen Barbers' International Union, National Federation of Federal Employees, and Reno Central Trades and Labor Council, regarding State Labor Commission, were referred to Committee on Ways and Means.

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 38, which has this day passed the Senate, as amended, by the following vote: Yeas, 14; nays, 3. Amend as follows: Page 1, line 1, section 1, to read as follows: "SECTION 1. Section 90 of the above-entitled Act, being paragraph 5739 N. C. L. 1929, is hereby repealed."

Also, Senate Bill No. 145, which passed: Yeas, 15; nays, 1; not voting, 1.

Also, Senate Bill No. 148, which passed: Yeas, 17; nays, none.

Also, Senate Bill No. 153, which passed, as amended: Yeas, 15; nays, none; absent, 1; not voting, 1. Amend as follows: Page 1, lines 1 and 2, strike the word "section" and insert in lieu thereof the word "paragraph."

Also, Senate Bill No. 155, which passed, as amended: Yeas, 14; nays, none; absent, 1; not voting, 2. Amend as follows: Page 1, lines 1 and 2, strike the word "section" and insert in lieu thereof the word "paragraph." Page 1, line 6, strike the word "authority" and insert in lieu thereof the word "authorities."

Also, to return Assembly Bill No. 173, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 1, line 10, strike the word "twenty" and insert in lieu thereof the word "fifteen." Page 2, line 7, strike the word "twenty" and insert in lieu thereof the word "fifteen." Page 3, line 5, strike out the word "twenty" and insert in lieu thereof the word "fifteen."

Also, Assembly Bill No. 234, which passed, as amended: Yeas, 15; nays, none; absent, 2. Amend title by adding after the word "Nevada" in line 2 the words "to execute a deed for certain property to William Kestells of Washoe County, Nevada."

Also, Assembly Bill No. 235, which passed, as amended: Yeas, 15; nays, none; absent, 2. Amend title by inserting after the word "authorizing" the words "and directing."

Also, Senate Bill No. 275, which passed, as amended: Yeas, 15; nays, none; absent, 2. Amend as follows: Page 3, line 22, after the word "assistants" insert the following: "with unanimous consent of the Board of County Commissioners." Insert comma after the word "assistants."

LENA GALE,

*Assistant Secretary of the Senate.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 14.

Mr. Persson moved adoption of resolution.

Carried.

At 11:25 a. m., on motion of Mr. Cahill, the house recessed until 2 p. m.

#### HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the chair.

Quorum present.

#### MOTIONS, RESOLUTIONS AND NOTICES

By Committee on Acoustics:

Assembly Resolution No. 26:

*Resolved by the Assembly of the State of Nevada,* That the thanks of this body be extended to Mr. C. A. Thompkins of the Majestic Theater in Reno for the drapes so graciously furnished by him for the use of the Nevada Assembly, and the Chief Clerk of the Assembly is directed to forward to Mr. Thompkins at his address at Reno a copy of this resolution under the signature of the Speaker and Chief Clerk.

Mr. Malone moved adoption of resolution.

Carried.

Mr. Goodin moved that the Assembly concur in the Senate amendment to Assembly Bill No. 234.

Carried.

Mr. Goodin moved that the Assembly concur in the Senate amendments to Assembly Bill No. 235.

Carried.

Mr. Murphy moved that the Assembly concur in the Senate amendments to Assembly Bill No. 144 in changing the words "so as," but the Assembly do not concur in the Senate amendment changing "section" to "paragraph."

Carried.

#### INTRODUCTION AND FIRST READING

Senate Bill No. 38.

Mr. Lage moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

Carried.

Senate Bill No. 145.

Mr. Blundell moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Claims.

Carried.

Senate Bill No. 148.

Mr. Hussman moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Claims.

Carried.

Senate Bill No. 155.

Mr. Malone moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

Senate Bill No. 153.

Mr. McAuliffe moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to a Joint Committee of Esmeralda, Nye and Mineral County Delegations and Committee on Judiciary.

Carried.

By Majority of Washoe County Delegation (by request):

Assembly Bill No. 306—An Act fixing the salaries and compensation of certain officers, deputies and employees of Washoe County, and repealing all Acts and parts of Acts in conflict herewith.

Mr. Dunseath moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Washoe County Delegation.

Carried.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copy of Assembly Bill No. 304, hereto attached, is correct copy of the triplicate thereof in its possession.

DOUG. H. TANDY, *Chairman.*

## GENERAL FILE AND THIRD READING

Assembly Bill No. 268.

Remarks by Messrs. Tandy, Brown and Dunseath.

Amendments to Assembly Bill No. 268 proposed by Committee on Banks and Banking: Amend section 14, page 15, by changing period at the end of line 18 to a comma, and adding the words "and the other one-half thereof in actual cash."

Mr. Cahlan moved adoption of amendment.

Carried.

Amend section 14, page 15, by adding a new paragraph to read as follows: "Any bank subject to the provisions of this Act may become a member of the Federal Reserve Bank in the district in which such bank is located, and may then deposit in such Federal Reserve Bank any of its available funds, including any part of the reserve required by this Act, and the provisions of this Act limiting the amount that may be deposited by a bank in a depository bank, and the requirements of this Act relative to the reserve that must be maintained by the depository bank against such bank deposits shall not be deemed to apply to such deposit in such Federal Reserve Bank."

Mr. Cahlan moved adoption of amendment.

Carried.

Amend section 17, page 16, lines 14 and 15, by striking words "immediately thereon becomes vacant," and insert in lieu thereof the words "shall be immediately declared vacant by the Superintendent of Banks."

Mr. Cahlan moved adoption of amendment.

Carried.

At 3:01 p. m. house recessed.

## HOUSE IN SESSION

At 3:12 p. m.

Mr. Speaker in the chair.

Quorum present.

## GENERAL FILE AND THIRD READING

Amendments proposed by Committee on Banks and Banking to Assembly Bill No. 268: Amend section 21, page 21, line 5, by changing the word "bank" to "banks."

Mr. Cahlan moved adoption of amendment.

Carried.

Amend section 21, page 21, by inserting in the blank following the letters "tion" the figures "16," and on page 22, line 10, insert in the blank after the word "section" the figures "16."

Mr. Cahlan moved adoption of amendment.

Carried.

Amend section 21, page 21, line 32, by changing the period to a comma and adding the words "except as herein specified and explained."

Mr. Cahlan moved adoption of amendment.

Carried.

Amendment proposed by Mr. Brown: Amend section 22 of Assembly Bill No. 268 by striking out in line 27, page 22, after the word "the" the words "general fund," and substitute in lieu thereof the words "General School Fund."

Mr. Brown moved adoption of amendment.

Amendments proposed by Committee on Banks and Banking: Amend section 39, page 28, line 32, by changing the word "may" to "shall."

Mr. Cahlan moved adoption of amendment.

Carried.

Amend section 47 of Assembly Bill No. 268 by striking on page 31 all of lines 14, 15 and 16, and adding at the end of said section a new paragraph to read as follows: "No bank in this State shall hereafter open or maintain any branch bank or office."

Mr. Cahlan moved adoption of amendment.

Carried.

Amend section 51, page 33, line 27, by striking the words "it shall appear to the Superintendent of Banks that"; in line 30 strike the word "has" and change the word "violate" to "violates"; in line 31 after the word "or" insert the words "in the opinion of the Superintendent of Banks," and in line 32 strike the word "he" and insert the words "the Superintendent of Banks."

Mr. Cahlan moved adoption of amendment.

Carried.

Amend section 56, page 38, line 6, by inserting after the word "mail" the words "by registered mail," and in line 18 after the word "by" the word "registered."

Mr. Cahlan moved adoption of amendment.

Carried.

Amend section 68, page 44, line 16, by changing the word "deputies" to "deputy."

Mr. Cahlan moved adoption of amendment.

Carried.

On page 15 just before section 16 insert section 15, omitted by mistake, to read as follows: Sec. 15. The total liability to any bank of any person, company, corporation or firm for money borrowed, including in the liability of any unincorporated company or firm the liabilities of the several members thereof, shall not at any time exceed twenty-five per cent of the capital and surplus of such bank, actually paid in, but the discount of bills of exchange drawn in good faith against actual existing values, as collateral security, and a discount or purchase of commercial or business paper, actually owned by the persons, shall not be considered as money borrowed.

Mr. Cahlan moved adoption of amendment.

Carried.

Amendment proposed by Mr. Kenny: Amend section 12 of Assembly Bill No. 268 by striking all of section 12 on page 13, after section 12, and substitute in lieu thereof the following: "The holders of capital stock of any corporation organized under the provisions of this

Act, after they have fully paid therefor and shall have paid all assessments duly levied thereupon, shall be under no stockholders' liability to the creditors of such corporations."

Mr. Kenny moved adoption of amendment.

Carried.

Amendment proposed by Mr. Brown: Amend section 50 of Assembly Bill No. 268 by striking out in line 12, page 32, the word "depositor."

Mr. Brown moved adoption of amendment.

Carried.

Remarks by Messrs. Brown and Taber.

Mr. Taber moved that the Assembly reconsider the amendment adopted to section 47.

Remarks by Messrs. Tandy and Cahlan.

Motion lost.

Roll call on Assembly Bill No. 268:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Taber, Tandy, Wheelwright and Mr. Speaker—38.

NAYS—None.

Absent—Messrs. Johnson and Strosnider.

Assembly Bill No. 268 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Amendment proposed by the Committee on Banks and Banking to title of Assembly Bill No. 268: Amend the title of said Act in line 13 by inserting after the first "and" in said line the words "all Acts or," and after the second "Acts" in the same line the words "in conflict herewith."

Mr. Cahlan moved adoption of amendment to title.

Carried.

Assembly Bill No. 302.

Remarks by Mr. Lage.

Roll call on Assembly Bill No. 302:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Taber, Tandy, Wheelwright and Mr. Speaker—36.

NAYS—None.

Absent—Messrs. Cahlan, Hussman, Johnson and Strosnider—4.

Assembly Bill No. 302 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 106.

Remarks by Messrs. Malone, Cahill, Noble, Hamlin, Brown, Tandy, Black and Dunseath.

Roll call on Senate Bill No. 106:

YEAS—Messrs. Black, Blundell, Brown, Bugbee, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman,



Johnson, Kenny, Lage, McAuliffe, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—34.

Nays—None.

Absent—Messrs. Butler, Johnson and Murphy—3.

Not voting—Messrs. Anderson, Barnes and Beverly—3.

Senate Bill No. 106 having received a constitutional majority, Mr. Speaker declared it passed.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Irrigation has had Senate Bill No. 37 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass, as amended, in the Senate, and that the Assembly concur in the Senate amendments.

FRED STROSNIDER, *Chairman.*

*Mr. Speaker:*

The majority of your Joint Committee on Ways and Means and Mines and Mining has had Senate Bill No. 22 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

FRED BLACK,  
C. L. NOBLE,  
TOM CARROLL,  
ROY PERSSON,  
WILLARD SMITH,  
GEO. HUSSMAN,  
J. H. CAHILL.

*Mr. Speaker:*

The minority of your Joint Committee on Ways and Means and Mines and Mining has had Senate Bill No. 22 under consideration, and begs leave to report favorably on the same, with recommendation that it do pass, as amended. Amend Senate Bill No. 22 by striking out all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 9 of the above-entitled Act, being section 4216 N. C. L. 1929, as amended, is hereby amended to read as follows:

Section 9. The Inspector of Mines shall have the power to appoint one Deputy Inspector, who shall receive a salary of two hundred dollars per month as full compensation for all services. Said deputy shall be allowed traveling expenses while in the discharge of his duties.

Sec. 2. This Act shall be in full force and effect on and after June 1, 1933.

M. C. HAMLIN,  
J. R. REYNOLDS,  
W. H. ROBERTS,  
ROBERT O'CONNOR,  
FRANK BUGBEE.

*Mr. Speaker:*

Your Committee on Ways and Means has had Senate Bills Nos. 60, 66, 85, 135, and Senate Joint Resolution No. 22 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

J. H. CAHILL, *Chairman.*

*Mr. Speaker:*

The majority of your Committee on Mines and Mining has had Assembly Bill No. 281 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

J. R. REYNOLDS,  
M. C. HAMLIN,  
FRANK BUGBEE.

*Mr. Speaker:*

The minority of your Committee on Mines and Mining has had Assembly

Bill No. 281 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

W. H. ROBERTS,  
ROBERT O'CONNOR.

*Mr. Speaker:*

The majority of your Committee on Live Stock has had Assembly Bill No. 199 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass, as amended. Amend as follows: Amend section 2 of Assembly Bill No. 199 by striking out on page 2 the semicolon and substitute a period after the word "necessity" in line 10; also the rest of lines 10, 11, 12, 13, 14, 15 and 16, and insert in lieu thereof: "*Provided*, for the purpose of this Act vested right holders to stockwater use shall, so far as the period of use is concerned, include all persons who initiated use of the stockwaters concerned at any time two years prior to the enactment of this Act, and shall have continued said use seasonally up and until the enactment of this Act."

J. H. HEWARD,  
FRED STROSNIDER,  
CHAS. E. BUTLER,  
MORLEY MURPHY,  
L. F. ANDERSON.

*Mr. Speaker:*

The minority of Your Committee on Live Stock has had Assembly Bill No. 199 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

T. G. WHEELWRIGHT,  
GEO. HUSSMAN.

*Mr. Speaker:*

Your Special Committee of Mineral County Delegation has had Senate Bill No. 149 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass with the enclosed amendments: Amend section 1 of Senate Bill No. 149 by striking out on page 2, line 9, the word "fifteen," and insert in lieu thereof the word "twelve." Strike out in line 10 the figures "\$1,500." Strike out in line 30 the word "five," and insert in lieu thereof the word "six." Strike out in line 30, page 2, the figures "\$500." Strike out in line 32 the words and figures "one thousand (\$1,000)," and insert in lieu thereof the words and figures "twelve hundred (\$1,200)."

M. C. HAMLIN, *Chairman.*

#### MAJORITY REPORT OF INVESTIGATION OF FISH AND GAME COMMISSION

*Mr. Speaker:*

Your Select Committee appointed to investigate the State Fish and Game Commission begs leave to submit the following report:

We find that the said Fish and Game Commission has conducted the management of one of the most useful and attractive of our natural resources in a manner not reflecting credit upon its membership, much less upon the State of Nevada. Its management has been characterized by waste and inefficiency, detrimental to the best interests of our taxpayers and citizens, and that its use of money has leaped far beyond the bounds of recklessness, bordering upon that of prodigality.

We are basing our findings as to the matter of costs upon the published report of said commission up to and including the end of the last fiscal year only, June 30, 1932, and the figures for the years 1929 and 1930 are somewhat in the nature of an approximation. But at any rate in the approximate three and one-half years between the inauguration of the commission's management, about April 1, 1929, to June 30, 1932, the commission furnished for the streams and lakes of this State 1,415,164 fish fry at a cost of \$99,147, which is approximately \$70 a thousand for such fry, whereas, a reasonable and customary cost for such fry should not exceed that many cents. Indeed, in years past Nevada

has numerous records to show that it has produced fry for around 40 cents a thousand, and during several different years, with far more modest facilities and a small fraction of the cost, it has produced more than 1,800,000 fry in one year.

As the record will show, the Legislature in the 1929 session appropriated the sum of \$23,000 for the support of the Fish and Game Commission, and in 1931 another \$32,000. Added to this was a two-fifths share of the fish and hunting license money, the latter being raised from the old rate of \$1.50 per license to \$2.50, for the sole purpose of adding to the revenues of the State Commission, and gave it another dollar for each deer tag sold, and with revenues from several other sources from permits and sales of various kinds the total amounts received and expended by said commission in the years of 1929 and 1930 were slightly in excess of \$49,000. For this sum the State received back in the only form it could receive value the paltry and almost insignificant number of slightly more than 400,000 fry.

Again, in the year and a half from January, 1931, to the end of June, 1932, with its \$32,000 bank roll to start with, it received from its share of the license money, deer tags and other sources a total of \$50,147.16, expending all but \$6,039.93 thereof, receiving therefor only 1,013,164 fry.

We have made a vigorous but futile endeavor to account for and justify this disproportion between cost and results, but have had little aid or success from the members of the commission, though each of those residing within reasonable call has appeared before us or addressed us by letter at our request, and at best we must confess that the information obtained is vague and unsatisfactory. We find that under direction of the commission a rearing pond at the Verdi State Hatchery was not constructed by contract, and we have been unable to obtain any reliable information as to its cost, the same applying with greater force to the hatchery and ponds at Smith Creek, the latter being a new State hatchery astride the county line between Churchill and Lander Counties, a few miles north of the Carroll Summit on the Lincoln Highway. So far as we have been able to ascertain there is no available data as to the cost of either of these expensive improvements.

Of even greater moment it has come to our knowledge through the testimony of several witnesses, which testimony is not denied by the members of the State Fish and Game Commission, that the State has no title to the Smith Creek property; that it was not acquired by purchase, though the members of the commission have advised us, with considerable vagueness as to details, that they have negotiated a fifty-year lease. Yet upon examination of such members we have failed to locate a copy of the document, if such lease be in writing, and we are left in the position today of being asked to believe that such lease is verbal, and, therefore, under the laws of Nevada, of no force.

Moreover, we have also been advised that there is a mortgage against the property of some \$20,000. Of this alleged fact we are advised by the County Recorder of Churchill County, though the record of such mortgage is understood to be in Lander County. At any rate a lease, written or otherwise, if the latter were possible under such circumstances, would have to be subject to such mortgage, and therefore could be no lease at all.

We find further that the Smith Creek Hatchery has been mismanaged. Its ponds were excavated without sufficient knowledge as to the available water supply, and the young fish placed therein with a quantity of water that soon proved to be far inadequate. That circumstance coming to the fore left the management up against a question of taking emergency measures, the measure adopted being to pipe the water a distance of a mile, more or less, and the pipes in the haste that seemed necessary were laid on top of the ground and in the pouring sunshine the water that was conveyed became too warm for the young fish to survive. As a result a great loss was sustained, and from that circumstance the members of the commission became involved in a dispute between themselves and Mr. Morrill, the superintendent and fish culturist, in their employ. For several months thereafter the commissioners were at loggerheads over the question of Mr. Morrill's dismissal, terminating in a state of confusion and inefficiency continuing to this day.

We believe the use of two hatcheries in a State of the meager resources of Nevada to be unsound, and if the State is to continue in the hatchery business it should confine its activities to one hatchery and that it should bring about conditions thereat to make such hatchery a success, as indeed it has previously, when, for a number of years, upwards of twenty years ago, it had great success by pursuing such a policy.

Upon this point we have been told, and the same again has been denied, that the water in the Verdi ponds is too warm for successful rearing. We believe this to be capable of being overcome and remedied.

But if the State is to continue in the hatching business it is our firm and emphatic belief that it must follow in the footsteps of the State of Utah, and place the sole management thereof in the hand of one competent person, and that he must be responsible directly to the Governor or the Board of Examiners.

We find further that certain members of the State Fish and Game Commission, perhaps not all of them, have shown favoritism in the administration of the game laws. In this particular we have not been able to assemble all the cases possible to be assembled, or to establish more than one outstanding case, but one such occurred in a recent year in the opening of the sagehen season in Lander County. We have undenied testimony to show that the area inhabited by sagehens at Birch Creek in that county was closed by one or more members of the commission, numerous signs being posted warning hunters to keep off, permitting favorites to enter therein and gain several hours in the morning shoot to the disadvantage of other holders of hunting licenses.

Numerous complaints of a like nature have been leveled against the present commission and it is far and away the most unpopular branch of the Nevada State government.

It is our belief that each county should have the sole right to administer the game laws of the State as affecting the areas within such counties. Our State has a vast diversity of altitude and climate, making conditions such that a general law, more particularly a centralized administration thereof, is impractical and unsatisfactory to our people. The southern counties do not have the advantage of deer migrating thereto during the weeks that they are plentiful in the northern ones, and if hunters are to have any chance whatever in the areas of southern Nye, Lincoln and Clark Counties it must be through a diametrically opposite policy and form of management to that of the areas of the middle and north of the State, weighing their higher altitudes and earlier migrations brought about by varying but higher altitudes.

We further believe and recommend that the counties should have jurisdiction and the full right, recognized by law, to make provision for the killing of female deer not oftener than every third year, but anyway that often. The beneficial use of our several extensive deer refuges, and the excellent observance of our State law against killing does, has brought about a situation making it desirable that the killing of does should be allowed to that extent.

In short, we believe and recommend that the sole administration of our game laws be transferred from the State Fish and Game Commission or any State agency, and be placed perpetually in the hands of the County Commissioners of each county. This arrangement has the advantage of home rule, of meeting a well-merited popular demand, and of entailing practically no cost whatever. The slight cost of a County Fish and Game Warden from each county would easily be taken care of by the revenue from license sales, and in effect would be negligible. If such were resumed after four years of utter failure the time would soon arrive to resume the former price of \$1.50 for hunting licenses, which is enough to ask Nevada citizens to pay.

We further recommend the immediate abolition of the dollar charge for a deer tag. To ask any person to pay one dollar or any sum whatever for a tag to place upon the carcass of an animal he may have never seen the color of, and may never see, when the State or county for no legitimate purpose needs the money, savors too much of legalized highway robbery to strike a responsive chord in the breast of any free-born Nevadan.

It is so late in the session that an act to abolish the State Fish and Game Commission may not be possible of adoption by both houses as should be done,

but we certainly and unequivocally recommend it, but failing in that, we do positively recommend, in view of the record of the present Fish and Game Commission, during four years of tinkering with a sacred obligation purporting to give protection to this heritage vouchsafed us by a bounteous nature—our cherished wild life—that this Legislature follow literally the recommendation of the message of our Governor, and appropriate not one dollar for the support of the Fish and Game Commission as today constituted.

Respectfully submitted, we have the honor to remain,

JOE S. COOPER,  
FRANK BUGBEE,  
*Majority Members.*

#### MINORITY REPORT OF INVESTIGATION OF FISH AND GAME COMMISSION

*Mr. Speaker:*

The minority of your Select Committee appointed to investigate the State Fish and Game Commission begs leave to submit the following report:

The property designed for hatching and rearing of fish owned by the State of Nevada, and now under the control and management of the State Fish and Game Commission is the following:

At Verdi, Nevada—1 large hatchery and 2 rearing ponds.

At Smith Creek, Nevada—1 hatchery, 1 large rearing pond and 2 small rearing ponds.

At Verdi, Nevada, the quantity of water is inadequate for the needs of the hatchery and rearing ponds there located, and during a large part of the year the water is so low that more water must be procured. This extra water is at present obtained by pumping, at great expense to the State. One member of the commission informs your committee that there is reasonable prospect of procuring free of cost a fully adequate supply of cold, good water from a ranch adjoining the Verdi land whereon the State hatchery and rearing ponds are located. If the commission does not procure this water free of cost, it will be necessary for the State to purchase the necessary water rights from said adjoining ranch or to purchase the ranch itself with all water rights belonging to it, because the cost of pumping is excessive and the water obtained by the pumping is not satisfactory.

The title of the State of Nevada to the land on which the Smith Creek Hatchery and rearing ponds are situate is a very elusive quantity. It appears that the State had a fifty-year lease on this land but that the lease was never recorded and that said lease is now lost. The Chairman of the Fish and Game Commission informed your select committee that he was reasonably sure that the Reno National Bank, who holds a mortgage against the land on which the State's Smith Creek property is situate, would do its share in protecting the State's fifty-year lease to said land. However, so far as your select committee can determine, the State's title to this land is not satisfactory, and either a new lease, or preferably a deed, should be obtained of this land to the State from all parties having an interest in the said land.

The minority of your Select Committee agrees with the majority report that there has been in the past a large amount of extravagance and waste of State moneys by the State Fish and Game Commission. However, it must be borne in mind that a considerable expense was necessary in the erection of permanent hatcheries and rearing ponds. It is the belief of the minority of your Select Committee that a large part of the extravagance and waste was caused by a former superintendent and fish culturist employed by the commission who has since been discharged. It seems certain, nevertheless, that the commission was at fault in allowing this superintendent the control of expenditure of the State's moneys without carefully checking said expenditures.

The plans and the budget of the State Fish and Game Commission for the next two years, or rather for the biennium ending June 30, 1935, appear to be a great improvement over the past actions and budgets of the commission, and there seems to be a genuine endeavor on the part of the commission to reduce

the number of salaries and to cut expenses. It is not improbable, however, that the desired appropriation from the State fund of \$16,000 for the biennium ending June 30, 1935, could be greatly reduced without impairing the value of the State's investment in its hatcheries and rearing ponds.

Your Select Committee believes that the counties of White Pine and Elko have efficient management, control and management over their own peculiar fish and game problems, but the minority of your Select Committee does not believe it wise to take control of the balance of the counties (excepting perhaps one or two counties besides White Pine and Elko) in matters concerning fish and game out of the hands of the State. To take control of seasons for fishing and hunting away from the State might have very serious consequences. It might well be that State control of fish and game could be placed in the hands of one man directly responsible to either the Governor or the Board of Examiners, and that better management would be obtained thereby, but I believe that entire elimination of central control by the State of Nevada is inadvisable.

Your minority committee suggests that all his recommendations be taken with several grains of salt, as he neither hunts nor fishes and certainly has no profound knowledge of either hunting or fishing.

Respectfully submitted,

WILLIAM F. TABER,  
*Minority Member.*

Without objection Mr. Speaker signed Assembly Bills Nos. 54, 99, 108, 118, 133 and Senate Bill No. 27.

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Cooper moved that the majority report on the Fish and Game Commission be adopted and printed.

Mr. Taber amended the motion to read that both reports be printed and filed for future reference.

Carried.

Mr. Hamlin moved that the Chief Clerk be instructed to transmit Assembly Bill No. 153 to the Senate.

Carried.

Mr. Raycraft moved that all rules be suspended, Senate Joint Resolution No. 22 be considered an emergency measure, considered engrossed, and placed on top of the file for third reading and final passage.

Carried.

Mr. Taber moved that the Assembly concur in the Senate amendments to Assembly Bill No. 275.

Carried.

Mr. Dunseath moved that the Assembly recess until 7 p. m.

Mr. Moore moved that the Assembly adjourn until Wednesday, March 15, 1933, at 9 a. m.

Remarks by Messrs. Hamlin, Dunseath and Goodin.

At 5:50 house adjourned until 9 a. m. Wednesday.

Approved:

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,

*Chief Clerk of the Assembly.*

## THE FIFTY-NINTH DAY

CARSON CITY (Wednesday), March 15, 1933.

Assembly called to order at 9 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Mr. Johnson, who was excused on account of illness.

Prayer by Rev. Hersey.

On motion of Mr. Persson the reading of the Journal was dispensed with, and Mr. Speaker and the Chief Clerk were authorized to make any necessary corrections.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Counties and County Boundaries has had Assembly Bills Nos. 156 and 216 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

CLYDE P. JOHNSON, *Chairman.*

*Mr. Speaker:*

We, your Conference Committee, appointed to confer with the Senate Committee on Senate Bill No. 109, beg leave to recommend that the Assembly concur in the Assembly amendment with the following addition to the Assembly amendment, to wit: Add, at the end of Assembly amendment, the words: "where the local post or unit is to participate in such show or the proceeds thereof."

WILLARD W. SMITH,  
A. E. CAHLAN,  
MORLEY MURPHY.

### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to inform your honorable body that the Senate refuses to recede from its actions on Assembly Bill No. 65.

Also, that the Senate refuses to concur in the Assembly amendments to Senate Bill No. 52.

Also, that the Senate has concurred in the Assembly amendments to Senate Bill No. 54.

Also, to notify you that the President of the Senate has this day appointed a conference committee consisting of Senators Fairchild, Coryell and Marsh to meet with a like committee appointed by the Speaker of the Assembly on Senate Bill No. 109.

LENA GALE,  
*Assistant Secretary of the Senate.*

### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Cahill moved that Assembly Bill No. 195 be withdrawn from the Committee on Fish and Game, that all rules be suspended, declared an emergency measure, considered engrossed and placed on top of the file for third reading and final passage.

Carried.

Mr. Smith moved the adoption of the report of Conference Committee on Senate Bill No. 109.

Carried.

Mr. Malone moved that Senate Bill No. 58 be taken from the table and placed on the general file.

Carried.

Mr. Smith moved that when the Assembly adjourns it do so until Thursday at 9 a. m.

Carried.

Without objection Mr. Speaker signed Assembly Bills Nos. 121 and 146.

#### GENERAL FILE AND THIRD READING

Senate Joint Resolution No. 22.

Roll call on Senate Joint Resolution No. 22:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber and Mr. Speaker—32.

NAYS—Mr. Ebert.

Absent—Messrs. Dunseath, Goodin, Johnson, Malone, Moore, Tandy, Wheelwright—7.

Senate Joint Resolution No. 22 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 199.

Amendment proposed by majority of the Committee on Live Stock: Amend section 1 of Assembly Bill No. 199 by striking out on page 2 the semicolon and substitute a period after the word "necessity" in line 10; also the rest of line 10 and all of lines 11, 12, 13, 14, 15 and 16, and insert in lieu thereof: "*Provided*, for the purpose of this Act vested right holders to stockwater use shall, so far as the period of use is concerned, include all persons who initiated use of the stockwaters concerned at any time two years prior to the enactment of this Act, and shall have continued said use seasonally up and until the enactment of this Act."

Mr. Heward moved adoption of amendment.

Remarks by Messrs. O'Connor, Hussman, Heward, Tandy and Smith.

Carried.

Further discussion by Messrs. Hatton, Hussman, Anderson and Heward.

Roll call on Assembly Bill No. 199:

YEAS—Messrs. Anderson, Black, Blundell, Brown, Butler, Cahill, Carroll, Goodin, Hamlin, Heward, Malone, Moore, Murphy, Raycraft, Smith, Strosnider and Taber—17.

NAYS—Messrs. Barnes, Beverly, Bugbee, Cooper, Ebert, Hatton, Hussman, Kenny, Lage, McAuliffe, Noble, O'Connor, Persson, Reynolds, Roberts and Tandy—16.

Absent—Messrs. Dunseath, Johnson, Stewart and Wheelwright—4.

Not voting—Messrs. Cahlan, Cobb and Mr. Speaker—3.

Assembly Bill No. 199 having failed to receive a constitutional majority, Mr. Speaker declared it lost.



Former Assemblyman Tom Fanatia was escorted to the Speaker's desk by Messrs. Carroll and Smith.

Assembly Bill No. 281.

Remarks by Messrs. Goodin and Hatton.

Without objection the Assembly went into Committee of the Whole for consideration of Assembly Bill No. 281.

Mr. Speaker appointed Mr. Smith as Chairman of the Committee of the Whole.

At 9:57 a. m. Assembly in the Committee of the Whole.

### HOUSE IN SESSION

At 10:22 a. m.

Mr. Speaker in the chair.

Quorum present.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Engrossment hereby certifies that bound copy of Assembly Bill No. 305, hereto attached, is correct copy of the triplicate thereof in its possession.

DOUG. H. TANDY, *Chairman.*

*Mr. Speaker:*

Your Committee of the Whole House has had under consideration Assembly Bill No. 281, and begs leave to report favorably on the same, with the recommendation that it do pass, as amended.

WILLARD SMITH, *Chairman.*

Mr. Smith moved that the report of the Committee of the Whole be adopted.

Carried.

At 10:23 a. m. house recessed.

### HOUSE IN SESSION

At 10:30 a. m.

Mr. Speaker in the chair.

Quorum present.

Without objection Mr. Speaker signed Assembly Bills Nos. 234, 235 and 133.

### SPECIAL ORDER OF BUSINESS

Senate Bill No. 124.

Bill read third time.

Amendment proposed by Mr. Bugbee: Amend Senate Bill No. 124 by adding a new section, to be known as section 6, at the end of section 5, on page 5, as follows: SEC. 6. Said Inspector shall have the power to appoint one deputy to assist him in the performance of the duties imposed upon him by this Act, which deputy shall receive a salary of \$225 per month as full and complete compensation for all services rendered by him; said deputy shall be allowed his necessary traveling and living expenses while away from his home in the discharge of his said duties; said compensation and traveling and living expenses shall be paid out of the Industrial Insurance Fund of the State of Nevada; and said living and traveling expenses shall not

exceed those allowed by law to other State officers when away from their homes or offices in the discharge of their duties, and the entire amount thereof shall be supported by proper receipts or vouchers signed by the person or persons to whom such expenses shall have been paid by such deputy, and must not be paid unless so supported.

Renumber the succeeding sections to correspond.

Mr. Bugbee moved adoption of amendment.

Remarks by Messrs. Hatton, Black, Bugbee, Cobb and Hussman.

Motion lost.

Remarks by Messrs. Hamlin and Moore.

Roll call on Senate Bill No. 124:

YEAS—Messrs. Beverly, Bugbee, Cahill, Cooper, Hamlin, Kenny, Lage, McAuliffe, Malone, O'Connor, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider and Taber—17.

NAYS—Messrs. Butler, Carroll, Cobb, Ebert, Heward and Noble—6.

Absent—Messrs. Dunseath, Johnson and Wheelwright—3.

Not voting—Messrs. Anderson, Barnes, Black, Blundell, Brown, Cahlan, Goodin, Hatton, Hussman, Moore, Murphy, Persson, Tandy and Mr. Speaker—14.

Senate Bill No. 124 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Former Assemblyman Fuss from Pershing County was escorted to the Speaker's desk.

#### PRESENTATION OF PETITIONS

A letter from Ed. C. Peterson, State Controller, regarding insufficient appropriation, was referred to the Committee on Contingent Expenses for investigation.

Letters from Building Trades Council, International Brotherhood of Teamsters, Etc., International Hod Carriers' Building and Common Laborer's Union of America were referred to the Committee on Ways and Means.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Fish and Game has had Assembly Bills Nos. 93 and 95 under consideration, and begs leave to report unfavorably on the same, with the recommendation that they do not pass.

ROY PERSSON, *Chairman.*

*Mr. Speaker:*

Your Committee on Enrollment has carefully compared enrolled Assembly Bills Nos. 105, 121, 146, 239 and 247 with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. H. BARNES, *Chairman.*

*Mr. Speaker:*

Your Committee on Public Printing has had Assembly Bill No. 165 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

WALTER LAGE, *Chairman.*

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Substitute for Senate Bill No. 127, which this day passed the Senate, as amended, by the following vote: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 4, line 17, strike the word "sections," and insert in

lieu thereof the word "paragraphs." Page 4, line 17, strike the word "sections," and insert in lieu thereof the word "paragraph." Page 6, line 26, strike the word "section," and insert in lieu thereof the word "paragraph."

Also, Senate Substitute for Senate Bill No. 129 and Assembly Bill No. 267, which this day passed the Senate, as amended, by the following vote: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 2, line 11, strike word "or" before the word "municipality," and add after the word "municipality" the words "or political subdivision." Page 2, line 12, after word "State" add "excepting irrigation or drainage districts." Page 4, line 1, after word "made" add "upon the depository and its sureties."

Also, Senate Bill No. 136, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Amend section 1 of Senate Bill No. 136 by inserting after the word "authorized" in line 8, page 1 of the printed bill, the following: "with the approval of the Board of County Commissioners." Strike out in line 12, page 2 of the printed bill, the word "less," and insert in lieu thereof the word "more." Strike out in line 21, page 2 of the printed bill, the word "less," and insert in lieu thereof the word "more." Strike out in line 28, page 2 of the printed bill, the word "less," and insert in lieu thereof the word "more."

Also, Senate Bill No. 152, which passed, as amended: Yeas, 17; nays, none. Amend as follows: Page 2, line 2, section 4, strike the last sentence. Also amend by inserting a new section to be numbered section 11, to read: Sec. 11. Nothing herein contained shall prevent persons described in section 1 of this Act from forming a partnership under either the Uniform Partnership Act or the Uniform Limited Partnership Act." Correct section 11 in printed bill to read section 12.

Also, Senate Bill No. 157, which passed: Yeas, 16; nays, none; not voting, 1.

Also, Senate Bill No. 159, which passed, as amended: Yeas, 17; nays, none. Amend as follows: Add a new section to be known as section 2: Sec. 2. This Act shall become effective upon its passage and approval.

Also, Senate Bill No. 165, which passed: Yeas, 17; nays, none.

Also, Senate Bill No. 167, which passed, as amended: Yeas, 17; nays, none. Amend as follows: Line 2, page 1, strike the words "dispose of" and insert in lieu thereof the word "convey." In line 2 of the title strike the words "dispose of" and insert in lieu thereof the word "convey."

Also, Senate Substitute for Senate Joint Resolution No. 12, which passed: Yeas, 17; nays, none.

Also, to return Assembly Bill No. 193, which passed, as amended: Yeas, 17; nays, none. Amend as follows: Page 1, line 3, strike the word "such." Page 1, line 3, strike the figure "10" and insert in lieu thereof the figures "7½." Page 1, line 8, strike the figure "10" and insert in lieu thereof the figures "7½."

Also, Assembly Bill No. 214, which passed, as amended: Yeas, 14; nays, none; not voting, 3. Amend as follows: Page 1, line 2, strike the word "section" and insert in lieu thereof the word "paragraph."

Also, Assembly Bill No. 224, which passed, as amended: Yeas, 14; nays, 1; not voting, 2. Amend as follows: Page 1, line 2, strike the word "section" and insert in lieu thereof the word "paragraph." Page 3, line 2, strike the Assembly amendments and return the bill to its original form. Amend the title by striking the words "being section 8063 Nevada Compiled Laws 1929" and insert in lieu thereof the words "approved March 19, 1919."

Also, Assembly Joint Resolution No. 6, which passed: Yeas, 9; nays, 8.

Also, to present Senate Bill No. 123, which passed, as amended: Yeas, 17; nays, none. Amend as follows: Page 1, lines 1 and 2, change word "section" to "paragraph." Page 1, line 2, strike the words "so as." Page 2, line 27, insert word "the" after word "at." Page 2, line 28, change "1929" to "1933." Amend section 1 by striking out the semicolon following the word "Act" in line 14, page 2 of the printed bill, and by striking out all of the words following in line 14 and all of lines 15, 16 and 17 up to and including the word "necessary."

V. R. MERALDO,  
*Secretary of the Senate.*

## INTRODUCTION AND FIRST READING

By Committee on Ways and Means:

Assembly Bill No. 307—An Act to authorize counties of the State of Nevada to issue negotiable interest bearing warrants for payment of salaries and other necessary expenses of the county (and schools), and other matters relating thereto.

Mr. Cahill moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, declared an emergency measure, considered engrossed, and placed on top of the file for third reading and final passage.

Carried.

At 11:08 a. m. house recessed.

## HOUSE IN SESSION

At 11:20 a. m.

Mr. Speaker in the chair.

Quorum present.

Without objection Mr. Speaker signed Assembly Bill No. 275.

## INTRODUCTION AND FIRST READING

Senate Bill No. 159.

Mr. O'Connor moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

Senate Bill No. 157.

Mr. O'Connor moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

Senate Bill No. 152.

Mr. O'Connor moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

Senate Substitute for Senate Bill No. 127.

Mr. Brown moved that Senate Substitute for Senate Bill No. 127 be laid on the table.

Carried.

Senate Substitute for Senate Bill No. 129 and Assembly Bill No. 267.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, substitute read second time by title, and referred to Committee on Banks and Banking.

Carried.

Senate Bill No. 123.

Mr. Roberts moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time

by title, and referred to Committee on Counties and County Boundaries.

Carried.

Senate Bill No. 136.

Mr. McAuliffe moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Esmeralda County Delegation.

Carried.

Senate Bill No. 165.

Mr. Lage moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to White Pine County Delegation.

Carried.

Senate Bill No. 167.

Mr. Dunseath moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Washoe County Delegation.

Carried.

Senate Substitute for Senate Joint Resolution No. 12.

On motion of Mr. Cahlan rules were suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to a Joint Committee on Irrigation, Agriculture and Public Lands.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 307.

Roll call on Assembly Bill No. 307:

YEAS—Messrs. Anderson, Barnes, Beverly, Blundell, Bugbee, Butler, Cahill, Carroll, Cooper, Cobb, Dunseath, Hamlin, Hatton, Hussman, Kenny, Lage, McAuliffe, Moore, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Tandy, Wheelwright and Strosnider—29.

NAYS—Messrs. Brown, Cahlan, Ebert, Heward and Murphy—5.

Absent—Mr. Johnson.

Not voting—Messrs. Black, Goodin, Malone, Taber and Mr. Speaker—5.

Assembly Bill No. 307 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 281.

Amendment proposed by Mr. Hatton: Amend Assembly Bill No. 281 by striking all following the enacting clause, and inserting in lieu thereof the following:

WHEREAS, It is desirable to enact such a measure as will stimulate and encourage prospecting for mines and promote the revival of the mining and milling industry throughout the State; now, therefore,

SECTION 1. There is hereby created a State Mining Commission, to be composed of the director of the State Bureau of Mines and two other members who shall be appointed by the Governor.

SEC. 2. The said Commission shall have the following powers and duties:

(1) Upon application by affidavit and with the consent of the owner, said Commission shall have the power and authority to take over, for such period as to the Commission shall seem advisable, the right of possession of any mining claim or claims within the State of Nevada, for the purpose of determining upon the condition in this Act specified, its or their mineral value as well as the outlook for further mineral discoveries in the locality.

(2) Prior to the taking of such possession, there shall be made by said Commission an examination and an adequate mining report on such claim, which report shall remain a public record in the office of said Commission. No mining claim shall be so possessed by said Commission unless, in their judgment, it has been found by them that there has been actually developed in such claim ore of such grade and amount as will yield a profit, over mining and milling costs, equal to at least twice the gross cost of the plant installation hereinafter mentioned.

(3) Upon so taking possession of such claim, said Commission shall proceed, at a total cost not to exceed two thousand (\$2,000) dollars, to equip such property with such milling plant, machinery and tools as may be needed, and commence and continue mining and milling operations on such claim, within the limit of total expenditure above mentioned, until, out of the first net proceeds of such operation, there shall have been reimbursed to the fund hereinafter in this Act mentioned the total cost of such examination, installation and operation, whereupon the possession of such claim, together with the plant and equipment aforesaid, shall be delivered to said owner. If at any time, in the judgment of said Commission, such claim will not justify the further operation thereof as aforesaid, the possession thereof shall be returned to the owner, and in such event the plant and equipment so installed by the Commission shall be subject to removal by them for further use in carrying out the purposes of this Act.

SEC. 3. There is hereby appropriated out of any fund in the State Treasury not otherwise appropriated the sum of ten thousand (\$10,000) dollars, to be known as the Mines Revolving Fund, in which shall also be deposited any money reimbursed to said Commission as provided for in section 2 of this Act. Said Commission is authorized to use said fund, and to reuse the amounts so reimbursed, to carry out the purposes of this Act.

SEC. 4. Said Commission shall prescribe the form of agreement to be entered into between said Commission and such claim owner or owners, and shall have the power to prescribe and enforce such rules and regulations as to them may appear proper for the carrying out of the purposes of this Act.

SEC. 5. The Director of the Bureau of Mines shall receive no additional compensation for his services as such Commissioner; and each of the two Commissioners appointed by the Governor, as above provided, shall receive such compensation as shall be fixed and allowed by the State Board of Examiners, but not to exceed ten (\$10) per day for each day actually devoted to the work of the Commission, together with necessary traveling expenses.

SEC. 6. This Act shall become effective from and after its passage and approval.

Mr. Hatton moved adoption of amendment.

Carried.

Remarks by Messrs. Hatton, Taber, McAuliffe, O'Connor and Noble.

Roll call on Assembly Bill No. 281:

YEAS—Messrs. Barnes, Beverly, Blundell, Butler, Cahlan, Cobb, Cooper, Hatton, Kenny, Lage, McAuliffe, Malone, Moore, O'Connor, Noble, Persson, Raycraft, Roberts, Smith, Tandy and Wheelwright—21.

NAYS—Messrs. Anderson, Black, Brown, Bugbee, Carroll, Dunseath, Ebert, Goodin, Heward, Hussman, Murphy, Reynolds, Strosnider and Taber—14.

Absent—Messrs. Hamlin and Johnson—2.

Not voting—Messrs. Cahill, Stewart and Mr. Speaker—3.

Assembly Bill No. 281 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Amendment proposed by Mr. Hatton: Amend the title to Assembly Bill No. 281 by substituting for said title the following: "An Act creating a State Mining Commission, to encourage the development of the mining and milling industry, making an appropriation therefor, and other matters relating thereto."

Mr. Hatton moved adoption of amendment to title.

Carried.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copy of Assembly Bill No. 306, hereto attached, is correct copy of the triplicate thereof in its possession.

Doug. H. TANDY, *Chairman.*

At 12 m. Mr. Cahlan moved that the house recess until 2 p. m.

Carried.

#### HOUSE IN SESSION

At 2:13 p. m.

Mr. Speaker in the chair.

Quorum present.

Without objection Mr. Speaker signed Senate Bill No. 106 and Senate Concurrent Resolution No. 14.

#### GENERAL FILE AND THIRD READING

Senate Bill No. 22.

Amendment proposed by Mr. Black: Amend section 1 of Senate Bill No. 22 by inserting after the word "arise" in line 6, page 1 of the printed bill, the following: "subject to the approval of the Governor."

Mr. Black moved adoption of amendment.

Carried.

Amendment proposed by Minority Joint Committee on Mines and Mining and Ways and Means: Amend Senate Bill No. 22 by striking out all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 9 of the above-entitled Act, being section 4216 N. C. L. 1929, as amended, is hereby amended to read as follows:

Section 9. The Inspector of Mines shall have the power to appoint one Deputy Inspector, who shall receive a salary of two hundred dollars per month as full compensation for all services. Said deputy shall be allowed traveling expenses while in the discharge of his duties.

SEC. 2. This Act shall be in full force and effect on and after June 1, 1933.

Mr. McAuliffe moved adoption of amendment.

Remarks by Messrs. Hatton, Black, McAuliffe, Hussman, O'Connor, Dunseath, Bugbee, Hamlin, Tandy and Heward.

Carried.

Roll call on Senate Bill No. 22:

YEAS—Messrs. Barnes, Beverly, Blundell, Bugbee, Cahlan, Carroll, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Strosnider and Wheelwright—27.

NAYS—Messrs. Black, Brown, Butler, Cahill, Cobb, Heward, Murphy, Stewart and Tandy—9.

Absent—Mr. Johnson.

Not voting—Messrs. Anderson, Taber and Mr. Speaker—3.

Senate Bill No. 22 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Mr. Hussman gave notice that on the next legislative day he would move for a reconsideration of the vote taken on Senate Bill No. 22.

Remarks by Messrs. Moore, Hatton and McAuliffe.

Mr. Speaker ruled notice out of order.

Senate Bill No. 60.

Mr. McAuliffe moved that Senate Bill No. 60 be laid on the table.

Carried.

#### SPECIAL ORDER OF BUSINESS

Assembly Bill No. 94.

Governor's veto message read.

Bill read third time.

Roll call on the question, shall Assembly pass Assembly Bill No. 94 notwithstanding the Governor's veto:

YEAS—Mr. Bugbee.

NAYS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Butler, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—35.

Absent—Messrs. Cahill, Johnson and Noble—3.

Not voting—Mr. Murphy.

The Governor's veto was sustained.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Enrollment has carefully compared Assembly Enrolled Bills Nos. 133, 235, 234 and 275 with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. H. BARNES, *Chairman.*



*Mr. Speaker:*

Your Committee on Roads and Highways has had Assembly Bill No. 304 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass, with the following amendments:

Amendment No. 1—Amend section 2, page 1, line 11, by striking out the comma after the word "government" and inserting a period in lieu thereof, and strike out the remainder of line 11, all of lines 12, 13, 14, 15, and on page 2, lines 1 to 15, inclusive.

Amendment No. 2—On page 2, line 16, change the letter "e" in brackets to letter "b." In line 19, change the letter "f" in brackets to the letter "c."

*Mr. Speaker:*

W. H. GOODIN, *Chairman.*

Your Committee on Corporations and Railroads has had Assembly Bill No. 213 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass. WILLARD W. SMITH, *Chairman.*

*Mr. Speaker:*

Your Committee of Lyon and Mineral County Delegations has had Assembly Bill No. 282 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass, with the enclosed amendment: Strike out all after the enacting clause in Assembly Bill No. 282, and substitute the following:

SECTION 1. All that portion of the county of Mineral, as now constituted, bounded and described as follows, to wit: Beginning at a point where the westernmost part of Mineral County intersects the Nevada-California boundary line, thence along said Nevada-California boundary line in a southeasterly direction until said Nevada-California boundary line intersects the south boundary line of township 7 N., R. 25 E., M. D. B. & M.; thence easterly along the south boundary of township 7 N., ranges 25, 26 and 27 E., M. D. B. & M. to the southeast corner of T. 7 N., R. 27 E., M. D. B. & M.; thence northerly along range line on the east boundary of townships 7, 8, 9, 10 and 11 north R. 27 E., M. D. B. & M. to the northeast corner of township 11 north, R. 27 E., M. D. B. & M.; thence westerly along the north boundary of township 11 N., R. 27 E. to the northwest corner of said township and range; thence northerly on line between ranges 26 and 27 east, M. D. B. & M. to a point where said line intersects the present Mineral-Lyon County boundary line; thence along the present Lyon-Mineral County boundary line in a southwesterly direction to the point of the beginning, is and the same is hereby severed and withdrawn from the county of Mineral, as now constituted, and the same is hereby added and annexed to the county of Lyon, as the same is now constituted.

Sec. 2. All Acts and parts of Acts in conflict herewith are hereby expressly repealed.

Sec. 3. This Act shall become effective and operative from and after midnight of December thirty-first, one thousand nine hundred and thirty-three.

FRED STROSNIDER,  
FRANK BUGBEE,  
M. C. HAMLIN.

*Mr. Speaker:*

Your Select Committee of Storey County Delegation has had Senate Bill No. 134 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass, as amended.

Amend section 1 of Senate Bill No. 134 by striking out in line 14, page 1 of printed bill, the word "fifteen" and insert in lieu thereof the word "twelve." Strike out in line 15, page 1 of the printed bill, the figures "\$1,500" and insert in lieu thereof "\$1,200." Amend Senate Bill No. 134 by inserting a section to follow section 1, which said section shall be numbered section 1½, and which shall read as follows: SEC. 1½. The difference between the salaries above affected, as now provided, and the salaries provided for herein, for the years 1933 and 1934, shall be set aside monthly by the Board of County Commissioners of Storey County and placed in the fund from which old age pensions, mother's pensions, and courthouse janitor shall be paid. W. COBB, *Chairman.*

## REPORT OF SPECIAL COMMITTEE

*To the Honorable, the Speaker and Members of the 36th Assembly of the State of Nevada:*

Your committee appointed to investigate the affairs of the Nevada Industrial Commission, pursuant to Assembly Resolution No. 20, respectfully submits herewith its findings:

We find that this commission was created by Act of the Legislature of 1913, and section 41 of the law as enacted placed a plain, simple and necessary check upon the administrative expenditures of the commission, which then consisted of two paid members whose salaries were not to exceed \$150 each, per month, and necessary traveling expense. In 1915, section 41 was changed to a confusing agglomeration of words which utterly removed all checks upon administrative expense, and so remains to this day.

The law was enacted for the mutual benefit of both employee and employer and, as originally framed, was one of the very best of the several Workmen's Compensation Laws in the various States. Its present condition may be seen from the commission's own statements hereinafter set forth.

In 1915 the composition of the commission was also changed and, from that time to the present, consists of three paid members.

The figures here shown are the commission's own figures, handed to us upon request. They have not been checked and are not questioned. However, we have no means of obtaining a thorough audit.

Consonant with its entire practice and procedure, this commission employs its own auditor, at a salary of fifty dollars per month. This practice cannot be too strongly condemned. The commission should be properly and thoroughly audited at stated intervals by an auditor not in the employ of the commission. In his report of September 20, 1932, the auditor makes the following remark: "All receipts have apparently been accounted for and disbursements were evidenced by properly approved vouchers." The word "apparently" is not a satisfactory word. And next we find the following statement in the same report: "However, we note that the security covering the deposit of \$112,474.21 shown on Schedule No. 1 amounts to only \$50,000. This consists of a surety bond for that amount issued by the Nevada Surety and Bonding Company. At the time of our examination the funds were less than 50% secured." This report as noted above was dated September 20, 1932. The auditor at that time had given full warning, but the report was not made public until a few days ago, forced out by Assembly Resolution No. 10. This report covers the biennium ending June 30, 1932. It admits that at the present time there is the immense sum of \$194,747.64 tied up in closed banks, and the following question was propounded to the chairman of the Nevada Industrial Commission by your committee:

"Question: About this bank deposit of \$194,000—what law did you operate under? Answer: There never was a law authorizing it."

Your committee requested that an itemized statement of one month's administrative expense be furnished to the committee. The following was submitted and tells its own story, and, taken as an average monthly indication, shows that it costs the contributors to the fund \$38,274.60 per year. We hardly believe that this was the intent of the law as enacted, as the duties of the commission consist almost exclusively of clerical work. (See attached itemized statement submitted by the commission). It will be noted that in the figures submitted by the commission, the salaries alone constitute more than 82% of the administrative expense. Could any business on earth exist under such conditions? Yet the commission incorporates the following paragraph in its report, under the head of Premium Rates:

On April 1, 1931, and again on April 1, 1932, it was found necessary to increase our premium rates in nearly all classifications. These increases, however, were practically nullified by the continual decline in wages, and under the increased rates we receive less premiums today, on the same risk, than we did prior to 1930 on the lower rates, as a consequent result of such wage reduction, and a still further increase in rates may be necessary to insure the integrity of the State Insurance Fund.

In contradistinction to the foregoing, the rights and privileges of the workmen for whose benefit this law was enacted have been constantly restricted, and limited by amendments and court decisions directly contrary to the intent, spirit and purpose of the law, until the workmen are in the deplorable condition of being deprived of the right of appeal to the courts, by means of indirect and technical procedure.

To correct this evil, an Assembly Bill was presented to the Legislature of 1931 in plain, simple language. It was passed by the Assembly of 1931 with an almost unanimous vote, and promptly killed by the Senate, that body propounding a measure recommended by this commission that would deprive claimants of the last vestige of their rights under our form of commission. This Senate proposal was defeated by the Assembly of 1931.

In this 1933 session of the Legislature, and on January 20, three days after the session convened, Assembly Bill No. 9, being the same bill that the Assembly of 1931 approved and passed, was again presented, approved and passed by this Assembly. But the Senate refused to take any action upon it until March 3, or nearing the close of the session, when it endeavored to substitute for Assembly Bill No. 9, the same vicious measure that the Assembly refused to accept in 1931, and which this Assembly also has refused to accept. This leaves the claimants coming under the Industrial Insurance Act in the same defenseless position that they have occupied for some years past.

With reference to the handling of their accounts, we find the same devious and inexplicable methods pursued that seems to prevail throughout in all the dealings of this commission, and is about as follows, as nearly as we could learn:

Checks in payment of premiums and other industrial receipts are deposited by the commission in their own checking account.

Warrants are drawn on the State Treasurer for disbursements.

Checks on the checking account above mentioned are given to the State Treasurer to reimburse him for warrants presented to him for payment.

Industrial warrants may be presented to the Treasurer by various banks or at the window. If presented by banks, the check received from the commission is indorsed by the Treasurer and sent to the banks in payment. If paid at the window, the check is held by the Treasurer in funds.

As all commission receipts are kept by the commission without the Treasurer having a record of receipts, the Treasurer has no way of knowing amounts or dates of receipts, nor the amount of money held by the commission in its checking account.

As warrants are approved and issued by the commission without the Treasurer knowing the authority of issue, no advantage is gained by having the Treasurer's office handle such warrants. This we believe is not fair to the State Treasurer.

With reference to the salaries of the commissioners themselves, we find that the chairman now receives \$5,000 per year and traveling expenses. One member holds two appointive positions, those of Industrial Commissioner and Labor Commissioner, for which he receives \$275 per month and traveling expenses in connection with the Industrial Commissionership. The third member receives \$150 per month and is allowed \$50 per month in addition thereto, upon the assumption that it is necessary for him to go to Reno at the end of each week.

We recommend that the commission be reduced to one member; that he be given sufficient clerks, not to exceed....., to properly conduct the affairs of the commission; that the practice of employing its own auditor be discontinued; that proper and reasonable conditions be adopted for the employment and payment of fees for attorneys employed by the commission; and that its accounts be kept separate and distinct from those of the State Treasurer; that all moneys over and above the necessary running expenses be placed in the State Treasury as provided by law, and that deposits in banks be rigidly limited and fully protected by approved bonds.

In conclusion, we submit that this commission is a concrete and forceable illustration of the evil to which commissions and bureaus have grown throughout the State and National governments, and of the methods they use for

entrenching themselves beyond the reach of the public, who are necessarily taxed to support the evergrowing and intolerable burden.

Respectfully submitted,

A. BLUNDELL,  
M. C. HAMLIN,  
HARRY DUNSEATH.

ADMINISTRATION EXPENSE, FEBRUARY, 1933

Organization expense .....		
Rent and expense.....		
Legal Expense—		
George L. Sanford—Legal service and expense.....		\$218.53
Claim investigation .....		
Transportation, Commissioners—		
Alex L. Tannahill.....		11.00
Transportation, Auditors—		
Lyman Fulton .....		20.85
Hotel Account, Commissioners—		
Alex L. Tannahill.....		39.00
Hotel Account, Auditors (Traveling)—		
Lyman Fulton .....	\$24.00	
J. P. Caulfield, Jr.....	9.00	
		33.00
Incidental expense, Commissioners.....		
Incidental Expense, Auditors—		
Lyman Fulton .....		.25
Salaries, Commissioners—		
D. J. Sullivan.....	\$150.00	
William Royle .....	150.00	
Alex L. Tannahill.....	150.00	
		450.00
Salaries, Auditors (Traveling)—		
Lyman Fulton .....	\$200.00	
J. P. Caulfield, Jr.....	225.00	
		425.00
Salaries, Physicians—		
V. A. Muller, M.D.....		200.00
Salaries, Office—		
D. J. Sullivan, Chairman.....	\$266.67	
Grace M. Atherton, Secretary.....	175.00	
H. R. Grier, Claim Clerk.....	250.00	
Malvina Nicolas, Auditor.....	250.00	
Margaret Quinlan, Bookkeeper.....	150.00	
Doris Johnson, Stenographer.....	125.00	
Flora O'Brien, Stenographer.....	125.00	
		1,341.67
Printing and stationery.....		
Postage .....		1.92
Office Supplies and Expense—		
Stationery .....		\$9.99
General Expense—		
George K. Edler, C. P. A., February audit as per contract..	\$50.00	
Telephone service—		
Carson office .....	\$13.60	
Las Vegas office.....	3.00	
		16.60
Telegraph service .....		10.14
Laundry .....		.45
		77.19

Office Building Expense—		
A. M. Noonan, salary as Janitor.....	\$140.00	
Louis Nelson, salary night furnace man, two weeks.....	48.00	
Office building supplies.....	.98	
Hauling rubbish .....	1.00	
Shoveling snow off roof.....	1.00	
Carson Water Co.....	12.95	
Sierra Pacific Power Co.....	11.80	
Repairs to furnace and roof.....	36.90	
		252.63
Auto Expense—		
J. P. Caulfield, Jr.....	\$64.12	
Lyman Fulton .....	44.40	
		108.52
Depreciation—		
Office building .....		
Furniture and equipment.....		
Automobiles .....		
(Annual depreciation charge on above made on June 30 of each year.)		
		\$3,189.55

Mr. Dunseath moved that the report be received and 1,400 copies printed.

Carried.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Strosnider moved that the Assembly do not concur in the Senate amendments to Assembly Bill No. 224.

Carried.

Mr. Dunseath moved that Senate Bill No. 105 be taken from the table.

Carried.

Mr. Malone moved that Assembly Bill No. 213 be placed on top of the file for third reading and final passage.

Carried.

Mr. McAuliffe moved that Senate Bill No. 22, as amended, be transmitted to the Senate immediately.

Carried.

Mr. Dunseath moved that Senate Bill No. 40 be taken from the table.

Carried.

Mr. Taber moved that the Assembly concur in the Senate amendments to Assembly Bill No. 77.

Carried.

Mr. Moore moved that Senate Bill No. 114 be taken from the table.

Remarks by Messrs. Dunseath, Tandy, Brown, Cahlan and Moore.

Carried.

Mr. Dunseath moved that all bills reported out of committees be placed on the general file for third reading and final passage.

Carried.

By Messrs. Black, Hussman, Brown, Heward and Tandy:

Assembly Concurrent Resolution No. 13, relative to a donation of

services of members of the Legislature in case of need for extension of the present legislative session, or for a special session:

WHEREAS, It seems apparent that it will be impossible for the present session to properly consider, and intelligently dispose of, a number of measures of vital importance now before the Legislature, consisting largely of revenue and banking matters, within the period of our sixty-day limitation; and

WHEREAS, The members of this Legislature realize the importance of these measures to the people and the good name of our State; and

WHEREAS, We are fully conscious of the trust imposed upon us by the people; and

WHEREAS, We are anxious to justify the confidence of our constituents; now, therefore, be it

*Resolved by the Assembly of the State of Nevada, the Senate concurring.* That we hereby pledge our services, without compensation, for any necessary extension of time to consider important legislation; or in the event that such legislation shall require an extra session, to be called by the Governor, we pledge our services for the necessary duration of such special session without compensation.

Mr. Black moved adoption of amendment.

At 3:33 p. m. house recessed.

#### HOUSE IN SESSION

At 3:50 p. m.

Mr. Speaker in the chair.

Quorum present.

Mr. Dunseath moved that Assembly Concurrent Resolution No. 13 be laid on the table.

Roll call asked for by Messrs. Brown, Hussman and Black.

Roll called:

YEAS—Messrs. Barnes, Blundell, Bugbee, Cahlan, Cobb, Cooper, Dunseath, Ebert, Goodin, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Roberts, Smith and Strosnider—22.

NAYS—Messrs. Beverly, Black, Brown, Hamlin, Hatton, Heward, Hussman, Reynolds, Stewart, Taber, Tandy and Wheelwright—12.

Absent—Messrs. Anderson, Cahill, Carroll and Johuson—4.

Not voting—Mr. Butler and Mr. Speaker—2.

Carried.

#### INTRODUCTION AND FIRST READING

By Clark and Lincoln County Delegation:

Assembly Bill No. 308—An Act providing for an examination and report on the mineral resources of the Boulder (Hoover) Dam Project area which can draw electric power from Hoover Dam for mining, ore reduction and manufacturing uses in the State of Nevada, making an appropriation therefor, and other matters relating thereto.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

By Mr. Bugbee:

Assembly Bill No. 309—An Act to authorize District Attorneys, with the approval of the Attorney-General and Boards of County

Commissioners, to compromise and settle claims of the counties and State for delinquent taxes for the year 1931 and subsequent thereto.

Mr. Bugbee moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Bugbee:

Assembly Bill No. 310—An Act to provide for the payment of claims and demands against counties in settlement and discharge of moral obligations, in certain cases.

Mr. Bugbee moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

By Mr. Hussman:

Assembly Bill No. 311—An Act making it unlawful to barter, sell or offer for sale cigarettes or cigarette papers in the State of Nevada without a permit; providing for the granting, issuance and revocation of permits therefor, fixing the license fees for such permits and requiring a bond as a condition to the issuance thereof; providing for a stamp tax and stamps on all cigarettes, cigarette papers and wrappers and tubes sold in the State of Nevada; declaring unlawful the making, altering, forging or counterfeiting of any such license or stamp, or having possession thereof, knowing the same to be forged, counterfeited, spurious or altered; prohibiting the furnishing of cigarettes or cigarette papers or wrappers or tobacco to minors; declaring to be a nuisance any building or place used for sale or keeping for sale of cigarettes, or cigarette papers or wrappers in violation of the provisions of this Act; prohibiting the advertising of cigarettes, cigarette papers, cigars, chewing tobacco or smoking tobacco, except as provided herein; and forbidding proprietors knowingly to permit minors to smoke tobacco in their places of business; providing penalties for the violation of the provisions of this Act.

Mr. Hussman moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

By Esmeralda County Delegation:

Assembly Substitute for Senate Bill No. 136.

Mr. McAuliffe moved that the substitute be placed on the general file with Senate Bill No. 136 for third reading and final passage.

Carried.

Judge Hawkins of the Sixth Judicial District Court was escorted to the Speaker's desk by Mr. Persson.

#### PRESENTATION OF PETITIONS

A telegram from Nevada Bank Depositors Reorganization Committees, also telegram from depositors of the Henderson Banking Company were referred to the Committee on Banks and Banking.

The minutes of Meeting of Depositors' Committee of the Carson Valley Bank was referred to the Committee on Banks and Banking.

Without objection Mr. Speaker signed Assembly Joint Resolution No. 6.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 213.

Amendment proposed by Mr. Hamlin: Amend Assembly Bill No. 213 by adding a new section, to be known as section 3, as follows:  
SEC. 3. This Act shall take effect from and after July 1, 1935.

Mr. Hamlin moved adoption of amendment.

Remarks by Messrs. Hamlin and Malone.

Mr. Malone moved to amend the amendment to read July 1, 1933, instead of 1935.

Remarks by Mr. Hamlin.

Carried.

Further discussion by Messrs. McAuliffe, Malone, O'Connor and Hamlin.

Roll call on Assembly Bill No. 213:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahlan, Carroll, Cobb, Cooper, Dunseath, Goodin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—36.

NAYS—Mr. Hamlin.

Absent—Messrs. Cahill and Johnson—2.

Not voting—Messrs. Ebert and Anderson—2.

Assembly Bill No. 213 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

At 4:40 p. m. house recessed.

#### HOUSE IN SESSION

At 4:50 p. m.

Mr. Speaker in the chair.

Quorum present.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 95.

Mr. Brown moved that Assembly Bill No. 95 be indefinitely postponed.

Remarks by Messrs. Cahill, Persson, Cooper, Anderson, Goodin, Dunseath and Heward.

Carried.

Without objection Mr. Speaker signed Senate Bills Nos. 76 and 109, and Senate Joint Resolution No. 22.

Assembly Bill No. 93.

Mr. Brown moved that Assembly Bill No. 93 be indefinitely postponed.

Carried.



Assembly Bill No. 156.

Mr. Brown moved that Assembly Bill No. 156 be indefinitely postponed.

Remarks by Messrs. Cahlan, Hamlin, Black and Tandy.

Motion lost.

Amendment proposed by Mr. Dunseath: Amend section 1 of Assembly Bill No. 156 by changing the word "one," line 6, page 2, to "two," and the word "nine" in the same line to "eleven."

Mr. Dunseath moved adoption of amendment.

Remarks by Messrs. Hamlin, Brown, Cahlan and Dunseath.

Amendment lost.

Remarks on bill by Messrs. Moore, Tandy, Brown, Hamlin, Anderson, Bugbee, Hussman, Smith, Black and Cahlan.

Roll call on Assembly Bill No. 156:

YEAS—Messrs. Barnes, Blundell, Bugbee, Cahlan, Carroll, Goodin, Hatton, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Raycraft, Roberts, Smith and Mr. Speaker—19.

NAYS—Messrs. Anderson, Beverly, Black, Brown, Cobb, Cooper, Dunseath, Ebert, Hamlin, Heward, Hussman, Reynolds, Stewart, Taber, Tandy and Wheelwright—16.

Absent—Messrs. Butler, Cahill, Johnson and Strosnider—4.

Not voting—Mr. Persson.

Assembly Bill No. 156 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Former Assemblyman Hart of Pershing County was escorted to the Speaker's desk by Mr. Ebert.

At 5:38 p. m. house recessed until 7 p. m.

## HOUSE IN SESSION

At 7 p. m.

Mr. Speaker in the chair.

Quorum present.

## GENERAL FILE AND THIRD READING

Assembly Bill No. 165.

Mr. Malone moved that Assembly Bill No. 165 be indefinitely postponed.

Carried.

Assembly Bill No. 216.

Roll call on Assembly Bill No. 216:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Butler, Carroll, Cobb, Cooper, Dunseath, Goodin, Hamlin, Hatton, Hussman, Kenny, Lage, Malone, Murphy, Noble, Raycraft, Reynolds, Roberts, Smith, Taber, Tandy, Wheelwright and Mr. Speaker—28.

NAYS—None.

Absent—Messrs. Bugbee, Cahill, Cahlan, Ebert, Heward, Johnson, McAuliffe, Moore, O'Connor, Persson, Stewart and Strosnider—12.

Assembly Bill No. 216 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 282.

Upon motion of Mr. Malone, Assembly Bill No. 282 was laid over until the next legislative day and to be placed on top of the file.

Mr. Speaker asked Mr. Noble to take the chair.

Mr. Noble in the chair.

Assembly Bill No. 304.

Amendments proposed by Committee on Roads and Highways: Amendment No. 1—Amend section 2, page 1, line 11, by striking out the comma after the word "government" and inserting a period in lieu thereof, and strike out the remainder of line 11, all of lines 12, 13, 14, 15, and on page 2, lines 1 to 15, inclusive.

Mr. Goodin moved adoption of amendment.

Carried.

Amendment No. 2—On page 2, line 16, change the letter "e" in brackets to letter "b." In line 19, change the letter "f" in brackets to the letter "e."

Mr. Goodin moved adoption of amendment.

Carried.

Remarks by Messrs. Tandy, Alward, Dunseath and Anderson.

Amendment proposed by Mr. Alward: Amend section 2 of Assembly Bill No. 304 by striking out period in line 11, page 1, and insert a comma and the following: "not to public works contractors."

Mr. Alward moved adoption of amendment.

Remarks by Messrs. Dunseath and Alward.

Carried.

Remarks by Messrs. Alward and Anderson.

Roll call on Assembly Bill No. 304:

YEAS—Messrs. Anderson, Barnes, Beverly, Blundell, Bugbee, Butler, Cahlan, Carroll, Cobb, Cooper, Ebert, Goodin, Hamlin, Hatton, Kenny, Lage, McAuliffe, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Wheelwright and Mr. Speaker—31.

NAYS—Messrs. Black, Brown, Dunseath, Heward and Hussman—5.

Absent—Messrs. Cahill and Johnson—2.

Not voting—Messrs. Malone and Tandy—2.

Assembly Bill No. 304 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Mr. Alward explained his vote.

Mr. Speaker in the chair.

Upon motion of Mr. Kenny, Senate Bill No. 85 was placed on top of the file for third reading and final passage.

Senate Bill No. 85.

Remarks by Messrs. Brown and Kenny.

Roll call on Senate Bill No. 85:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—37.

NAYS—None.

Absent—Messrs. Cahill, Johnson and Wheelwright—3.

Senate Bill No. 85 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 66.

Mr. Persson moved that Senate Bill No. 66 be indefinitely postponed. Carried.

Senate Bill No. 119.

Roll call on Senate Bill No. 119:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, O'Connor, Persson, Raycraft, Reynolds, Smith, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—36.

NAYS—None.

Absent—Messrs. Cahill, Johnson, Noble and Wheelwright—4.

Senate Bill No. 119 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 128.

Mr. Tandy moved that inasmuch as Senate Bill No. 128 carried an appropriation, it be laid over until Thursday and considered at the same time as the general appropriation bill.

Carried.

Senate Bill No. 131.

Remarks by Mr. Cahlan.

Roll call on Senate Bill No. 131:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Brown, Bugbee, Butler, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Hamlin, Hatton, Heward, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—34.

NAYS—None.

Absent—Messrs. Blundell, Cahill, Goodin, Hussman, Johnson and Wheelwright—6.

Senate Bill No. 131 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 135.

Roll call on Senate Bill No. 135:

YEAS—Messrs. Barnes, Beverly, Black, Bugbee, Butler, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—32.

NAYS—None.

Absent—Messrs. Anderson, Blundell, Brown, Cahill, Goodin, Johnson and Wheelwright—7.

Not voting—Mr. Hamlin.

Senate Bill No. 135 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 143.

Remarks by Mr. Cahlan.

Roll call on Senate Bill No. 143:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee,

Butler, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—36.

NAYS—None.

Absent—Messrs. Cahill, Johnson, Murphy and Wheelwright—4.

Senate Bill No. 143 having received a constitutional majority, Mr. Speaker declared it passed.

At 8:15 p. m. house recessed.

### HOUSE IN SESSION

At 8:25 p. m.

Mr. Speaker in the chair.

Quorum present.

Mr. Taber was granted permission to revert to order of business No. 8.

### MOTIONS, RESOLUTIONS AND NOTICES

By Mr. Taber:

Assembly Concurrent Resolution No. 14, requesting the return from the Governor of Assembly Bill No. 275 for correction:

*Resolved by the Assembly of the State of Nevada, the Senate concurring,* That the Governor be requested to return to the Assembly, for correction, Assembly Bill No. 275.

Mr. Taber moved adoption of the resolution.

Remarks by Messrs. Hamlin, Tandy and Taber.

Carried.

Mr. Strosnider moved that the Assembly concur in the Senate amendments to Senate Bill No. 37.

Carried.

Mr. Hamlin moved that the Assembly concur in the Senate amendment to Assembly Bill No. 270.

Carried.

Mr. Dunseath moved that the Assembly do not concur in the Senate amendments to Assembly Bill No. 9 nor Senate Substitute for Assembly Bill No. 9.

Carried.

Mr. Dunseath moved that Assembly Bill No. 28 be laid over until the next legislative day.

Carried.

Mr. Dunseath moved that Assembly Bill No. 122 be laid over until the next legislative day.

Carried.

Mr. Blundell moved that the Assembly do not concur in the Senate amendments to Assembly Bill No. 215.

Carried.

Mr. Cahlan moved that the Assembly do not concur in the first Senate amendment and it do concur in the second Senate amendment to Assembly Bill No. 137.

Carried.

Mr. Noble moved that the Assembly do not concur in the Senate amendments to Assembly Bill No. 173.

Carried.

Mr. Persson moved that the Assembly concur in the Senate amendments to Assembly Bill No. 193.

Carried.

Mr. Cahlan moved that a committee of three be appointed to confer with the Senate Judiciary Committee concerning the difference of opinion between the Assembly and Senate on the words "section" and "paragraph."

Carried.

Mr. Speaker appointed Mr. Kenny of the Committee on Judiciary, and authorized him to select two other members.

Mr. Hamlin moved that the Assembly return to the general file.

Carried.

#### GENERAL FILE AND THIRD READING

Senate Bill No. 144.

Remarks by Mr. Moore.

Roll call on Senate Bill No. 144:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—35.

NAYS—None.

Absent—Messrs. Cahill, Johnson, Smith and Wheelwright—4.

Not voting—Mr. Anderson.

Senate Bill No. 144 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 149.

Amendment proposed by Mineral County Delegation: Amend section 1 of Senate Bill No. 149 by striking out on page 2, line 9, the word "fifteen" and inserting in lieu thereof the word "twelve." Strike out in line 10 the figures "(\$1,500)." Strike out in line 30 the word "five" and insert in lieu thereof the word "six." Strike out in line 30, page 2, the figures "(\$500)." Strike out in line 32 the words "one thousand" and insert in lieu thereof the words "twelve hundred." Strike out the figures "(\$1,000)."

Mr. Hamlin moved adoption of amendment.

Carried.

Roll call on Senate Bill No. 149:

YEAS—Messrs. Anderson, Barnes, Black, Blundell, Brown, Bugbee, Butler,

Cahlan, Carroll, Cobb, Cooper, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Malone, Moore, Murphy, Noble, O'Connor, Persson, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber and Tandy—31.

NAYS—Messrs. Dunseath and McAuliffe—2.

Absent—Messrs. Cahill, Johnson and Wheelwright—3.

Not voting—Messrs. Beverly, Lage, Raycraft and Mr. Speaker—4.

Senate Bill No. 149 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Senate Bill No. 58.

Mr. Moore moved that Senate Bill No. 58 be sent to the Committee on Trade and Manufactures.

Motion lost.

Mr. Brown moved that Senate Bill No. 58 be indefinitely postponed.

Motion lost.

Remarks by Messrs. Noble and Moore.

Roll call on Senate Bill No. 58 :

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Bugbee, Dunseath, Ebert, Goodin, Hamlin, Hatton, Hussman, Kenny, Malone, Noble, Persson, Raycraft, Roberts and Strosnider—18.

NAYS—Messrs. Anderson, Brown, Butler, Carroll, Cooper, Lage, Moore, Murphy, O'Connor, Reynolds, Stewart and Taber—12.

Absent—Messrs. Cahill, Johnson and Wheelwright—3.

Not voting—Messrs. Cahlan, Cobb, Heward, McAuliffe, Smith, Tandy and Mr. Speaker—7.

Senate Bill No. 58 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Senate Bill No. 134.

Amendment proposed by Mr. Cobb: Amend section 1 of Senate Bill No. 134 by striking out in line 14, page 1 of the printed bill, the word "fifteen," and insert in lieu thereof the word "twelve." Strike out in line 15, page 1 of the printed bill, the figures "\$1,500," and insert in lieu thereof "\$1,200."

Mr. Cobb moved adoption of amendment.

Remarks by Messrs. Hatton, McAuliffe, Cobb, Tandy and Dunseath. Carried.

Amendment proposed by Mr. Cobb: Amend Senate Bill No. 134 by inserting a section to follow section 1, which section shall be numbered section 1½, and which shall read as follows: SEC. 1½. The difference between the salaries above affected, as now provided, and the salaries provided for herein, for the years 1933 and 1934, shall be set aside monthly by the Board of County Commissioners of Storey County and placed in the fund from which old age pensions, mother's pensions, and courthouse janitor shall be paid.

Mr. Cobb moved adoption of amendment.

Carried.

Roll call on Senate Bill No. 134:

YEAS—Messrs. Anderson, Barnes, Black, Blundell, Brown, Bugbee, Butler, Cahlan, Carroll, Cobb, Cooper, Ebert, Goodin, Hamlin, Heward, Hussman, Kenny, Lage, Malone, Murphy, Noble, Persson, Reynolds, Roberts, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—29.

NAYS—Messrs. Dunseath and McAuliffe—2.

Absent—Messrs. Cahill, Johnson, Moore and Wheelwright—4.

Not voting—Messrs. Beverly, Hatton, O'Connor, Raycraft and Smith—5.

Senate Bill No. 134 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Mr. Noble moved that Senate Substitute for Senate Bill No. 40 be referred to Committee on Ways and Means.

Carried.

Upon motion of Mr. Smith, Senate Bills Nos. 105 and 114 were placed on the general file for third reading and final passage.

Senate Bill No. 105.

Remarks by Mr. Anderson.

Roll call on Senate Bill No. 105:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Butler, Cahlan, Carroll, Cobb, Cooper, Dunseath, Goodin, Hamlin, Heward, Hussman, Lage, McAuliffe, Malone, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber and Mr. Speaker—28.

NAYS—Messrs. Bugbee and Murphy—2.

Absent—Messrs. Brown, Cahill, Ebert, Hatton, Johnson, Kenny, Moore and Wheelwright—8.

Not voting—Messrs. Anderson and Tandy—2.

Senate Bill No. 105 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 114.

Amendment proposed by Judiciary Committee: Amend section 1, page 1, line 17, by striking out the word "six" and inserting in lieu thereof the words "seven dollars and fifty cents."

Carried.

Amend section 1 of Assembly Bill No. 114 by striking out in line 6, page 1, the bracket and the words "in contested," and in line 7 strike out the word "matters," the comma and the bracket. Strike out lines 13, 14, 15, 16 and 17 on page 1, and insert in lieu thereof the following: "All transcripts shall be prepared on ruled and numbered paper, said paper to contain 32 lines to the page, and shall be charged for by the reporter at the rate of 30 cents per page for the first copy and 15 cents per page for each additional copy, and the reporter may also charge and be paid for the actual cost of furnishing paper."

Mr. Hussman moved adoption of amendment.

Carried.

Chief Justice Sanders was escorted to the Speaker's desk by Messrs. Kenny and Noble.

Mr. Moore moved that Senate Bill No. 114 be laid over until the next legislative day.

Carried.

At 9:43 p. m., upon motion of Mr. Hamlin, the Assembly adjourned until Thursday, March 16, 1933, at 9 a. m.

Approved:

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,

*Chief Clerk of the Assembly.*

## THE SIXTIETH DAY

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CARSON CITY (Thursday), March 16, 1933.

House called to order at 9 a. m.

Mr. Speaker in the chair.

Roll called.

All present except Mr. Johnson, who was excused on account of illness.

Prayer by Rev. Hersey.

Upon motion of Mr. Persson the reading of the Journal was dispensed with, and Mr. Speaker and the Chief Clerk were authorized to make any necessary corrections.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Claims had had Senate Bill No. 148 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

TOM P. EBERT, *Chairman.*

*Mr. Speaker:*

Your Committee on Irrigation has had Senate Bill No. 137 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass, as amended. Amend as follows: Amend section 2 of Senate Bill No. 137 by striking out the period at the end of line 24, page 4, and inserting a semicolon in lieu thereof and adding immediately thereafter the following: "*provided*, that such vacancy must be filled by the appointment of any qualified elector residing in the division in which the vacancy exists who files a petition containing the signatures of qualified electors of such division, and if there be more than such petition filed for the appointment of more than one person, then the vacancy shall be filled by the appointment of such person whose petition has the greatest number of signatures of qualified electors residing in the division in which the vacancy existed."

In section 29, page 9, line 16, after the word "county," insert the words "segregated into school districts." In section 29, page 9, line 18, insert after the word "the" at the end of line the words "treasurer of the district." In section 29, page 9, line 19, strike out all of line up to and including the word "be." In section 29, page 9, line 21, strike out all words beginning with the word "as" to and including the word "counties." In section 29, page 9, strike out all of line 22. In section 29, page 9, line 22, strike out the words "County Treasurer," and insert in lieu thereof the words "District Treasurer." In section 29, page 9, line 26, strike out the word "same," and insert in lieu thereof the word "district." In section 29, page 9, beginning with the words "the county" in line 27, strike out the remainder of section 29, and insert in lieu thereof the following: "The treasurer of the district shall, immediately after the assessments become delinquent, certify a list of such delinquencies to the County Auditor, County Treasurer and District Attorney of the respective county in which the delinquent land is situated; these officers shall do and perform all acts necessary to accomplish the collection of the delinquent assessments, together with such penalties as are provided by law, in the same manner as delinquent State and county taxes; *provided, however*, any charge, cash or disbursement made or caused by county by reason thereof shall be a charge



against the district, and shall be by the Board of Directors of said district allowed and paid as other claims."

FRED STROSNIDER, *Chairman*.

*Mr. Speaker:*

Your Committee on Judiciary has had Assembly Bills Nos. 122 and 272 under consideration, and begs leave to report unfavorably on the same, with the recommendation that they do not pass.

Also, Assembly Bill No. 305, and reports favorably on the same, with the recommendation that it do pass with the following amendments:

Amendment No. 1—Amend section 1, page 1, line 8, by striking out all the remainder of the section beginning with the word "such" and ending with the word "State" on line 12, and inserting in lieu thereof the words "the first Tuesday after the first Monday of November, 1934."

Amendment No. 2—Amend section 4 by striking out the whole thereof, and substituting the following: "The number of delegates to the Convention shall be forty, who shall be elected in the same manner and number as now provided for the election of members of the Assembly of the State of Nevada."

Amendment No. 3—Amend section 5, page 2, line 24, by striking out the word "and" and all words following, down to and including the word "ratification" as first appears in line 25.

Amendment No. 4—Amend section 8, page 4, beginning in line 28, by striking out the words "twenty-eighth day after their election" and insert in lieu thereof the words "the first Tuesday of December, 1934."

Amendment No. 5—Amend section 12, page 5, by striking out all of lines 15 to 17 and substituting the following: "All delegates elected to said Convention and participating therein shall be entitled to, and paid, mileage for such attendance at the rate of ten cents per mile for each mile actually traveled in going to and returning from Carson City, Nevada, which said mileage shall, however, be computed in all cases upon the shortest practical routes."

G. J. KENNY, *Chairman*.

*Mr. Speaker:*

Your Committee on Ways and Means has had Senate Substitute for Senate Bill No. 40 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

Also, Senate Substitute for Senate Bill No. 39, and reports favorably on the same, with the recommendation that it do pass.

Also, Senate Bill No. 56, and reports favorably on the same, with the recommendation that it do pass.

Also, Assembly Bill No. 231, and reports favorably on the same, with the recommendation that it do pass.

J. H. CAHILL, *Chairman*.

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 35, which has this day passed the Senate by the following vote: Yeas, 16; nays, none; absent, 1.

Also, Senate Bill No. 112, which passed: Yeas, 15; nays, none; absent, 1; not voting, 1.

Also, Senate Bill No. 116, which passed: Yeas, 16; nays, none; absent, 1.

Also, Senate Bill No. 151, which passed: Yeas, 16; nays, none; absent, 1.

Also, Senate Bill No. 158, which passed: Yeas, 14; nays, 1; absent, 2.

Also, Senate Bill No. 36, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 1, line 2, change the word "section" to "paragraph." Line 7, change the word "section" to "paragraph."

Also, to inform you that the Senate has this day adopted the Conference Committee report of Senate Bill No. 109.

Also, to present Senate Bill No. 161, which passed: Yeas, 15; nays, 1; absent, 1.

Also, Senate Bill No. 163, which passed: Yeas, 15; nays, none; absent, 2.  
 Also, Senate Bill No. 164, which passed: Yeas, 14; nays, none; absent, 3.  
 Also, Senate Bill No. 163, which passed: Yeas, 16; nays, none; absent, 1.  
 Also, Senate Bill No. 173, which passed: Yeas, 16; nays, none; absent, 1.  
 Also Senate Bill No. 166, which passed, as amended: Yeas, 15; nays, none; absent, 2. Amend as follows: Page 1, line 7, strike the words "all gambling games." Line 8, strike the words "and also."

Also, Senate Bill No. 170, which passed, as amended: Yeas, 15; nays, none; absent, 2. Amend as follows: Page 1, line 2, change the word "section" to "paragraph." Line 3, strike the words "so as."

Also Senate Bill No. 101, which passed: Yeas, 10; nays, 3; absent, 1; not voting, 3.

Also, Senate Bill No. 160, which passed: Yeas, 16; nays, none; absent, 1.

Also, Senate Bill No. 172, which passed: Yeas, 16; nays, none; absent, 1.

Also, Senate Bill No. 103, which passed: Yeas, 16; nays, none; absent, 1.

Also, Senate Bill No. 111, which passed, as amended: Yeas, 15; nays, none; absent, 1; not voting, 1. Amend as follows: Page 1, line 12, after the figures "1933" insert in parentheses "(being Senate Bill No. 112)."

Also, Senate Bill No. 104, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Amend section 2 by adding after the word "thereto" the words and figures "approved March 11, 1933." Also strike out quotation marks and period after the word "thereto" and insert a comma in lieu thereof.

Also, Senate Bill No. 171, which passed, as amended: Yeas, 15; nays, none; absent, 2. Amend as follows: Page 1, line 2, strike the word "section" and insert the word "paragraph" in lieu thereof.

Also, Senate Bill No. 177, which passed: Yeas, 13; nays, none; absent, 2; not voting, 2.

Also, Senate Bill No. 197, which, under the suspension of all rules was declared an emergency measure under the Constitution, considered engrossed, placed on third reading and final passage, and passed by the following vote: Yeas, 12; nays, 4; absent, 1.

Also, Senate Joint Resolution No. 21, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Line 7, page 1, strike the word "in," and insert the word "under." Strike the letter "s" from the word "fences." in the same line. Page 3, line 3, strike the word "for," and insert in lieu thereof the word "on."

Also, Senate Concurrent Resolution No. 15, which was adopted by the Senate.

Also, to return Assembly Bill No. 103, which was this day indefinitely postponed.

Also, Assembly Bill No. 292, which was lost: Yeas, 8; nays, 8; absent, 1.

Also, Assembly Bill No. 117, which passed: Yeas, 13; nays, 1; absent, 3.

Also, Assembly Bill No. 125, which passed: Yeas, 16; nays, none; absent, 1.

Also, Assembly Bill No. 130, which passed: Yeas, 12; nays, 4; absent, 1.

Also, Assembly Bill No. 225, which passed: Yeas, 15; nays, 1; absent, 1.

Also, Assembly Bill No. 168, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 1, line 2, strike the word "section," and insert in lieu thereof the word "paragraph." Page 1, line 2, strike the words "so as." Page 2, line 25, strike the word "section," and insert in lieu thereof the word "paragraph." Page 3, line 8, strike the word "examiners," and insert in lieu thereof the word "finance." Page 2, line 26, strike the words "so as."

Also, Assembly Bill No. 190, which passed, as amended: Yeas, 15; nays, none; absent, 1; not voting, 1. Amend as follows: Page 1, lines 1 and 2, strike the word "section" and insert in lieu thereof the word "paragraph."

Also, Assembly Bill No. 217, which passed, as amended: Yeas, 15; nays, none; absent, 1; not voting, 1. Amend as follows: Amend section 1 to read: "Section 85 of the above-entitled Act, being paragraph 8583 N. C. L. 1929, as amended, is hereby amended to read as follows:" Page 2, line 9, strike out "or by an attorney for the plaintiff." Page 2, line 14, strike word "demur"

and substitute "otherwise plead." Amend title by placing a period after word "thereto" and strike balance of title. In first and second lines strike out "An Act of the Legislature of the State of Nevada entitled." Page 2, line 9, strike the words "or by an attorney for the plaintiff," and restore the bill to its original form.

Also, Assembly Bill No. 218, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: In line 1 of the title beginning with and including the words "An Act," strike through to line 2, including the word "entitled." After the figures "1911" in line 4 of the title, insert a period and strike the balance of the title. Page 1, strike all of section 1 and insert the following in lieu thereof: "Section 84 of the above-entitled Act, being paragraph 8582 N. C. L. 1929, as amended, is hereby amended to read as follows: " Page 2, line 7, after the word "State" insert the words "and the present address of the party is unknown." Line 5, strike the word "that."

Also, Assembly Bill No. 252, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 1, lines 1 and 2, strike the word "section" and insert in lieu thereof the word "paragraph." Page 2, line 4, after the word "females" insert the words "or minors."

V. R. Merialdo,

*Secretary of the Senate.*

#### MOTIONS, RESOLUTIONS AND NOTICES

By Messrs. Kenny, Malone, Cahlan and Smith:

Assembly Concurrent Resolution No. 15:

WHEREAS, It appears near the conclusion of the regular session of the Nevada Legislature that there may be matters of importance upon which proper action by this body has not been possible for divers and sundry reasons; and

WHEREAS, It may be possible that a special session will be necessary to dispose of these matters either immediately following this regular session or within a reasonable time thereafter; and

WHEREAS, Being mindful of the excessive burden now imposed on the taxpayers of this State and desirous of doing all that is possible to lighten the same and not add any unnecessary expense thereto; therefore, be it

*Resolved by the Assembly of the State of Nevada, the Senate concurring,* That in the event such special session be called at the conclusion of the present session, the members agree to attend the same without compensation; and be it further

*Resolved,* That if said special session be not called at the conclusion of the regular session, but be called within sixty days of date of adjournment, the members agree to attend same without compensation other than statutory mileage; *provided, however,* that in either event said special session shall not extend beyond a period of five days.

Remarks by Messrs. Hamlin, Hussman, Malone, Brown, Kenny, Black, Cahlan, Smith, Cahill, Hatton, Tandy and Moore.

Mr. Speaker ruled that the concurrent resolution would be introduced.

Mr. Hussman asked for an appeal to the ruling.

Roll call asked for by Messrs. Hussman, Black and Tandy.

Roll called:

YEAS—Messrs. Anderson, Barnes, Blundell, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Ebert, Goodin, Kenny, Lage, McAuliffe, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider and Wheelwright—25.

NAYS—Messrs. Beverly, Black, Brown, Hamlin, Hatton, Heward, Hussman, Murphy, Reynolds and Stewart—10.

Absent—Messrs. Dunseath and Johnson—2.

Not voting—Messrs. Taber, Tandy and Mr. Speaker—3.

Decision sustained.

Further discussion by Messrs. Hussman, Malone, Kenny and Brown.

Mr. Black moved that the resolution be placed on the table.

Motion lost.

Resolution adopted.

Without objection Mr. Speaker signed Assembly Bills Nos. 77, 28 and 193.

Senate Concurrent Resolution No. 15.

Mr. Carroll moved adoption of resolution.

Carried.

Mr. Brown moved that the Assembly do not concur in the Senate amendments to Assembly Bills Nos. 217 and 218.

Carried.

Mr. Anderson moved that the Assembly do concur in the Senate amendments to Assembly Bill No. 168.

Carried.

Mr. McAuliffe moved that Senate Bill No. 136, together with the substitute, be placed on the file for third reading and final passage.

Carried.

Without objection Assembly Concurrent Resolution No. 6 was ordered out of the Committee on Banks and Banking.

Mr. Noble in the chair.

#### INTRODUCTION AND FIRST READING

Senate Bill No. 197.

Mr. Cahill moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Mr. Hamlin amended motion that bill be referred to Committee of the Whole House and made a special order of business for 2 p. m.

Carried.

Senate Joint Resolution No. 21.

Mr. Stewart moved that all rules be suspended, reading so far had had considered first reading, resolution read second time by title, declared an emergency measure, considered engrossed, and placed on top of the file for third reading and final passage.

Carried.

Senate Bill No. 36.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

Senate Bill No. 111.

Mr. Brown moved that rules be suspended, reading so far had

considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

Senate Bill No. 103.

Mr. Raycraft moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

Carried.

Senate Bill No. 35.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

Senate Bill No. 112.

Mr. Brown moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

Senate Bill No. 116.

Mr. Hamlin moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

Mr. Brown amended motion to read Committee on Judiciary.

Remarks by Mr. Hamlin.

Carried.

Senate Bill No. 151.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Mines and Mining.

Carried.

Senate Bill No. 158.

Mr. Lage moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Public Printing.

Carried.

Senate Bill No. 161.

Mr. Lage moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Counties and County Boundaries.

Carried.

Senate Bill No. 163.

Mr. Brown moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Claims.

Carried.

Senate Bill No. 166.

Mr. Dunseath moved that Senate Bill No. 166 be laid on the table.  
Carried.

Senate Bill No. 171.

Mr. Tandy moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Education.

Carried.

Senate Bill No. 170.

Mr. Tandy moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Roads and Highways.

Mr. Hussman amended motion to read that bill be laid on the table.  
Carried.

Senate Bill No. 177.

Mr. Lage moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to White Pine County Delegation.

Carried.

Senate Bill No. 164.

Mr. McAuliffe moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Claims.

Carried.

Senate Bill No. 168.

Mr. Anderson moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

Senate Bill No. 173.

Mr. Carroll moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

Senate Bill No. 101.

Mr. Lage moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

Senate Bill No. 172.

Mr. Brown moved that Senate Bill No. 172 be laid on the table.

Motion lost.

Mr. Carroll moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

Senate Bill No. 160.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Banks and Banking.

Carried.

At 11 a. m. house recessed.

### HOUSE IN SESSION

At 11:16 a. m.

Mr. Noble in the chair.

Quorum present.

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Dunseath moved that a conference committee be appointed to confer with a like committee from the Senate on Assembly Bill No. 9.

Carried.

Mr. Dunseath moved that the Assembly concur in the Senate amendments to Assembly Bill No. 122.

Carried.

Mr. Malone moved that the Assembly concur in the Senate amendments to Assembly Bill No. 130.

Carried.

By Committee on Claims:

Assembly Concurrent Resolution No. 16:

*Resolved by the Assembly, the Senate concurring*, That the sum of \$777.89 is hereby appropriated out of the Legislative Fund for the payment of stationery and other supplies furnished for the use of the Senate and Assembly.

The State Controller is hereby authorized and directed to draw his warrants in favor of each of the following-named firms in the amounts set opposite their respective names:

A. Carlisle & Co., Reno, Nevada.....	\$397.04
Armanko Office Supply Company, Reno, Nevada.....	380.55
Virginia Truckee Railway, Carson City, Nevada.....	.30

and the State Treasurer is hereby directed to pay the same.

Mr. Ebert moved adoption of resolution.

Carried.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 282.

Amendment proposed by Joint Committee of Lyon and Mineral County Delegations: Strike all after the enacting clause in Assembly Bill No. 282, and substitute the following:

SECTION 1. All that portion of the county of Mineral, as now constituted, bounded and described as follows, to wit: Beginning at a point where the westernmost part of Mineral County intersects the Nevada-California boundary line, thence along said Nevada-California boundary line in a southeasterly direction until said Nevada-California boundary line intersects the south boundary line of township 7 N., R. 25 E., M. D. B. & M.; thence easterly along the south boundary

of township 7 N., ranges 25, 26 and 27 E., M. D. B. & M. to the southeast corner of T. 7 N., R. 27 E., M. D. B. & M.; thence northerly along range line on the east boundary of townships 7, 8, 9, 10 and 11 north R. 27 E., M. D. B. & M. to the northeast corner of township 11 north, R. 27 E., M. D. B. & M.; thence westerly along the north boundary of township 11 N., R. 27 E. to the northwest corner of said township and range; thence northerly on line between ranges 26 and 27 east, M. D. B. & M. to a point where said line intersects the present Mineral-Lyon County boundary line; thence along the present Lyon-Mineral County boundary line in a southwesterly direction to the point of the beginning, is and the same is hereby severed and withdrawn from the county of Mineral, as now constituted, and the same is hereby added and annexed to the county of Lyon, as the same is now constituted.

SEC. 2. All Acts and parts of Acts in conflict herewith are hereby expressly repealed.

SEC. 3. This Act shall become effective and operative from and after midnight of December thirty-first, one thousand nine hundred and thirty-three.

Mr. Strosnider moved adoption of amendment.

Remarks by Messrs. Malone, Strosnider and Hamlin.

Roll call on Assembly Bill No. 282:

YEAS—Messrs. Anderson, Barnes, Black, Blundell, Brown, Bugbee, Butler, Cahill, Carroll, Cobb, Cooper, Dunseath, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—34.

NAYS—None.

Absent—Messrs. Cahlan, Ebert, Johnson, Lage and Smith—5.

Not voting—Mr. Beverly.

Assembly Bill No. 282 having received a constitutional majority,

Mr. Speaker declared it passed, as amended.

Amendment proposed by Mr. Hamlin to the preamble: Amend preamble of Assembly Bill No. 282 by striking out in line 14, page 2, the words "comprising approximately eight-" and in line 15, page 2, the letters "een" and the words "and one-half townships."

Mr. Hamlin moved adoption of amendment.

Carried.

Mr. Speaker in the chair.

At 11:45 a. m. house recessed until 1:30 p. m.

#### HOUSE IN SESSION

At 2:05 p. m.

Mr. Speaker in the chair.

Quorum present.

Without objection Mr. Speaker signed Senate Bills Nos. 119 and 135.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of



Assembly Bills Nos. 309 and 308, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

#### PRESENTATION OF PETITIONS

A letter from the Depositors of the Virginia City Bank regarding branch banking was referred to the Committee on Banks and Banking.

A letter from Retail Clerks International Protection Association regarding labor was referred to the Committee on Ways and Means.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Irrigation has had Senate Joint Resolution No. 12 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

FRED STROSNIDER, *Chairman.*

*Mr. Speaker:*

Your Committee on Contingent Expenses has had Assembly Resolution No. 27 under consideration, and begs leave to report that it has examined the items making the total named in said resolution, finds the same correct, and recommends the adoption of the resolution and the payment of claims.

W. H. ROBERTS, *Chairman.*

*Mr. Speaker:*

Your Committee on Ways and Means has had Assembly Bill No. 83 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass with the following amendment: Amend by striking out all after enacting clause and inserting in lieu thereof a substitute bill, which is hereto appended.

J. H. CAHILL, *Chairman.*

#### SPECIAL ORDER OF BUSINESS

Senate Bill No. 197.

Mr. Hamlin moved to vacate the special order.

Carried.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Judiciary has had Senate Bills Nos. 152, 157, 159, and Assembly Bill No. 299 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

G. J. KENNY, *Chairman.*

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 120, which has this day passed the Senate, as amended, by the following vote: Yeas, 14; nays, 2; absent, 1. Amend as follows: In title strike out the words "and sale." Page 1, line 3, strike out the word "those," and insert in lieu thereof the word "one." Page 1, line 9, change word "herein" to "hereinabove." Page 1, line 8, change word "every" to "any." Page 1, line 11, after the word "the" insert "Justice of the Peace, Constable." Page 1, line 14, after the word "the" insert "officers named in section 2," and strike the word "Sheriff." Page 1, line 11, strike previous amendment, and after the word "Deputy" add "Sheriff, Constable or Justice of the Peace within." Page 1, line 12, strike the word "of." Page 1, line 14, strike previous amendment, and insert the word "Sheriff" after the word "the." Page 2, line 3, after the word "contain" insert colon and the words: "the date or dates for which same shall be effective." Page 2, strike out section 4 and renumber sections 5 and 6 to read sections 4 and 5.

Also, Senate Bill No. 174, which passed: Yeas, 13; nays, 1; absent, 1; not voting, 2.

Also, Senate Bill No. 175, which passed: Yeas, 15; nays, none; absent, 1; not voting, 1.

Also, Senate Bill No. 176, which passed: Yeas, 14; nays, 1; absent, 1; not voting, 1.

Also, to return Assembly Bill No. 180, which passed, as amended: Yeas, 15; nays, none; absent, 1; not voting, 1. Amend as follows: Page 1, line 1, after the word "Act" insert the words "being paragraph 1586 N. C. L. 1929." Page 3, line 4, after the word "State" insert the following: "for a fee of five dollars." Page 3, line 17, after the word "Act" insert the words "being paragraph 1587 N. C. L. 1929." Page 5, line 8, after the word "Act" insert the words "being paragraph 1588 N. C. L. 1929." Amend title by placing a period after the figures "1921," and strike balance of sentence.

Also, Assembly Bill No. 138, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend title in line 4 by striking the word "section" and inserting in lieu thereof the word "paragraph." Page 1, line 2, strike the word "section," and insert in lieu thereof the word "paragraph." Page 2, lines 24 and 25, strike out "approved by the magistrate and District Attorney," and insert in lieu thereof "fixed by the Board of County Commissioners." Page 2, line 25, change word "five" to word "eight." Page 2, line 26, change word "ten" to "twenty." Page 2, line 27, after word "transcribing" insert the words "an original with two carbon copies."

Also, Assembly Bill No. 148, which passed: Yeas, 15; nays, none; absent, 1; not voting, 1.

Also, Assembly Bill No. 150, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: In title strike the word "section" and insert in lieu thereof the word "paragraph." Page 1, line 4, strike the word "section" and insert in lieu thereof the word "paragraph."

Also, Assembly Bill No. 159, which passed, as amended: Yeas, 15; nays, none; absent, 2. Amend title by placing a period after the figures "1911" and striking balance of title. Page 1, line 2, strike the word "section" and insert in lieu thereof the word "paragraph"; also strike the words "so as." Page 1, line 4, correct spelling of word "plaintiff." Page 2, line 20, strike Assembly amendment.

Also, Assembly Bill No. 206, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 1, line 7, strike out "one or more."

Also, Assembly Bill No. 207, which passed, as amended: Yeas, 16; nays, none; absent, 1. Page 1, lines 1 and 2, change the word "section" to "paragraph." Page 1, lines 4 and 5, strike out the words "the office of County Clerk or." Page 1, line 5, strike out the word "other." Page 1, line 9, place a period after "tion" and strike balance of sentence.

Also, Assembly Bill No. 222, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 1, line 2, change the word "section" to "paragraph." Page 2, line 1, change the word "section" to "paragraph." Page 2, line 15, change the word "section" to "paragraph."

Also, Assembly Bill No. 243, which passed: Yeas, 15; nays, none; absent, 1; not voting, 1.

Also, Assembly Bill No. 249, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: In title, insert period instead of comma following figures "1911" and strike balance of title. Page 1, line 1, after the word "Act" insert "being paragraph 8856 N. C. L. 1929." Page 1, line 7, after the word "with" insert "interest thereon at the rate of." Page 1, line 8, strike out "thereon in addition." Page 2, line 3, strike out the words "however, that." Page 2, lines 6 and 7, substitute the word "paragraph" for "section." Page 2, line 18, strike the word "that." Page 3, line 21, strike out the words "however, that."

Also, Senate Bill No. 180, which passed, as amended: Yeas, 15; nays, none; absent, 1; not voting, 1. Amend as follows: Page 2, line 9, strike out the words "General Fund," and insert in lieu thereof the words "State Distributive School Fund."

Also, Senate Bill No. 181, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 1, line 3, strike the words "great register," and insert in lieu thereof the words "registration list." Page 2, line 10, change the word "shall" to "may."

LENA GALE,

*Assistant Secretary of the Senate.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Tandy moved that the Assembly now resolve itself into a Committee of the Whole to take up Assembly Bill No. 83 and Senate Bills Nos. 197 and 128.

Carried.

Mr. Speaker appointed Mr. Tandy Chairman of the Committee of the Whole.

At 2:30 p. m. Assembly in Committee of the Whole.

#### HOUSE IN SESSION

At 3:55 p. m.

Mr. Speaker in the chair.

Quorum present.

#### REPORT OF COMMITTEE OF THE WHOLE

*Mr. Speaker:*

Your Committee of the Whole House has had under consideration Assembly Bill No. 83, and begs leave to report favorably on the same, with the recommendation that it do pass.

D. H. TANDY, *Chairman.*

Mr. Cahill moved adoption of the report of Committee of the Whole, and that the substitute bill be printed.

Carried.

*Mr. Speaker:*

Your Committee of the Whole House has had under consideration Senate Bill No. 128, and begs leave to report favorably on the same, with the recommendation that it do pass.

DOUG. H. TANDY, *Chairman.*

Mr. Lage moved adoption of the report of Committee of the Whole.

Carried.

*Mr. Speaker:*

Your Committee of the Whole House has had under consideration Senate Bill No. 197, and begs leave to report favorably on the same, with the recommendation that it do pass.

DOUG. H. TANDY, *Chairman.*

Mr. Hamlin moved adoption of report of Committee of the Whole.

Carried.

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to inform your honorable body that the Senate has this day refused to concur in the amendments on page 2, lines 9 and 10, but does concur in the amendments on page 2, lines 30 and 32, to Senate Bill No. 149.

Also, to return Assembly Bill No. 57, which passed: Yeas, 12; nays, 3; absent, 1; not voting, 1.

Also, Assembly Bill No. 111, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Amend section 6 of Assembly Bill No. 111, page 8, line 9, being the end of the section, by striking out the period after the word "amount" and inserting a semicolon and the following: "*provided further*, the tax receiver and all officers are empowered and directed to accept taxes due, exclusive of penalties, interest and costs, if the property has not been sold by reason of such delinquency and said tax be paid on or before the first Monday in June, 1933."

Also, Assembly Bill No. 178, which passed, as amended: Yeas, 16; nays, none; absent, 1. Page 1, lines 1 and 2, strike the word "section" and insert in lieu thereof the word "paragraph." Strike the words "so as." Page 1, line 5, place colon after the word "mean." Page 1, line 9, after word "vehicles" insert a semicolon. Page 1, line 9, strike word "or" and insert "all." Page 1, line 9, before the word "vendors" insert the word "street." Page 1, line 13, after the bracket strike all up to and including the word "State" on page 2, line 2. Page 2, line 2, change word "where" to "if," and add the word "thereof" after the word "grower." Page 2, line 3, change word "who" to "and." Page 2, lines 5 and 6, strike out the words "motor vehicle or other." Page 2, lines 6 and 7, strike words "the name of such producer or grower," and insert the words "his name."

Also, to inform you that the Senate refuses to recede from its amendments to Assembly Bill No. 224, and the President has this day appointed a conference committee consisting of Senators Dressler, Winters and Tobin to meet with a like committee appointed by the Speaker of the Assembly.

Also, to return Assembly Bill No. 262, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 1, line 4, strike out the words "so as."

Also, Assembly Bill No. 264, which passed: Yeas, 17; nays, none.

Also, Assembly Bill No. 300, which passed: Yeas, 17; nays, none.

Also, Assembly Bill No. 302, which passed, as amended: Yeas, 17; nays, none. Amend as follows: Page 1, line 2, strike the words "so as." Page 4, line 28, after the word "raffes" strike the brackets and the word "and" inclosed therein, and insert the word "and" inclosed in brackets after the word "hawkers." After the word "peddlers" strike the period, and add the following words: "except those dealing in their own agricultural products."

Also, Assembly Bill No. 307, which passed: Yeas, 17; nays, none.

Also, Assembly Bill No. 187, which passed: Yeas, 16; nays, 1.

LENA GALE,

*Assistant Secretary of the Senate.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Strosnider moved that a conference committee be appointed to meet with a like committee of the Senate on Assembly Bill No. 224.

Carried.

Mr. Speaker appointed Messrs. Strosnider, Noble and Stewart as the Conference Committee.

Mr. Malone moved that the Assembly refuse to recede from the Assembly amendments to Senate Bill No. 149.

Carried.

By Joint Committee on Labor and Live Stock:  
Assembly Resolution No. 28:

*Resolved by the Assembly of the State of Nevada:*

WHEREAS, An alleged newspaper known as Nevada Labor Record has during the present session of the Assembly wrongfully attacked certain members of this Assembly without any just cause or provocation therefor; and

WHEREAS, This Assembly is advised that the said alleged newspaper does

not represent the Nevada State Federation of Labor nor any other labor organization, and the same has been repudiated by the members of organized labor in Nevada;

Now, THEREFORE, The Sergeant-at-Arms and other officers of the Assembly are directed to prohibit the circulation of said newspaper in the Assembly Chamber.

Mr. McAuliffe moved adoption of the resolution.

Carried.

#### INTRODUCTION AND FIRST READING

Senate Bill No. 181.

Mr. Persson moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Counties and County Boundaries.

Carried.

Senate Bill No. 180.

Mr. Tandy moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Claims.

Carried.

Senate Bill No. 120.

Mr. Anderson moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Live Stock.

Carried.

Senate Bill No. 176.

Mr. Cahill moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

Senate Bill No. 175.

Mr. Carroll moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

Senate Bill No. 174.

Mr. Cahill moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

Senate Bill No. 104.

Upon motion of Mr. Tandy Senate Bill No. 104 was laid on the Speaker's desk to come up under third reading and final passage.

Without objection Mr. Speaker signed Senate Bills Nos. 85, 37, 144, 131, 143, 105 and 22, and Senate Concurrent Resolution No. 15.

At 4:10 p. m. house recessed.

## HOUSE IN SESSION

At 4:25 p. m.

Mr. Speaker in the chair.

Quorum present.

## REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 210 and 211, hereto attached, are correct copies of the triplicates thereof in its possession.

DOUG. H. TANDY, *Chairman.*

Mr. Speaker appointed Messrs. Malone, Hamlin and Rayercraft as the conference committee to confer with a like committee from the Senate on Senate Bill No. 149.

## GENERAL FILE AND THIRD READING

Senate Bill No. 136 (with Assembly Substitute).

Mr. McAuliffe moved that all after the enacting clause be stricken from Senate Bill No. 136 and the Assembly Substitute be inserted in lieu thereof, as follows:

SECTION 1. The following-named officers of Esmeralda County shall receive, in full payment of all services rendered by them, the following salaries:

The Sheriff, for services as Sheriff, shall receive the sum of nine hundred (\$900) dollars per annum, and for his services as ex officio County Assessor the sum of eighteen (\$1,800) dollars per annum. The Sheriff is hereby authorized to appoint one Deputy Sheriff, and said deputy shall receive a salary of six hundred (\$600) dollars per annum as Deputy Sheriff, and twelve hundred (\$1,200) dollars per annum as ex officio Deputy County Assessor; and he shall also appoint as many Deputy Assessors and Deputy Sheriffs as the Board of County Commissioners shall deem necessary, and the compensation of the deputies so appointed shall be at the rate of not less than one hundred fifty (\$150) dollars per month for each deputy so appointed during the period of his employment.

The County Clerk, for services as County Clerk, shall receive the sum of seven hundred and twenty (\$720) dollars per annum, and for services as ex officio County Treasurer the sum of fourteen hundred and forty (\$1,440) dollars per annum; and where the business of his office shall require, and the Board of County Commissioners shall deem necessary, he may appoint one or more deputies, who shall be paid at a rate of not less than one hundred fifty (\$150) dollars per month for the period of employment.

The County Recorder, for services as County Recorder, shall receive the sum of seven hundred and twenty (\$720) dollars per annum, and for services as ex officio County Auditor the sum of fourteen hundred and forty (\$1,440) dollars per annum; and where the business of his office shall require, and the Board of County Commissioners shall deem necessary, he may appoint a deputy, who shall be paid at a rate of not less than one hundred and fifty (\$150) dollars per month for the period of his employment.

The District Attorney of Esmeralda County shall receive the sum of twenty-one hundred and sixty (\$2,160) dollars per annum, and he shall also appoint as many deputies as the Board of County Commissioners shall deem necessary, which deputy or deputies shall be paid at a rate of not less than one hundred and fifty (\$150) dollars per month for the period of employment.

The County Commissioners of Esmeralda County shall receive the sum of five hundred and forty (\$540) dollars per annum each, and mileage at the rate of ten (10¢) cents per mile in going to the county seat when attending a session of the board.

The above salaries shall be paid in equal monthly installments, and shall be in full compensation for all services and ex officio services to be performed by the above-named officers, both civil and criminal, and all percentages collected by the Sheriff, as Sheriff and ex officio Assessor, shall be paid into the treasury of Esmeralda County, and no fees of any kind or character shall be allowed the above-named officers, and they shall receive no other compensation but the salary herein named, and they shall make full, true, and correct reports of all fees collected by them monthly to the Board of County Commissioners of Esmeralda County. The County Commissioners of Esmeralda County are hereby authorized to allow the traveling expenses of all of the above-named officers when traveling either in Esmeralda County, or elsewhere, in performing the duties of their offices.

SEC. 2. This Act shall take effect January 1, 1935.

SEC. 3. All Acts and parts of Acts in conflict with the provisions of this Act are hereby repealed.

Mr. McAuliffe moved that the substitute be adopted.

Carried.

Remarks by Mr. McAuliffe.

Roll call on Senate Bill No. 136, as amended:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Cahlan, Cobb, Cooper, Ebert, Goodin, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Wheelwright and Mr. Speaker—31.

NAYS—Mr. Dunseath.

Absent—Messrs. Butler, Cahill, Carroll, Hamlin, Johnson, Persson and Tandy—7.

Not voting—Mr. Hatton.

Senate Bill No. 136 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Senate Joint Resolution No. 21.

Remarks by Mr. Stewart.

Roll call on Senate Joint Resolution No. 21:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—35.

NAYS—None.

Absent—Messrs. Butler, Hamlin, Johnson, Moore and Wheelwright—5.

Senate Joint Resolution No. 21 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 114 (continued from previous day).

Remarks by Messrs. Anderson and Hussman.

Roll call on Senate Bill No. 114:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Heward, Hussman, Kenny, McAuliffe, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber and Mr. Speaker—31.

NAYS—Messrs. Butler, Lage and Murphy—3.

Absent—Messrs. Hatton, Johnson and Wheelwright—3.

Not voting—Messrs. Goodin, Hamlin and Tandy—3.

Senate Bill No. 114 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to inform your honorable body that the Senate has this day concurred in the Assembly amendments to Senate Bill No. 22.

Also, to inform you that the Senate refuses to concur in the Assembly amendment on page 2, wherein a new section was added to read section 1½, and the Senate has concurred in the Assembly amendments on page 1, lines 14 and 15 to Senate Bill No. 134.

Also, to present Senate Bill No. 162, which passed: Yeas, 14; nays, 2; not voting, 1.

Also, Senate Bill No. 189, which passed: Yeas, 14; nays, none; not voting, 3.

Also, Senate Bill No. 191, which passed: Yeas, 16; nays, none; not voting, 1.

Also, Senate Bill No. 194, which passed: Yeas, 16; nays, none; absent, 1.

Also, Senate Substitute for Senate Bill No. 117, which passed: Yeas, 15; nays, 1; not voting, 1.

Also, to inform you that the Senate has refused to recede from its amendments to Assembly Bill No. 113, and has this day appointed a conference committee consisting of Senators Coryell, Carpenter and Branson to confer with a like committee from the Assembly.

Also, that the Senate refuses to recede from its amendments to Assembly Bills Nos. 217 and 218, and the President of the Senate has this day appointed a conference committee consisting of Senators Scott, Henderson and Handley to meet with a like committee appointed by the Speaker of the Assembly.

Also, to return Assembly Concurrent Resolution No. 16 without any action being taken.

LENA GALE,

*Assistant Secretary of the Senate.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Noble moved that the Assembly concur in the Senate amendments to Assembly Bill No. 222.

Carried.

Mr. Cahlan moved that the Assembly concur in the Senate amendments to Assembly Bill No. 138.

Carried.

Mr. Carroll moved that the Assembly concur in the Senate amendments to Assembly Bill No. 249.

Carried.



Mr. Carroll moved that the Assembly concur in the Senate amendments to Assembly Bill No. 251.

Carried.

Mr. Bugbee moved that the Assembly concur in the Senate amendments to Assembly Bill No. 111.

Carried.

Mr. Brown moved that the Speaker appoint a conference committee to confer with a like committee from the Senate on Assembly Bills Nos. 217 and 218.

Carried.

Mr. Speaker appointed Messrs. Brown, Kenny and Taber as the Conference Committee.

Mr. Kenny moved that the Assembly concur in the Senate amendments to Assembly Bill No. 190.

Carried.

Mr. Black moved that the Assembly concur in the Senate amendments to Assembly Bill No. 178.

Carried.

Mr. Tandy moved that Assembly Concurrent Resolution No. 16 be referred to the Committee on Contingent Expenses for further investigation and proper introduction.

Carried.

Mr. Tandy moved that all bills returned from committees and such bills returned from the Senate be placed on the file for third reading and final passage.

Carried.

#### INTRODUCTION AND FIRST READING

Senate Substitute for Senate Bill No. 117.

Mr. Hussman moved that rules be suspended, reading so far had considered first reading, rules further suspended, substitute read second time by title, and referred to Douglas County Delegation.

Carried.

Senate Bill No. 194.

Mr. Malone moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Labor.

Carried.

Senate Bill No. 162.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and placed on general file for third reading and final passage.

Carried.

Senate Bill No. 191.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

Senate Bill No. 189.

Mr. Brown moved that Senate Bill No. 189 be indefinitely postponed.

Carried.

At 5:17 p. m. house recessed until 7 p. m.

### HOUSE IN SESSION

At 7:05 p. m.

Mr. Speaker in the chair.

Quorum present.

Without objection Mr. Speaker signed Assembly Bills Nos. 122, 270, 107, 225 and 130.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Banks and Banking has had Assembly Concurrent Resolution No. 6 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass with amendments hereto attached.

A. E. CAHLAN, *Chairman.*

*Mr. Speaker:*

Your Committee of Washoe County Delegation has had Senate Bill No. 167 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

HARRY DUNSEATH, *Chairman.*

### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 126, which has this day passed the Senate, as amended, by the following vote: Yeas, 17; nays, none. Amend as follows: Amend section 1 of Senate Bill No. 126 by adding a new paragraph on page 2 reading as follows: "This Act shall not apply to work done directly by any public utility company pursuant to order of the State Highway Department, or other public authority, whether or not done under public supervision or direction, or paid for wholly or in part out of public funds."

Also, to return Assembly Bill No. 98, which passed: Yeas, 17; nays, none.

Also, to inform you that the Senate refuses to recede from its action on Assembly Bills Nos. 173 and 196.

LENA GALE,

*Assistant Secretary of the Senate.*

### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Kenny moved that the Assembly concur in the Senate amendments to Assembly Bill No. 206.

Carried.

Mr. Kenny moved that the Assembly concur in Senate amendments to Assembly Bill No. 150.

Carried.

By Mr. Raycraft:

Assembly Resolution No. 28:

WHEREAS, At the conclusion of this session of the Legislature it will be necessary for the porters to perform a great deal of work in order to put the

Assembly Chamber and the rooms used by this Assembly in proper order; now, therefore, be it

*Resolved by the Assembly,* That the sum of \$100 is hereby appropriated out of the Legislative Fund to be paid to the following-named persons in the amounts set opposite their respective names, to wit:

Stewart McKenzie .....	\$50.00
Chester Newnham .....	50.00

and the State Controller is hereby authorized to draw his warrants for said sums and the State Treasurer is directed to pay the same.

Mr. Raycraft moved adoption of resolution.

Carried.

By Mr. Malone:

Assembly Resolution No. 29:

WHEREAS, It will be necessary for the Chief Clerk of the Assembly to remain at the Capitol after the conclusion of the present session in order to properly complete and verify the work of the Assembly and in the preparation and certification of the Assembly Journal to make the same ready for printing, for which services no compensation is provided by law; and

WHEREAS, It is the desire of the Assembly to properly compensate those rendering service to the State so far as the same is reasonable and just; now, therefore, be it

*Resolved,* That the sum of one hundred and fifty (\$150) dollars be and is hereby appropriated out of the Legislative Fund, already created, to be paid to George Brodigan, the Chief Clerk of the Assembly, in payment for the services above enumerated, and upon presentation of certificate of the Secretary of State to the effect that said additional services have been properly performed, the State Controller is hereby authorized and directed to draw his warrant in favor of said George Brodigan in the above-mentioned sum, and the State Treasurer is hereby directed to pay the same.

Mr. Malone moved adoption of resolution.

Carried.

By Mr. Kenny:

Assembly Resolution No. 30:

*Resolved by the Assembly of the State of Nevada,* That there is hereby appropriated out of the Legislative Fund the sum of twenty-four dollars to pay the following named attachés for extra services rendered in writing the Assembly Journal, to wit:

Julia Meade .....	\$12.00
Evelyn Wallace .....	12.00

The State Controller is hereby authorized and directed to draw his warrants in favor of said above-named persons for the amounts set opposite their respective names, and the State Treasurer is directed to pay the same.

Mr. Kenny moved adoption of resolution.

Carried.

Mr. Cobb moved that the Assembly do recede from its action on amendment No. 2 to Senate Bill No. 134.

Carried.

Mr. Brown moved that the Assembly concur in the Senate amendments to Assembly Bills Nos. 215 and 144.

Mr. Noble in the chair.

By Mr. Malone:

Assembly Resolution No. 31, indorsing and recommending Hon. Fred S. Alward for the position of Trade Commissioner from the United States to Australia:

WHEREAS, Hon. Fred S. Alward, Speaker of the Nevada Legislature, has demonstrated the power of a young man to rise into prominence by industry and force of character; and

WHEREAS, Hon. Fred S. Alward, besides a fund of natural ability, has the foundation of many years of study and application, which has caused him to advance rapidly to the high position which he now creditably holds; and

WHEREAS, The Hon. Fred S. Alward by reason of years of residence in Australia is familiar with the commercial affairs thereof; and

WHEREAS, By his personal character and high attainments he is peculiarly fitted to continue that fine relationship between the United States and the people of Australia, which was cemented by their union in a common cause during the great World War; and

WHEREAS, We feel that the State of Nevada is justified in recommending such a man to the position of Trade Commissioner from the United States to Australia; now, therefore, be it

*Resolved by the Assembly of the State of Nevada,* That we indorse and recommend for the appointment of Trade Commissioner from the United States to Australia Hon. Fred S. Alward, Speaker of the Nevada Assembly; and be it further

*Resolved,* That the Secretary of State be requested to transmit properly certified copies of this resolution to the Secretary of Commerce of the United States, to our Senators at Washington, and to our Representative in Congress.

Mr. Malone moved adoption of resolution.

Roll call asked for by Messrs. Malone, Anderson and Raycraft.

Roll called:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Wheelwright—37.

NAYS—None.

Absent—Messrs. Johnson, O'Connor and Mr. Speaker—3.

Resolution adopted.

Mr. Speaker in the chair.

By Mr. Cobb:

Assembly Concurrent Resolution No. 6, requesting the resignation of the State Bank Examiner:

*Resolved by the Assembly of the State of Nevada, the Senate concurring,* That the resignation of E. J. Seaborn, State Bank Examiner, be and the same is hereby requested.

Amendments proposed by Committee on Banks and Banking: Amend Assembly Concurrent Resolution No. 6 by inserting after the words "Bank Examiner" the following: "the members of the State Board of Finance, and the members of the Board of Examiners." In the last line of said resolution change the word "is" to "are."

Mr. Cahlan moved adoption of amendments.

Remarks by Messrs. Malone, Cahlan, Noble, Hatton and O'Connor.

Mr. Taber moved that Assembly Concurrent Resolution No. 6 be laid on the table.

Roll call asked for by Messrs. Brown, Hussman and McAuliffe.

Roll called :

YEAS—Messrs. Carroll, Dunseath, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, Reynolds, Taber, Tandy and Wheelwright—12.

NAYS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Cobb, Cooper, Ebert, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Roberts, Smith and Strosnider—24.

Absent—Messrs. Goodin, Johnson and Stewart—3.

Not voting—Mr. Speaker.

Motion lost.

Roll call on amendments :

YEAS—Messrs. Anderson, Barnes, Black, Brown, Bugbee, Butler, Cahill, Cahlan, Cobb, McAuliffe, Murphy and Smith—12.

NAYS—Messrs. Beverly, Carroll, Dunseath, Ebert, Hamlin, Hatton, Kenny, Lage, Malone, Moore, Noble, O'Connor, Raycraft, Reynolds, Roberts, Stewart, Taber, Tandy and Wheelwright—19.

Absent—Messrs. Johnson and Strosnider—2.

Not voting—Messrs. Blundell, Cooper, Goodin, Heward, Hussman, Persson and Mr. Speaker—7.

Amendments lost.

Mr. Brown moved that Assembly Concurrent Resolution No. 6 be indefinitely postponed.

Remarks by Messrs. Cobb, Dunseath, Cahlan, O'Connor, Anderson, Goodin, Taber, Hatton and Brown.

Roll call on motion :

YEAS—Messrs. Beverly, Black, Blundell, Brown, Dunseath, Goodin, Hamlin, Heward, Hussman, Malone, Persson, Reynolds, Stewart, Taber, Tandy and Wheelwright—16.

NAYS—Messrs. Anderson, Barnes, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Ebert, Hatton, Kenny, Lage, McAuliffe, Moore, Murphy, Noble, O'Connor, Raycraft, Roberts, Smith and Strosnider—21.

Absent—Mr. Johnson.

Not voting—Mr. Cooper and Mr. Speaker—2.

Motion lost.

Remarks by Messrs. Cahlan and Dunseath.

Roll call on Assembly Concurrent Resolution No. 6.

YEAS—Messrs. Anderson, Barnes, Bugbee, Butler, Cahill, Cahlan, Cobb, Hatton, Kenny, McAuliffe, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Roberts, Smith and Strosnider—19.

NAYS—Messrs. Beverly, Black, Blundell, Brown, Carroll, Dunseath, Goodin, Hamlin, Heward, Hussman, Lage, Malone, Reynolds, Stewart, Taber, Tandy and Wheelwright—17.

Absent—Messrs. Ebert and Johnson—2.

Not voting—Mr. Cooper and Mr. Speaker—2.

Assembly Concurrent Resolution No. 6 having received a constitutional majority, Mr. Speaker declared it passed.

#### INTRODUCTION AND FIRST READING

Senate Bill No. 126.

Mr. Lage moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and placed on general file for third reading and final passage.

Carried.

## GENERAL FILE AND THIRD READING

Assembly Bill No. 231.

Mr. Brown moved that Assembly Bill No. 231 be indefinitely postponed.

Remarks by Messrs. Cahill, Cobb, O'Connor and Hatton.

Carried.

Assembly Bill No. 272.

Mr. Kenny moved that Assembly Bill No. 272 be indefinitely postponed.

Carried.

Senate Bill No. 56.

Mr. Brown moved that Senate Bill No. 56 be laid on the table.

Carried.

Senate Bill No. 104.

Bill amended in Senate by inserting the words "to the credit of the State University of Nevada" in line 5, page 1.

Mr. Lage moved adoption of amendment.

Carried.

Roll call on Senate Bill No. 104:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahlan, Carroll, Cobb, Dunseath, Ebert, Goodin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—33.

NAYS—None.

Absent—Messrs. Cahill, Cooper, Hamlin, Johnson, O'Connor, Reynolds and Wheelwright—7.

Senate Bill No. 104 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Bill No. 299.

Remarks by Messrs. Hatton and McAuliffe.

Roll call on Assembly Bill No. 299:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Hamlin, Hatton, Heward, Kenny, Lage, McAuliffe, Malone, Murphy, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—35.

NAYS—None.

Absent—Messrs. Goodin, Hussman, Johnson, Moore and Reynolds—5.

Assembly Bill No. 299 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 305.

Mr. Cahill moved that Assembly Bill No. 305 be indefinitely postponed.

Remarks by Messrs. Cahill, Brown, Malone, Kenny and Cobb.

Motion lost.

Amendments proposed by Committee on Judiciary:

Amendment No. 1—Amend section 1, page 1, line 8, by striking out all the remainder of the section beginning with the word "Such" and

ending with the word "State" in line 12, and inserting in lieu thereof the following: "the first Tuesday after the first Monday of November 1934."

Mr. Brown moved adoption of amendment.

Carried.

Amendment No. 2—Amend section 4 by striking out the whole thereof, and substituting the following: "The number of delegates to the convention shall be forty, who shall be elected in the same manner and number as now provided for the election of members of the Assembly of the State of Nevada."

Mr. Brown moved adoption of amendment.

Carried.

Amendment No. 3—Amend section 5, page 2, line 24, by striking out the word "and" and all words following, down to and including the word "ratification" as first appears in line 25.

Mr. Brown moved adoption of amendment.

Carried.

Amendment No. 4—Amend section 8, page 4, beginning on line 28, by striking out the words "twenty-eighth day after their election," and inserting in lieu thereof the following: "the first Tuesday of December 1934."

Mr. Brown moved adoption of amendment.

Carried.

Amendment No. 5—Amend section 12, page 5, by striking out all of lines 15 to 17 and substituting the following: "All delegates elected to said convention and participating therein shall be entitled to, and paid, mileage for such attendance at the rate of ten cents per mile for each mile actually traveled in going to and returning from Carson City, Nevada, which said mileage shall, however, be computed in all cases upon the shortest practical routes."

Mr. Brown moved adoption of amendment.

Carried.

Remarks by Messrs. Cahlan, Brown and Kenny.

Upon motion of Mr. Kenny, Assembly Bill No. 305 was rereferred to Committee on Judiciary.

Mr. Speaker appointed Messrs. Moore, Kenny and Murphy as a conference committee to meet with a like conference committee of the Senate to discuss amendments on Assembly Bill No. 113.

Without objection the Assembly resolved itself into a Committee of the Whole to consider Senate Substitute for Senate Bills Nos. 39 and 40.

Mr. Speaker appointed Mr. Hatton Chairman of the Committee of the Whole.

At 8:50 p. m. Assembly in Committee of the Whole.

#### HOUSE IN SESSION

At 9:15 p. m.

Mr. Speaker in the chair.

Quorum present.

## REPORT OF COMMITTEE OF THE WHOLE

*Mr. Speaker:*

Your Committee of the Whole House has had under consideration Senate Substitutes for Senate Bills Nos. 39 and 40, and begs leave to report favorably on the same, with the recommendation that they do pass.

WM. D. HATTON, *Chairman.*

Mr. Hatton moved adoption of report.

Carried.

## GENERAL FILE AND THIRD READING

Senate Substitute for Senate Bill No. 39.

Remarks by Messrs. Hatton, Taber and Noble.

Roll call on Senate Substitute for Senate Bill No. 39:

YEAS—Messrs. Anderson, Black, Blundell, Bugbee, Butler, Cahlan, Cobb, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, Malone, Murphy, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Wheelwright—29.

NAYS—Messrs. Beverly, Brown, Carroll and McAuliffe—4.

Absent—Messrs. Barnes, Cahill, Cooper, Johnson, Moore and Reynolds—6.

Not voting—Mr. Speaker.

Senate Substitute for Senate Bill No. 39 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Substitute for Senate Bill No. 40.

Roll call on Senate Substitute for Senate Bill No. 40:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Bugbee, Butler, Cahlan, Cobb, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Kenny, Lage, McAuliffe, Malone, Murphy, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—31.

NAYS—Messrs. Brown and Carroll—2.

Absent—Messrs. Cahill, Cooper, Hussman, Johnson, Moore, Reynolds and Wheelwright—7.

Senate Substitute for Senate Bill No. 40 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 122.

Mr. Brown moved that Senate Bill No. 122 be indefinitely postponed.

Remarks by Messrs. O'Connor and Malone.

Mr. Brown withdrew motion.

Mr. Malone moved that Senate Bill No. 122 be laid on the table.

Carried.

Without objection Mr. Speaker signed Assembly Bills Nos. 264, 300, 125, 148, 187 and 307.

At 10 p. m. house recessed subject to the call of the chair.

## HOUSE IN SESSION

Mr. Speaker in the chair.

Quorum present.

## GENERAL FILE AND THIRD READING

Senate Bill No. 137.

Amendments proposed by Committee on Irrigation: Amend section 2 of Senate Bill No. 137 by striking out the period at the end of line 24,



page 4, and inserting a semicolon in lieu thereof and adding immediately thereafter the following: "*provided*, that such vacancy must be filled by the appointment of any qualified elector residing in the division in which the vacancy exists who files a petition containing the signatures of qualified electors of such division, and if there be more than one such petition filed for the appointment of more than one person, then the vacancy shall be filled by the appointment of such person whose petition has the greatest number of signatures of qualified electors residing in the division in which the vacancy existed."

Mr. Strosnider moved adoption of amendment.

Carried.

In section 6, page 9, line 16, after the word "county" insert the words "segregated into school districts."

Mr. Strosnider moved adoption of amendment.

Carried.

In section 6, page 9, line 18, insert after the word "the" at the end of line the words "treasurer of the district."

Mr. Strosnider moved adoption of amendment.

Carried.

In section 6, page 9, line 19, strike out all down to the word "who."

Mr. Strosnider moved adoption of amendment.

Carried.

In section 6, page 9, lines 21 and 22, strike out all words beginning with the word "as" in line 21 to and including the word "counties."

Mr. Strosnider moved adoption of amendment.

Carried.

In section 6, page 9, line 22, strike out the word "county," and insert in lieu thereof the word "district."

Mr. Strosnider moved adoption of amendment.

Carried.

In section 6, page 9, line 26, strike out the word "same," and insert in lieu thereof the word "district."

Mr. Strosnider moved adoption of amendment.

In section 6, page 9, beginning with the words "the county," line 27, strike out the remainder of section 6, and insert in lieu thereof the following: "The treasurer of the district shall, immediately after the assessments become delinquent, certify a list of such delinquencies to the County Auditor, County Treasurer and District Attorney of the respective county in which the delinquent land is situated; these officers shall do and perform all acts necessary to accomplish the collection of the delinquent assessments, together with such penalties as are provided by law, in the same manner as delinquent State and county taxes; *provided, however*, any charge, cash or disbursement made or caused by county by reason thereof shall be a charge against the district, and shall be by the board of directors of said district, allowed and paid as other claims."

Mr. Strosnider moved adoption of amendment.

Carried.

Remarks by Mr. Strosnider.

## Roll call on Senate Bill No. 137 :

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Bugbee, Butler, Cahill, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Noble, O'Connor, Persson, Roberts, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—31.

NAYS—None.

Absent—Messrs. Brown, Cahlan, Hatton, Johnson, Murphy, Raycraft, Reynolds, Smith and Stewart—9.

Senate Bill No. 137 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

United States District Attorney Harry Atkinson was escorted to the Speaker's desk.

## REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Enrollment has carefully compared Assembly Enrolled Bills Nos. 77, 28, 193, and Assembly Joint Resolution No. 6 with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. H. BARNES, *Chairman.*

*Mr. Speaker:*

Your Committee on Education has had Senate Bills Nos. 103 and 171 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

BOB MOORE, *Chairman.*

*Mr. Speaker:*

Your Conference Committee of the Senate and Assembly has had Assembly Bill No. 113 under consideration, and begs leave to report as follows: We recommend that all of Senate's amendment to section 1, beginning on page 2, line 30, be stricken out.

P. R. CORYELL,  
W. W. CARPENTER,  
L. C. BRANSON,

BOB MOORE,  
MORLEY MURPHY,  
G. J. KENNY,

*Senate Committee. Assembly Committee.*

## MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 89, which has this day passed the Senate by the following vote: Yeas, 15; nays, none; absent, 1; not voting, 1.

Also, Senate Bill No. 200, which, under the suspension of all rules, was declared an emergency measure under the Constitution, considered engrossed, placed on general file for third reading and final passage, and passed by the following vote: Yeas, 13; nays, 1; absent, 1; not voting, 2.

Also, to inform you that the Senate has this day refused to concur in the Assembly amendments to Senate Bill No. 136.

Also, that the President of the Senate has this day appointed a conference committee consisting of Senators Getchell, Molini and Miller to confer with a like committee appointed by the Speaker of the Assembly on Senate Bill No. 149.

Also, to present Senate Bill No. 185, which passed: Yeas, 12; nays, 5.

Also, Senate Bill No. 198, which passed, as amended: Yeas, 10; nays, 7. Amend as follows: Amend section 1 by striking out after the word "returned" in line 8, page 1 of the printed bill, all the remainder of said line 8 and all of lines 9 and 10, and inserting in lieu thereof the following words: "and shall make an affidavit of such failure to kill a deer before said County Clerk, and the said County Clerk shall make no charge for such affidavit."

Also, Senate Bill No. 199, which passed: Yeas, 17; nays, none.

Also, Senate Substitute for Senate Bill No. 78, which passed: Yeas, 16;

nays, none; absent, 1.

Also, to return Assembly Bill No. 67, which passed: Yeas, 9; nays, 6; absent, 1; not voting, 1.

Also, Assembly Bill No. 153, which passed, as amended: Yeas, 17; nays, none. Amend as follows: Page 4, line 5, strike out the words "for hire." Amendment to amendment No. 2: Insert after the word "drayman" the words "and private motor carriers of property." Amend section 12 by striking it out and substituting the following therefor: "Sec. 12. The Public Service Commission of Nevada is hereby authorized to adopt rules covering the procedure, regulation and administration of the provisions of this Act and shall prescribe forms for all applications, certificates, licenses and license plates for the use of prospective applicants, and shall make regulations for the filing thereof."

Also, Assembly Bill No. 167, which passed: Yeas, 15; nays, 2.

Also, Assembly Bill No. 174, which passed: Yeas, 16; nays, 1.

Also, Assembly Bill No. 254, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 3, line 25, strike the word "and" and make the first letter of the word following a capital letter. Page 3, line 28, strike the words "and the same."

LENA GALE,

*Assistant Secretary of the Senate.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Hussman moved that the Assembly do not recede from its amendments to Senate Bill No. 52, and that a conference committee be appointed to confer with a like committee of the Senate.

Carried.

Mr. Hussman moved that Senate Bill No. 170 be taken from the table and referred to Committee on Roads and Highways.

Carried.

Mr. Tandy moved that the Assembly concur in the Senate amendments to Assembly Bill No. 196.

Carried.

Mr. Moore moved the adoption of the Conference Committee report on Assembly Bill No. 113.

Carried.

#### INTRODUCTION AND FIRST READING

Senate Bill No. 198.

Mr. Brown moved that Senate Bill No. 198 be indefinitely postponed.

Remarks by Messrs. Lage, Cooper, Smith, Tandy and Hamlin.

Motion lost.

Mr. Lage moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Fish and Game.

Carried.

Former Assemblyman George Tranter was escorted to the Speaker's desk.

Senate Substitute for Senate Bill No. 78.

Mr. Brown moved that the bill be laid on the table.

Motion lost.

Mr. Strosnider moved that rules be suspended, reading so far had

considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Live Stock.

Carried.

Senate Bill No. 200.

Mr. Lage moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to White Pine County Delegation.

Carried.

Senate Bill No. 185.

Without objection rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Senate Bill No. 89.

Mr. Brown moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Banks and Banking.

Carried.

Senate Bill No. 199.

Mr. Dunseath moved that Senate Bill No. 199 be laid on the table.

Motion lost.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Judiciary.

Carried.

Without objection Mr. Speaker signed Assembly Bills Nos. 144, 148, 222, 117 and 138.

House recessed.

### HOUSE IN SESSION

Mr. Speaker in the chair.

Quorum present.

### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 196, which has this day passed the Senate, as amended, by the following vote: Yeas, 17; nays, none. Amend as follows: Page 3, line 33, change word "in" to "on." Page 4, line 6, change word "in" to "on." Page 4, line 9, change word "whose" to "the." Page 4, line 9, after "enforceability" add words "of which." Page 4, line 13, strike "and." Page 6, line 27, change "whose" to "the." Page 6, line 27, after "enforceability" add "of which." Page 6, line 32, strike "and." Insert after the word "monuments," line 17, page 5, the words: "Federal National Military and Naval Reservations and other Federal Reservations and other than Forest Reservations, and game and bird preserves, reservations created for irrigation projects constructed and utilized wholly within the State of Nevada."

Also, to return Assembly Bill No. 220, which passed, as amended: Yeas, 17; nays, none. Amend as follows: Amend section 1 of Assembly Bill No. 220 by striking lines 1 to 8, inclusive, and substituting: "SECTION 1. Section 510 of the above-entitled Act, being section 8999 N. C. L. 1929, is hereby amended to read as follows." Strike on page 2, lines 4 to 6, inclusive, and substituting:

"Seal of said court attached, if there be one, and if there be none, then with a statement attached by the Judge or Clerk of the Court to the effect that said court has no seal." Add a new section to read as follows: SEC. 2. Section 511 of the above-entitled Act, being section 9000 N. C. L. 1929, is hereby amended to read as follows: Section 511. When an affidavit is taken before a judge of a court in another State, or in a territory, of the United States, the genuineness of the signature of the judge, the existence of the court, and the fact that such judge is a member thereof shall be certified by the Clerk of the Court under the seal thereof. Amend title to read: An Act to amend sections 510 and 511 of an Act entitled "An Act to regulate proceeding in civil cases in this State, and and to repeal all other Acts in relation thereto," approved March 17, 1911.

Also, to present Senate Bill No. 186, which passed: Yeas, 16; nays, none; absent, 1.

Also, Senate Bill No. 201, which passed: Yeas, 17; nays, none.

Also, Senate Bill No. 202, which passed: Yeas, 13; nays, 4.

Also, Senate Bill No. 203, which passed: Yeas, 17; nays, none.

Also, to return Assembly Bill No. 202, which passed: Yeas, 16; nays, none; not voting, 1.

Also, Assembly Bill No. 255, which passed, as amended: Yeas, 14; nays, 3. Amend as follows: Strike the Assembly amendments on page 2, lines 6 and 7. Page 2, change "section 4" to read "section 3."

Also, Assembly Joint Resolution No. 24, which passed, as amended: Yeas, 14; nays, 3. Amend as follows: Page 2, line 5, strike the words "as well as the incoming;" and insert in lieu thereof the words "and the." Page 2, line 22, insert the name "P. A. McCarran" in lieu of the name "Tasker L. Oddie." In same line strike the word "to" and insert in lieu thereof the word "and." Page 2, line 23, insert the name "James G. Scrugham" in lieu of "Sam S. Arentz." Place a period in place of the comma after "James G. Srugham" and strike balance of sentence.

Also, to inform you that the Senate has this day adopted the Conference Committee report to Assembly Bill No. 113.

Also, that the Senate has this day adopted the Conference Committee report to Senate Bill No. 149.

Also, that the Senate refused to concur in the Assembly amendments to Senate Bill No. 137.

Also, to return Assembly Bill No. 299, which passed: Yeas, 16; nays, none; not voting, 1.

Also, Assembly Concurrent Resolution No. 17, which was this day adopted by the Senate.

Also, Assembly Concurrent Resolution No. 18, which was this day adopted by the Senate.

Also, Assembly Bill No. 289, which passed: Yeas, 15; nays, none; absent, 1; not voting, 1.

Also, Assembly Joint Resolution No. 22, which passed, as amended: Yeas, 17; nays, none. Amend as follows: Page 1, line 18, insert after the word "cents" the words "per pound." Page 1, line 1, add an "s" to the last word on the line "region."

LENA GALE,

*Assistant Secretary of the Senate.*

Without objection Mr. Speaker signed Assembly Bills Nos. 207, 137 and 57, Senate Joint Resolution No. 21, and Senate Bills Nos. 39 and 134.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 83.

Assembly Substitute for Assembly Bill No. 83.

Mr. Cahlan moved for a call of the house, seconded by Messrs. Tandy and Goodin.

Carried.

Roll called :

Present—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahill, Cahlan, Carroll, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—36.

Absent—Messrs. Cobb, Johnson, Murphy and Reynolds—4.

Mr. Cahlan moved that all after the enacting clause of Assembly Bill No. 83 be stricken, and the Assembly Substitute inserted in lieu thereof.

Carried.

Amendment proposed by Mr. Malone: Amend section 2 of Assembly Bill No. 83 by striking out in line 8, page 1 of the printed bill, the figures "\$32,830" and inserting in lieu thereof the figures "\$33,730," and strike out in line 11, page 1, the figures "\$6,120" and insert in lieu thereof the figures "\$6,800," and strike out in line 12, page 1, the figures "\$3,240" and insert the figures "\$3,600."

Mr. Malone moved adoption of amendment.

Remarks by Messrs. Cahill, McAuliffe, Hatton, Hamlin and Hussman.

A report of the Nevada Council of County Taxpayers' Association was read.

Remarks by Messrs. Black, Kenny, Smith, Carrol, Cooper, Goodin, Cahlan, Noble, Tandy, Taber, Dunseath, Cobb and Malone.

Roll call asked for by Messrs. Anderson, Dunseath and Malone.

Roll called :

YEAS—Messrs. Beverly, Bugbee, Cahlan, Cobb, Dunseath, Hamlin, Lage, McAuliffe, Malone, Moore, O'Connor, Persson, Raycraft, Smith and Tandy—15.

NAYS—Messrs. Anderson, Barnes, Black, Blundell, Brown, Butler, Cahill, Carroll, Cooper, Ebert, Goodin, Hatton, Heward, Hussman, Kenny, Murphy, Noble, Roberts, Stewart, Strosnider and Taber—21.

Absent—Messrs. Johnson, Reynolds and Wheelwright—3.

Not voting—Mr. Speaker.

Amendment lost.

Amendment proposed by Mr. Malone: Amend section 5 of Assembly Bill No. 83 by striking out in line 23, page 2, the figures "\$26,840," and insert the figures "\$29,840." In line 29 after the word "legal" insert the words "or expert." Strike out in line 29, page 2, the figures "\$3,000," and insert "\$6,000."

Mr. Malone moved adoption of amendment.

Remarks by Messrs. Malone, Cahill, Smith and Cahlan.

Carried.

Amendment proposed by Mr. Raycraft: Amend section 8 of Assembly Bill No. 83 by striking out in line 30 the figures "\$6,480" and insert in lieu thereof the figures "\$7,200."

Mr. Raycraft moved adoption of amendment.

Carried.

Amendment proposed by Mr. Cahill: Amend section 8 of Assembly Substitute for Assembly Bill No. 83 by striking out at the end of line 28, page 3, the figures "\$17,440" and inserting in lieu thereof the figures "\$18,160."

Mr. Cahill moved adoption of amendment.

Carried.

Remarks by Messrs. Taber, Black and Hussman.

Amendment proposed by Mr. Rayercraft: Amend section 10 of Assembly Bill No. 83 by striking out in line 23 the figures "\$6,480" and inserting in lieu thereof the figures "\$7,200."

Mr. Rayercraft moved adoption of amendment.

Carried.

Amendment proposed by Mr. Cahill: Amend section 10 of Assembly Substitute for Assembly Bill No. 83 by adding at the end of line 20, page 4, following the word "office," the figures "\$51,609."

Mr. Cahill moved adoption of amendment.

Remarks by Messrs. Taber and Kenny.

Carried.

Amendment proposed by Mr. Cahill: Amend section 10 of Assembly Substitute for Assembly Bill No. 83 by striking out the figures "\$10,480," page 5, line 2, and substitute in lieu thereof the figures "\$12,140."

Mr. Cahill moved adoption of amendment.

Carried.

Remarks by Messrs. Kenny, Cahill and Malone.

Amendment proposed by Mr. Smith: Amend section 14 of Assembly Bill No. 83 by striking out on page 7, line 19, the figures "\$1,200" and inserting in lieu the figures "\$1,800." Strike out on page 7, line 15, the figures "\$27,440," and insert in lieu thereof the figures "\$28,040."

Mr. Smith moved adoption of amendment.

Remarks by Messrs. Smith, Anderson, Cahill and Cahlan.

Carried.

Remarks by Messrs. Cobb, Cahill, Moore, Black, Anderson, Malone, Dunseath, Cahlan and McAuliffe.

Amendment proposed by Mr. Rayercraft: Amend section 15 of Assembly Bill No. 83 by striking out in line 2, page 8, the figures "\$6,700," and inserting in lieu thereof the figures "\$7,200." Strike out on page 7, line 33, the figures "\$16,640," and insert in lieu thereof the figures "\$17,360."

Mr. Rayercraft moved adoption of amendment.

Remarks by Messrs. Rayercraft, Cahill, Cobb, Heward and Hussman.

Amendment lost.

Remarks by Messrs. Cahlan, Hussman and Cahill.

#### MOTIONS, RESOLUTIONS AND NOTICES

By Mr. Cahlan:

Assembly Concurrent Resolution No. 17:

*Resolved by the Assembly, the Senate concurring,* That the Governor is hereby respectfully requested to return to the Assembly, before signing or taking any action thereon, Assembly Bill No. 137.

Mr. Cahlan moved adoption of resolution.

Carried.

By Committee on Contingent Expenses:  
Assembly Resolution No. 33:

*Resolved by the Assembly,* That the State Controller be and he is hereby authorized and directed to draw his warrants on the Legislative Fund in favor of the various firms or persons named below for the amounts set opposite their names, as per itemized statements herewith, and the State Treasurer is hereby directed to pay the same:

Bell Telephone .....	\$6.40
A. G. Meyers.....	10.92
Western Union .....	25.35
Southworth and Kinnikin, Mailing Department.....	20.34
Southworth and Kinnikin, Assembly typewriters.....	48.00

\$111.01

REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Contingent Expense has had Assembly Resolution No. 33 under consideration, and begs leave to report that it has examined the items making the total named in said resolution, finds the same correct, and recommends the adoption of the resolution and the payment of the claims.

W. H. ROBERTS, *Chairman.*

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Roberts moved adoption of Assembly Resolution No. 33.  
Carried.

Mr. Goodin moved that the Assembly concur in the Senate amendments to Assembly Bill No. 153.

Carried.

By Mr. Noble:  
Assembly Concurrent Resolution No. 18:

*Resolved by the Assembly, the Senate concurring,* That the Governor is respectfully requested to return to the Assembly, without action thereon, Assembly Bill No. 222.

Mr. Noble moved adoption of resolution.

Carried.

REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Live Stock has had Senate Bill No. 120 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

L. F. ANDERSON, *Chairman.*

*Mr. Speaker:*

Your Committee on Counties and County Boundaries has had Senate Bills Nos. 123, 161, and 181 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

PAT MCAULIFFE, *Chairman.*

*Mr. Speaker:*

Your Committee on Claims has had Senate Bills Nos. 163, 164, and 180 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

TOM P. EBERT, *Chairman.*

*Mr. Speaker:*

Your Committee on Mines and Mining has had Senate Bill No. 151 under consideration, and begs leave to report the same, without recommendation.

FRANK BUGBEE, *Chairman.*



*Mr. Speaker:*

Your Select Committee consisting of the Douglas County Delegation has had Senate Substitute for Senate Bill No. 117 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass, as amended. Amend section 1 of Senate Substitute for Senate Bill No. 117 by striking out after the word "Gardnerville," line 8, page 2 of the printed bill, all of the remainder of line 8, and all of lines 9, 10, 11, 12, 13, 14 and the words "are paid" in line 15, and insert in lieu thereof the following: "at a salary to be fixed by the Board of County Commissioners, but not to exceed the sum of \$35 per month, during the period of employment, and a second Deputy Sheriff for the Lake Tahoe district, for a period of not to exceed five months in each calendar year beginning in 1933, at a salary to be fixed by the Board of County Commissioners, but not to exceed \$60 per month during the period of employment. The salary of said deputies shall be payable monthly as other county salaries are paid." Amend section 1 of Senate Substitute for Senate Bill No. 117 by striking out after the word "of" in line 19, page 3 of the printed bill, the following: "twelve hundred fifty dollars (\$1,250)," and insert in lieu thereof the following: "thirteen hundred eighty dollars (\$1,380)."

GEO. G. HUSSMAN, *Chairman.*

*Mr. Speaker:*

Your Committee of White Pine Delegation has had Senate Bill No. 200 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

WALTER LAGE, *Chairman.*

#### REPORT OF CONFERENCE COMMITTEES

*To the Honorable the Assembly of the State of Nevada:*

The Committee of Conference on the disagreeing votes of the two houses on Senate Bill No 149, begs leave to report that the Senate has concurred in the Assembly amendments to the bill and discharged their Conference Committee, leaving no further ground for disagreement.

H. E. MALONE,  
M. C. HAMLIN,  
H. H. RAYCRAFT.

Mr. Malone moved adoption of report.

Carried.

*Mr. Speaker:*

Your Conference Committee of the Senate and Assembly has had Assembly Bill No. 224 under consideration, and begs leave to report as follows: We recommend that the Assembly recede from its amendment in section 1, page 3, line 2.

W. F. DRESSLER,      FRED STROSNIER,  
PHIL M. TOBIN.      C. L. NOBLE,  
IRA L. WINTERS,      F. B. STEWART.

Mr. Noble moved adoption of report.

Carried.

#### INTRODUCTION AND FIRST READING

Senate Bill No. 196.

Mr. Cahlan moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Federal Relations.

Carried.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 83 (continued).

Amendment proposed by Mr. Cahlan: Amend section 15 of Assembly Bill No. 83 by striking in line 33, page 7, the figures "\$16,640," and insert the figures "\$10,640." Strike all of line 4, page 8.

Mr. Cahlan moved adoption of amendment.

Remarks by Messrs. Hamlin and Cahlan.

Mr. Hamlin moved that the house resolve itself into a Committee of the Whole.

Motion lost.

Mr. Cahlan withdrew amendment.

Mr. Hussman moved that the amendment of Mr. Raycraft to section 15 be reconsidered.

Carried.

Amendment proposed by Mr. Raycraft: Amend section 15 of Assembly Bill No. 83 by striking out in line 2, page 8, the figures "\$6,700," and insert in lieu thereof the figures "\$7,200." Strike out on page 7, line 33, the figures "\$16,640," and insert in lieu thereof the figures "\$17,360."

Mr. Raycraft moved adoption of amendment.

Remarks by Messrs. Cahill, Smith, Taber, Hussman, Cobb, Goodin, Hussman and Bugbee.

Carried.

Amend proposed by Mr. Smith: Amend section 16 of Assembly Bill No. 83 by striking out on page 8 all of lines 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22, and insert in lieu thereof the following: "Salary of State Engineer, \$8,000; salary of Assistant State Engineer, \$7,200; salary of Deputy State Engineer, \$6,000; for the support of the office of State Engineer, \$33,800." Strike out in line 9, page 8, the figures "\$41,305," and insert in lieu thereof the figures "\$55,000."

Mr. Smith moved adoption of amendment.

Remarks by Messrs. Cahill, Smith, Murphy, Cooper, Anderson, Moore, Dunseath, Hatton, Cahlan, Taber and Heward.

Roll call asked for by Messrs. Anderson, Cahlan and Cahill.

Roll called:

YEAS—Messrs. Beverly, Brown, Bugbee, Cahlan, Cobb, Ebert, Hamlin, Hatton, Heward, Kenny, Lage, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Reynolds, Smith, Tandy and Wheelwright—21.

NAYS—Messrs. Anderson, Barnes, Black, Blundell, Cahill, Carroll, Cooper, Dunseath, Goodin, Hussman, McAuliffe, Murphy, Roberts, Stewart, Strosnider and Taber—16.

Absent—Messrs. Butler and Johnson—2.

Not voting—Mr. Speaker.

Amendment carried.

Mr. Stewart explained his vote.

Amendment proposed by Mr. Smith: Amend section 19 of Assembly Bill No. 83 by striking out on page 9, lines 8 and 17, the figures "\$1,000," and insert in lieu thereof the figures "\$5,000."

Mr. Smith moved adoption of amendment.

Remarks by Messrs. Smith, Cahill, Moore, Cahlan, Carroll, Anderson, Cooper and Moore.

Roll call asked for by Messrs. Anderson, Cahlan and Cahill.

Roll called:

YEAS—Messrs. Barnes, Bugbee, Cahlan, Carroll, Cobb, Hamlin, Hatton,

Kenny, Lage, Malone, Moore, O'Connor, Persson, Raycraft, Reynolds, Roberts and Smith—17.

*NAYS*—Messrs. Anderson, Beverly, Black, Blundell, Brown, Cahill, Cooper, Dunseath, Ebert, Heward, Hussman, McAuliffe, Murphy, Stewart, Taber and Wheelwright—16.

Absent—Messrs. Butler, Goodin, Johnson, Noble and Strosnider—5.

Not voting—Mr. Tandy and Mr. Speaker—2.

Amendment carried.

Amendment proposed by Mr. Cahlan: Amend section 19 of Assembly Bill No. 83 by striking out in line 8 the figures "\$1,000," and inserting in lieu thereof the figures "\$5,000." Striking in line 17 the figures "\$1,000," and inserting in lieu thereof the figures "\$5,000."

Mr. Cahlan moved adoption of amendment.

Remarks by Messrs. Cahlan, Taber, Tandy and Cahill.

Carried.

Amendment proposed by Mr. Raycraft: Amend section 21 of Assembly Bill No. 83 by striking out the figures "\$18,020" in line 30, page 9, and inserting in lieu thereof the figures "\$18,420." Strike out the figures "\$4,400" in line 32, page 9, and insert in lieu thereof the figures "\$4,800."

Mr. Raycraft moved adoption of amendment.

Carried.

Amendment proposed by Mr. Raycraft: Amend section 25 of Assembly Bill No. 83 by striking out the figures "\$2,700" in line 20, page 11, and inserting in lieu thereof the figures "\$3,000." Strike out the figures "\$2,700" in line 21, page 11, and insert in lieu thereof the figures "\$3,000." Strike out the figures "\$70,960" in line 18, page 11, and insert in lieu thereof the figures "\$71,560."

Mr. Raycraft moved adoption of amendment.

Remarks by Messrs. Cahill and Anderson.

Motion lost.

House recessed, subject to the call of the chair.

## HOUSE IN SESSION

Mr. Speaker in the chair.

Quorum present.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Ways and Means has had Senate Bills Nos. 168, 174 and 185 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

J. H. CAHILL, *Chairman.*

*Mr. Speaker:*

Your Committee on Roads and Highways has had Senate Bill No. 170 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

W. H. GOODIN, *Chairman.*

*Mr. Speaker:*

Your Committee on Judiciary has had Senate Bills Nos. 35, 156, 199, and Assembly Bill No. 310 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

Also, Assembly Bill No. 309, and reports favorably on the same, with the recommendation that it do pass with the following amendments: Amend section 1, line 6, by striking out the character "/" after the word "and" and strike out the word "or" immediately thereafter, and in line 7 insert the words "or either of them" immediately preceding the word "for" in said line, and insert a comma after the letters "ments" in said line 7; in line 11 strike out the character "/" after the word "and" and strike out the word "or" at the end of said line; in line 12 insert the words "or either of them" after the word "assessments" in said line, and in line 12 strike out the character "/" and the word "or" after the word "and" in said line and insert a comma after the word "assessments" in said line 12, and in line 12 after the word "assessments" insert the words "or either of them"; in line 13 strike out the word "and" and the character "/".

G. J. KENNY, *Chairman.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Malone moved that Senate Bills Nos. 111 and 112 be reported out of Committee on Ways and Means.

Remarks by Messrs. Malone and Dunseath.

Carried.

By Mr. McAuliffe:

Assembly Resolution No. 34:

*Resolved by the Assembly,* That the sum of \$100 is hereby appropriated out of the Legislative Fund to be paid to the pages of the Assembly for extra services, in the amounts set opposite their respective names, to wit:

John W. Oldham.....	\$50.00
Maurice Adams .....	50.00

The State Controller is hereby authorized to draw his warrants for said sum, and the State Treasurer is directed to pay the same.

Mr. McAuliffe moved adoption of resolution.

Carried.

Mr. Brown moved that the Assembly concur in the Senate amendments to Assembly Bill No. 220.

Carried.

Upon motion of Mr. Bugbee, the Assembly concurred in the Senate amendments to Assembly Joint Resolution No. 24.

Upon motion of Mr. Goodin, the Assembly concurred in the Senate amendments to Assembly Bill No. 225.

#### INTRODUCTION AND FIRST READING

Senate Bill No. 186.

Mr. Blundell moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

Senate Bill No. 203.

Without objection rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Senate Bill No. 202.

Without objection rules suspended, reading so far had considered

first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Senate Bill No. 201.

Mr. Hussman moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Ways and Means.

Carried.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 83 (continued).

Amendment proposed by Mr. Kenny: Amend section 30 of Assembly Bill No. 83 by striking out on page 12, line 28, the figures "\$3,800," and inserting in lieu thereof the figures "\$4,320." Strike out on page 12, line 32, the figures "\$12,000," and insert in lieu thereof the figures "\$16,381.50." Strike out on page 12, line 26 the figures "\$26,485," and insert in lieu thereof the figures "\$31,386.50."

Mr. Kenny moved adoption of amendment.

Carried.

Amendment proposed by Mr. Raycraft: Amend section 31 of Assembly Bill No. 83 by striking out in line 5 the figures "\$4,500," and inserting "\$5,000." In line 3 strike out the figures "\$11,913," and insert in lieu thereof the figures "\$12,413."

Mr. Raycraft moved adoption of amendment.

Motion lost.

Amendment proposed by Mr. Raycraft: Amend section 32 of Assembly Bill No. 83 by striking out the figures "\$6,480," line 22, page 13, and inserting in lieu thereof the figures "\$7,200."

Mr. Raycraft moved adoption of amendment.

Remarks by Messrs. Cahill, Cahlan, Persson, Tandy, Moore and Anderson.

Carried.

Amendment proposed by Mr. Raycraft: Amend section 32 of Assembly Bill No. 83 by striking out the figures "\$16,020," line 19, page 13, and inserting in lieu thereof the figures "\$16,740."

Mr. Raycraft moved adoption of amendment.

Carried.

Amendment proposed by Mr. Moore: Amend section 33 of Assembly Bill No. 83 by striking out on page 13, line 33, the figures "\$38,420," and inserting in lieu thereof the figures "\$42,150." In line 1, page 14, strike out the figures "\$21,000" and insert the figures "\$24,000." In line 2, page 14, strike out the figures "\$4,320," and insert the figures "\$4,800." In line 7, page 14, strike out the figures "\$1,250," and insert the figures "\$1,500."

Mr. Moore moved adoption of amendment.

Remarks by Messrs. Anderson, Moore, Cahill, Smith, Hamlin, Stewart, Cobb, Cahlan and Dunseath.

Roll call asked for by Messrs. Anderson, Malone and Hamlin.

Roll called:

YEAS—Messrs. Beverly, Cahlan, Hamlin, McAuliffe, Malone, Moore, O'Connor, Persson, Raycraft, Reynolds, Smith and Tandy—12.

NAYS—Messrs. Anderson, Barnes, Black, Blundell, Brown, Bugbee, Butler,

Cahill, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hatton, Heward, Hussman, Kenny, Murphy, Noble, Roberts, Stewart, Strosnider, Taber and Wheelwright—25.

Absent—Messrs. Johnson and Lage—2.

Not voting—Mr. Speaker.

Amendment lost.

Mr. Anderson explained his vote.

Amendment proposed by Mr. Goodin: Amend section 33 of Assembly Bill No. 83 by striking out in line 1, page 14, the figures "\$21,000," and inserting in lieu thereof the figures "\$21,600."

Mr. Goodin moved adoption of amendment.

Remarks by Messrs. Anderson, Goodin, Smith, Dunseath, Moore, Cobb, Tandy and Noble.

Roll call asked for by Messrs. Moore, Hussman and Cobb.

Roll called:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Bugbee, Butler, Cahlan, Carroll, Goodin, Hamlin, Hatton, Heward, Lage, McAuliffe, Malone, Murphy, Moore, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber and Tandy—29.

NAYS—Messrs. Anderson, Cahill, Cobb, Cooper, Dunseath, Ebert and Hussman—7.

Absent—Messrs. Johnson, Kenny and Wheelwright—3.

Not voting—Mr. Speaker.

Carried.

Amendment proposed by Mr. Goodin: Amend section 33 of Assembly Bill No. 83 by striking out in line 33, page 13, the figures "\$38,420," and inserting in lieu thereof the figures "\$39,020."

Mr. Goodin moved adoption of amendment.

Carried.

House recessed.

### HOUSE IN SESSION

Mr. Speaker in the chair.

Quorum present.

Without objection Mr. Speaker signed Assembly Bills Nos. 196, 11, 178, 249, 215, 67 and 289.

Former Assemblyman Kelly Klaus was escorted to the Speaker's desk.

### GENERAL FILE AND THIRD READING

Assembly Bill No. 83 (continued).

Amendment proposed by Mr. Smith: Amend section 34 of Assembly Bill No. 83 by striking out on page 14, line 13, the figures "\$2,340," and insert in lieu thereof the figures "\$2,600." Strike out on page 14, line 11, the figures "\$9,540," and insert in lieu thereof the figures "\$9,800."

Mr. Smith moved adoption of amendment.

Remarks by Messrs. Smith, Anderson, Taber, Cahill, Cooper and Dunseath.

Carried.

Amendment proposed by Mr. Moore: Amend section 35 of Assembly Bill No. 83 by striking out in line 23, page 14, the figures "\$31,840,"

and insert in lieu thereof the figures "\$32,650." Strike out all words and figures in lines 25, 26, 27, 28, 29, 30 and 31, and insert in lieu thereof the following: "for the salaries of the supervisors and clerical help of Vocational Education in connection with Federal Aid, \$10,000."

Mr. Moore moved adoption of amendment.

Remarks by Messrs. Anderson, Brown, Moore, Hatton, Cahill and Smith.

Roll call asked for on amendment by Messrs. Moore, Malone and Cahill.

Roll called:

YEAS—Messrs. Barnes, Beverly, Blundell, Bugbee, Cahlan, Cobb, Cooper, Dunseath, Goodin, Hamlin, Hatton, Lage, McAuliffe, Malone, Moore, O'Connor, Persson, Raycraft, Roberts, Smith, Strosnider, Tandy and Wheelwright—23.

NAYS—Messrs. Anderson, Black, Brown, Butler, Cahill, Carroll, Ebert, Heward, Hussman, Kenny, Murphy, Noble, Stewart and Taber—14.

Absent—Messrs. Johnson and Reynolds—2.

Not voting—Mr. Speaker.

Carried.

Amendment proposed by Mr. Raycraft: Amend section 43 of Assembly Bill No. 83 by striking out in line 7 the figures "\$1,500," and inserting in lieu thereof the figures "\$3,600."

Mr. Raycraft moved adoption of amendment.

Remarks by Messrs. Cahill, Cahlan, Raycraft, Hussman, Black and Noble.

Carried.

Amendment proposed by Mr. Cooper: Amend section No. 83 by striking out all of section 22.

Mr. Cooper moved adoption of amendment.

Remarks by Messrs. Cooper and Persson.

Roll call asked for by Messrs. Anderson, Cahill and Moore.

Roll called:

YEAS—Messrs. Anderson, Beverly, Bugbee, Cahill, Cooper, Dunseath, Lage, Murphy, O'Connor, Stewart, Strosnider and Tandy—12.

NAYS—Messrs. Barnes, Black, Blundell, Brown, Cahlan, Carroll, Cobb, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, McAuliffe, Malone, Moore, Noble, Persson, Raycraft, Roberts, Smith, Taber and Wheelwright—24.

Absent—Messrs. Butler, Johnson and Reynolds—3.

Not voting—Mr. Speaker.

Amendment lost.

Amendment proposed by Mr. Cobb: Amend Assembly Bill No. 83 by striking out all of section 23.

Mr. Cobb moved adoption of amendment.

Remarks by Mr. Cobb.

Amendment lost.

Amendment proposed by Mr. Malone: Amend Assembly Bill No. 83 by striking out all the salary items therein and substitute therefor the salaries fixed in original Assembly Bill No. 83, and the Chief Clerk is hereby authorized and directed, upon the adoption of this amendment, to make the necessary changes in the amended bill to correspond with the original bill.

Mr. Malone moved adoption of amendment.

Remarks by Messrs. Cobb, Malone and Cahill.

Roll call asked for by Messrs. Malone, Hussman and Cobb.

Roll called:

YEAS—Messrs. Bugbee, Cahlan, Dunseath, Hamlin, Lage, McAuliffe, Malone, Moore, Persson, Raycraft and Tandy—11.

NAYS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Cahill, Carroll, Cobb, Cooper, Ebert, Goodin, Hatton, Heward, Hussman, Kenny, Noble, Roberts, Stewart, Strosnider, Taber and Wheelwright—22.

Absent—Messrs. Butler, Johnson, Murphy, O'Connor, Reynolds and Smith—6.  
Not voting—Mr. Speaker.

Amendment lost.

Roll call on Assembly Bill No. 83:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Noble, Persson, Roberts, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—31.

NAYS—Messrs. Malone, Moore and Raycraft—3.

Absent—Messrs. Butler, Johnson, Murphy, O'Connor, Reynolds and Smith—6.

Assembly Bill No. 83 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Without objection Mr. Speaker signed Senate Bills Nos. 40 and 104.

#### PRESENTATION OF PETITIONS

A telegram from Messrs. Lewis and Fallon of Berkeley, California, regarding Mineral County Townships was referred to Mineral County delegation.

A letter from the Nevada Industrial Commission regarding that Commission was filed for future reference.

Mr. Dunseath arose to a point of personal privilege.

Mr. Tandy moved that if this matter come for action it be rejected.  
Carried.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Ways and Means has had Senate Bills Nos. 111 and 112 under consideration, and begs leave to report same without recommendation.

J. H. CAHILL, *Chairman.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Black moved that Senate Bill No. 80 be taken from the committee and placed on the Speaker's desk.

Mr. Tandy amended motion to read that all bills now in committee be reported out immediately.

Previous question moved by Messrs. Brown, Anderson and McAuliffe.  
Amendment carried.

Motion as amended lost.

Mr. Tandy moved that the Assembly concur in the Senate amendments to Assembly Bill No. 254.

Carried.

House recessed.



## HOUSE IN SESSION

Mr. Speaker in the chair.

Quorum present.

Without objection the Speaker signed Senate Bill No. 149.

## REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Contingent Expenses has had Assembly Concurrent Resolution No. 16 under consideration, and begs leave to report favorably on the same, with the recommendation that the four items as listed be allowed.

W. H. ROBERTS, *Chairman.*

*Mr. Speaker:*

Your Committee on Ways and Means has had Senate Bills Nos. 201, 202 and 203 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

J. H. CAHILL, *Chairman.*

*Mr. Speaker:*

Your Committee on Judiciary which has had Assembly Bill No. 305 under consideration begs leave to report favorably on the same, with the recommendation that it do pass, with the following amendments:

1. Amend section 1, page 1, by inserting after the word "proclamation" in line 7, the words: "The first Tuesday after the first Monday in November 1934 as," and by striking out all words in said section 1 after the period following the word "State," line 8, page 1.

2. Amend section 3, page 2, line 4, by striking out the words "presidential electors," and substituting in lieu thereof the words "members of the Assembly."

3. Amend section 4, page 2, line 9, by striking out all of the section after the word "the," and add the following: "respectively counties of this State in number according to the apportionment of members of the Assembly now existing."

4. Amend section 5, pages 2 and 3, by striking out the whole thereof and substituting in lieu thereof the following: "SEC. 5. Candidates for the office of delegate to the convention shall be qualified electors of this State. Nominations shall be by petition and not otherwise. A single petition may nominate any number of candidates not exceeding the total number of delegates to be elected in any county. Petitions shall be signed by not less than 50 qualified electors. They shall not bear any party or political designation but shall disclose that each nominee either favors ratification or opposes ratification of the proposed amendment, and no person favoring ratification shall be named in any petition which also names any person opposing ratification, but the petitions for nominees for ratification and the petitions for nominees against ratification shall be kept separate. All petitions shall be filed with the County Clerk in the respective counties at least 30 days before the date of the election, and the nominees shall be deemed to accept nominations unless they signify otherwise in writing filed within one day thereafter with such Clerk."

5. Amend section 6, page 3, line 18, by striking out all words after the word "character" in line 18 and all words in lines 19 and 20, and the words "any column" in line 21; also, further amend section 6 on page 4 by striking out lines 9, 10, 11, 12 and 13 and inserting, beginning at line 9, the following: "Do not vote for more than..... (indicating the number proper for the county or voting district) in all."

6. Amend section 7, page 4, line 19, by striking out the word "forty" in line 19, and by adding a comma in place of the period after the word "governor" in line 26, and the words "from among electors of like principles."

7. Amend section 8, page 4, line 28, by striking out the words "twenty-eighth day" in line 28, and substituting in lieu thereof the words "first Tuesday in December, 1934."

8. Amend section 9, page 5, by adding at the end the following: "The

delegates before entering upon the discharge of their duties shall take the constitutional oath of office."

9. Amend section 12 by striking out the whole thereof, page 5, lines 15, 16 and 17, and inserting in lieu thereof the following: "Sec. 12. All delegates elected to said convention and participating therein shall be entitled to mileage for such attendance at the rate of ten cents per mile for each mile actually traveled, computed for the shortest practical route, in going to and returning from Carson City, Nevada, and they shall be paid such mileage out of any moneys in the General Fund of the State of Nevada not otherwise appropriated. Claims for such mileage shall be approved by the Board of Examiners, and the Controller shall audit the same and draw his warrants in payment thereof, and the State Treasurer shall pay the same in the manner as claims against the State of Nevada are paid. The delegates shall not be entitled to any other compensation or any salary or per diem."

G. J. KENNY, *Chairman.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Tandy moved that no bills be referred out or referred back from committees with the exception of the banking legislation, or no bills taken from the table without unanimous consent.

Remarks by Messrs. Bugbee, Dunseath, Cobb, Cahill and Tandy.

Previous question moved by Messrs. Tandy, Malone and Moore.

Motion lost.

Mr. Malone moved that Senate Bills Nos. 111 and 112 be placed on the general file for third reading and final passage.

Carried.

Mr. Brown moved that the Assembly concur in the Senate amendments to Assembly Bills Nos. 217, 218 and 159.

Carried.

Mr. McAuliffe moved that Senate Bills Nos. 163, 164 and 181 be placed on the general file for third reading and final passage.

Carried.

Mr. Noble moved that the Assembly refuse to concur in the Senate amendments to Assembly Bill No. 173.

Carried.

Mr. Noble moved that the Assembly do concur in the Senate amendments to Assembly Bill No. 180.

Carried.

Mr. Cobb moved that the Assembly concur in the Senate amendments to Assembly Bill No. 262.

Carried.

Mr. Moore moved that the Assembly do not concur in the Senate amendments to Assembly Bill No. 65, and that a conference committee be appointed to meet with a like Senate committee.

Carried.

Mr. Carroll moved that the Assembly concur in the Senate amendments to Assembly Bills Nos. 207 and 252.

Carried.

Mr. Lage moved that the Assembly do not concur in the Senate amendments to Assembly Bill No. 302, and that a conference committee be appointed to confer with a like Senate committee.

Carried.

Mr. Speaker appointed Messrs. Lage, Cooper and Beverly the conference committee.

Former Assemblyman Jack Robbins of Elko was escorted to the Speaker's desk.

Mr. Cooper moved that the Assembly do concur in the Senate amendments to Assembly Joint Resolution No. 22.

Carried.

Mr. Noble moved that the Assembly recede from its amendments to Senate Bill No. 137.

Carried.

Without objection Mr. Speaker signed Assembly Bills Nos. 254, 202, 153, 174, 220 and 98.

Mr. Dunseath moved that Senate Bill No. 80 be reported out of committee to the Speaker's desk.

Remarks by Messrs. Moore, Smith and Taber.

Mr. Speaker ruled that the bill had been in committee longer than the required time, and would be reported out to the Clerk's desk immediately.

Without objection Mr. Speaker signed Assembly Bills Nos. 167, 206 and 113, and Assembly Joint Resolution No. 24.

Mr. Dunseath moved that Senate Bill No. 80 be placed on general file for third reading and final passage.

Carried.

Mr. Strosnider moved that Assembly Bill No. 96 be withdrawn from committee.

Carried.

Mr. Strosnider moved that Assembly Bill No. 96 be placed on the general file for third reading and final passage.

Carried.

By Committee on Contingent Expenses:

Assembly Resolution No. 35:

*Resolved by the Assembly,* That the sum of \$975.32 is hereby appropriated out of the Legislative Fund for the payment of stationery and other supplies furnished for the use of the Senate and Assembly.

The State Controller is hereby authorized and directed to draw his warrants in favor of each of the following-named firms in the amounts set opposite their respective names:

A. Carlisle & Co., Reno, Nevada.....	\$397.04
Armanko Office Supply Company, Reno, Nevada.....	380.55
Virginia Truckee Railway, Carson City, Nevada.....	.30
Blake, Moffitt & Towne.....	197.43

\$975.32

and the State Treasurer is hereby directed to pay the same.

Mr. Roberts moved adoption of resolution.  
 Remarks by Messrs. Taber and Tandy.  
 Carried.

#### INTRODUCTION AND FIRST READING

By Mr. Kenny:

Assembly Bill No. 312—An Act to amend section 240 of an Act entitled "An Act to regulate proceedings in criminal cases in this State and to repeal all other Acts in relation thereto," approved March 17, 1911, as amended March 16, 1933.

Mr. Kenny moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, declared an emergency measure, considered engrossed, and placed on general file for third reading and final passage.

Carried.

Without objection the Assembly resolved itself into a Committee of the Whole to consider Senate Bill No. 111.

Mr. Speaker appointed Mr. Dunseath chairman of the Committee of the Whole.

#### HOUSE IN SESSION

Mr. Speaker in the chair.  
 Quorum present.

#### REPORT OF COMMITTEE OF THE WHOLE

*Mr. Speaker:*

Your Committee of the Whole House has had under consideration Senate Bill No. 111, and begs leave to report favorably on the same with a recommendation that it do pass.

HARRY DUNSEATH, *Chairman.*

Mr. Dunseath moved adoption of the report.  
 Carried.

#### GENERAL FILE AND THIRD READING

Senate Bill No. 111.

Remarks by Mr. Tandy, Black, Cahlan, Hussman, Hatton, Hamlin, Dunseath, Moore and Bugbee.

House recessed subject to the call of the chair.

#### HOUSE IN SESSION

Mr. Speaker in the chair.  
 Quorum present.

Mr. Brown moved that all bills reported out of committee be placed on the general file for third reading and final passage.

Mr. Speaker appointed Messrs. Noble, Hussman and Reynolds as the Conference Committee on Senate Bill No. 52.

#### GENERAL FILE AND THIRD READING

Senate Bill No. 111 (continued).

Amendment proposed by Mr. Hatton: Amend section 10 of Senate

Bill No. 111 by striking out after the period following the figures "10," line 17, page 4 of the printed bill, all the remainder of section 10, and insert in lieu thereof the following: "The counties which are nonparticipants and do not use any of the proceeds of the bond issue herein provided for, shall have refunded to them annually the amounts contributed by them by reason of the levy provided for in this Act, and the surplus, if any, shall be refunded to the participating counties in proportion to their respective contributions, to the extent of such contributions, and no more."

Mr. Tandy moved adoption of amendment.

Carried.

Roll call on Senate Bill No. 111:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Bugbee, Cahlan, Carroll, Cobb, Dunseath, Ebert, Goodin, Hamlin, Heward, Hussman, Kenny, McAuliffe, Malone, Moore, Persson, Raycraft, Roberts, Smith, Stewart, Taber, Tandy, Wheelwright and Mr. Speaker—28.

NAYS—None.

Absent—Messrs. Anderson, Butler, Cahill, Cooper, Hutton, Johnson, Lage, Murphy, Noble, O'Connor, Reynolds and Strosnider—12.

Senate Bill No. 111 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Senate Bill No. 112.

Remarks by Messrs. Cobb and Kenny.

Roll call on Senate Bill No. 112:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Bugbee, Cahlan, Carroll, Cobb, Dunseath, Ebert, Goodin, Hamlin, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Persson, Raycraft, Roberts, Smith, Stewart, Taber, Tandy, Wheelwright and Mr. Speaker—30.

NAYS—None.

Absent—Messrs. Anderson, Butler, Cahill, Cooper, Johnson, Murphy, Noble, O'Connor, Reynolds and Strosnider—10.

Senate Bill No. 112 having received a constitutional majority, Mr. Speaker declared it passed.

On motion of Mr. Dunseath, Assembly Bill No. 305 was placed on top of the file for third reading and final passage.

Without objection the Assembly resolved itself into Committee of the Whole to consider Assembly Bill No. 305, and Senate Bills Nos. 148, 163, 164, 151 and 180.

Mr. Speaker appointed Mr. Brown Chairman of the Committee of the Whole.

## HOUSE IN SESSION

Mr. Speaker in the chair.

Quorum present.

## REPORT OF COMMITTEE OF THE WHOLE

*Mr. Speaker:*

Your Committee of the Whole House has had under consideration Assembly Bill No. 305, and begs leave to report favorably on the same with the recommendation that it do pass, as amended.

Also, Senate Bills Nos. 148, 163, 151, 180 and 164, and begs leave to report favorably on the same, with the recommendation that they do pass.

ERNEST BROWN, *Chairman.*

Mr. Brown moved the adoption of the reports.

Carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 305.

Mr. Brown moved that the Assembly reconsider its vote on Judiciary Committee amendments 1, 2, 3, 4 and 5 that were previously adopted.

Mr. Brown moved that amendments 1, 2, 3, 4 and 5 which were proposed to the bill at the previous reading be withdrawn.

Carried.

Amendments proposed by Committee on Judiciary: Amend section 1, page 1, by inserting after the word "proclamation" in line 7, the words: "The first Tuesday after the first Monday in November, 1934, as," and by striking out all words in said section 1 after the period following the word "State," line 8, page 1.

Mr. Brown moved adoption of amendment.

Amend section 3, page 2, line 4, by striking out the words "presidential electors" and substituting in lieu thereof the words "members of the Assembly."

Mr. Brown moved adoption of amendment.

Carried.

Amend section 4, page 2, by striking out all of the section after the word "the" the following: "respective counties of this State in number according to the apportionment of members of the Assembly now existing."

Mr. Brown moved adoption of amendment.

Carried.

Amend section 5, pages 2 and 3, by striking out the whole thereof and substituting in lieu thereof the following: "SEC. 5. Candidates for the office of delegate to the convention shall be qualified electors of this State. Nominations shall be by petition and not otherwise. A single petition may nominate any number of candidates not exceeding the total number of delegates to be elected in any county. Petitions shall be signed by not less than 50 qualified electors. They shall not bear any party or political designation, but shall disclose that each nominee either favors ratification or opposes ratification of the proposed amendment, and no person favoring ratification shall be named in any petition which also names any person opposing ratification, but the petitions for nominees for ratification and the petitions for nominees against ratification shall be kept separate. All petitions shall be filed with the County Clerk in the respective counties at least 30 days before the date of the election, and the nominees shall be deemed to accept nominations unless they signify otherwise in writing filed within one day thereafter with such Clerk."

Mr. Brown moved adoption of amendment.

Carried.

Amend section 6, page 3, line 18, by striking out all words after the word "character" in line 18 and all words in lines 19 and 20 and the words "any column" in line 21; also, further amend section 6, on page 4, by striking out lines 9, 10, 11, 12 and 13 and inserting, beginning at line 9 the following: "Do not vote for more than..... (indicating the number proper for the county or voting district) in all."

Mr. Brown moved adoption of amendment.

Carried.

Amend section 7, page 4, line 19, by striking out the word "forty," line 19, and by adding a comma in place of the period after the word "governor" in line 26 and the words "from among electors of like principles."

Mr. Brown moved adoption of amendment.

Carried.

Amend section 8, page 4, line 28, by striking out the words "twenty-eighth day" in line 28, and substituting in lieu thereof the words "first Tuesday in December, 1934."

Mr. Brown moved adoption of amendment.

Carried.

Amend section 9, page 5, by adding at the end the following: "The delegates before entering upon the discharge of their duties shall take the constitutional oath of office."

Mr. Brown moved adoption of amendment.

Carried.

Amend section 12 by striking out the whole thereof, page 5, lines 15, 16 and 17, and inserting in lieu thereof the following: "SEC. 12. All delegates elected to said convention and participating therein shall be entitled to mileage for such attendance at the rate of ten cents per mile for each mile actually traveled, computed for the shortest practical route, in going to and returning from Carson City, Nevada, and they shall be paid such mileage out of any moneys in the General Fund of the State of Nevada not otherwise appropriated. Claims for such mileage shall be approved by the Board of Examiners and the Controller shall audit the same and draw his warrants in payment thereof and the State Treasurer shall pay the same in the manner as claims against the State of Nevada are paid. The delegates shall not be entitled to any other compensation or any salary or per diem."

Mr. Brown moved adoption of amendment.

Carried.

Roll call on Assembly Bill No. 305:

YEAS—Messrs. Barnes, Beverly, Blundell, Brown, Cahlan, Carroll, Cobb, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, Malone, Moore, Noble, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—28.

NAYS—None.

Absent—Messrs. Anderson, Black, Bugbee, Butler, Cahill, Cooper, Johnson, McAuliffe, Murphy, O'Connor, Reynolds and Wheelwright—12.

Assembly Bill No. 305 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Mr. Dunseath moved that Senate Bill No. 80 be placed on the bottom of the file.

Mr. Malone amended motion to read that the bill be next considered. Roll call asked for by Messrs. Brown, Cahlan and Malone.

Roll called :

YEAS—Messrs. Beverly, Bugbee, Cahlan, Goodin, Hamlin, Lage, Malone, Moore, Persson, Raycraft, Smith, Strosnider and Tandy—13.

NAYS—Messrs. Barnes, Black, Blundell, Brown, Carroll, Cobb, Dunseath, Ebert, Hatton, Heward, Hussman, Kenny, Noble, Roberts, Stewart and Taber—16.

Absent—Messrs. Anderson, Butler, Cahill, Cooper, Johnson, McAuliffe, Murphy, O'Connor, Reynolds and Wheelwright—10.

Not voting—Mr. Speaker.

Amendment lost.

Senate Bill No. 148.

Roll call on Senate Bill No. 148 :

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Bugbee, Cahlan, Carroll, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Noble, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—30.

NAYS—None.

Absent—Messrs. Anderson, Butler, Cahill, Cobb, Cooper, Johnson, Moore, Murphy, O'Connor and Reynolds—10.

Senate Bill No. 148 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 151.

Roll call on Senate Bill No. 151 :

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Bugbee, Cahlan, Carroll, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Noble, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—31.

NAYS—None.

Absent—Messrs. Anderson, Butler, Cahill, Cobb, Cooper, Johnson, Murphy, O'Connor and Reynolds—9.

Senate Bill No. 151 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 164.

Remarks by Mr. McAuliffe.

Roll call on Senate Bill No. 164 :

YEAS—Messrs. Barnes, Beverly, Black, Brown, Bugbee, Cahlan, Carroll, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Noble, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—30.

NAYS—None.

Absent—Messrs. Anderson, Blundell, Butler, Cahill, Cobb, Cooper, Johnson, Murphy, O'Connor and Reynolds—10.

Senate Bill No. 164 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 163.

Remarks by Mr. McAuliffe.



Roll call on Senate Bill No. 163 :

YEAS—Messrs. Barnes, Beverly, Blundell, Brown, Bugbee, Cahlan, Carroll, Cobb, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Kenny, Lage, McAuliffe, Malone, Moore, Noble, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—30.

NAYS—None.

Absent—Messrs. Anderson, Black, Butler, Cahill, Cooper, Hussman, Johnson, Murphy, O'Connor and Reynolds—10.

Senate Bill No. 163 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 180.

Roll call on Senate Bill No. 180 :

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Bugbee, Cahlan, Carroll, Cobb, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Kenny, Lage, McAuliffe, Malone, Moore, Noble, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—31.

YEAS—None.

Absent—Messrs. Anderson, Butler, Cahill, Cooper, Hussman, Johnson, Murphy, O'Connor and Reynolds—9.

Senate Bill No. 180 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 128.

Roll call on Senate Bill No. 128 :

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Bugbee, Cahlan, Carroll, Cobb, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Noble, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—32.

NAYS—None.

Absent—Messrs. Anderson, Butler, Cahill, Cooper, Johnson, Murphy, O'Connor and Reynolds—8.

Senate Bill No. 128 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Noble explained his vote.

Senate Bill No. 197.

Roll call on Senate Bill No. 197 :

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Bugbee, Cahlan, Carroll, Cobb, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Noble, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Tandy, Wheelwright and Mr. Speaker—30.

NAYS—None.

Absent—Messrs. Anderson, Butler, Cahill, Cooper, Johnson, Murphy, O'Connor and Reynolds—9.

Not voting—Mr. Taber.

Senate Bill No. 197 having received a constitutional majority, Mr. Speaker declared it passed.

On motion of Mr. Cobb, Assembly Bill No. 310 was placed on top of the file.

Assembly Bill No. 310.

Remarks by Mr. Bugbee.

Roll call on Assembly Bill No. 310 :

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Bugbee, Cahlan, Carroll, Cobb, Dunseath, Ebert, Goodin, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Noble, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—30.

NAYS—None.

Absent—Messrs. Anderson, Butler, Cahill, Cooper, Hamlin, Hatton, Johnson, Murphy, O'Connor and Reynolds—10.

Assembly Bill No. 310 having received a constitutional majority, Mr. Speaker declared it passed.

Secretary of State Greathouse was escorted to the Speaker's desk by Messrs. Moore and Lage.

Senate Bill No. 152.

Roll call on Senate Bill No. 152 :

YEAS—Messrs. Barnes, Beverly, Brown, Bugbee, Cahlan, Carroll, Cobb, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, McAuliffe, Malone, Moore, Noble, Persson, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—28.

NAYS—None.

Absent—Messrs. Anderson, Black, Blundell, Butler, Cahill, Cooper, Johnson, Lage, Murphy, O'Connor, Raycraft and Reynolds—12.

Senate Bill No. 152 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Dunseath moved that Assembly Bill No. 96 be placed on top of the file for third reading and final passage.

Motion lost.

Senate Bill No. 157.

Roll call on Senate Bill No. 157 :

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Bugbee, Cahlan, Carroll, Cobb, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Noble, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—30.

NAYS—None.

Absent—Messrs. Anderson, Butler, Cahill, Cooper, Johnson, Murphy, O'Connor, Persson, Raycraft and Reynolds—10.

Senate Bill No. 157 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 159.

Roll call on Senate Bill No. 159 :

YEAS—Messrs. Barnes, Black, Blundell, Brown, Bugbee, Cahlan, Carroll, Cobb, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Noble, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—31.

NAYS—None.

Absent—Messrs. Anderson, Beverly, Butler, Cahill, Cooper, Johnson, Murphy, O'Connor and Reynolds—9.

Senate Bill No. 159 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 162.

Roll call on Senate Bill No. 162 :

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Bugbee, Cahlan,

Carroll, Cobb, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Noble, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—32.

NAYS—None.

Absent—Messrs. Anderson, Butler, Cahill, Cooper, Johnson, Murphy, O'Connor and Reynolds—8.

Senate Bill No. 162 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 167.

Roll call on Senate Bill No. 167.

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Bugbee, Cahlan, Carroll, Cobb, Dunseath, Ebert, Goodin, Hamlin, Hatton, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Noble, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—31.

NAYS—None.

Absent—Messrs. Anderson, Butler, Cahill, Cooper, Heward, Johnson, Murphy, O'Connor and Reynolds—9.

Senate Bill No. 167 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 126.

Remarks by Mr. Lage.

Mr. Hussman moved that Senate Bill No. 126 be laid on the table.

Motion lost.

Roll call on Senate Bill No. 126:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Bugbee, Cahlan, Carroll, Cobb, Dunseath, Hamlin, Heward, Kenny, Lage, McAuliffe, Malone, Moore, Noble, Persson, Raycraft, Roberts, Smith, Stewart, Taber, Tandy and Wheelwright—26.

NAYS—Messrs. Ebert and Hussman—2.

Absent—Messrs. Anderson, Butler, Cahill, Cooper, Goodin, Hatton, Johnson, Murphy, O'Connor, Reynolds and Strosnider—11.

Not voting—Mr. Speaker.

Senate Bill No. 126 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 181.

Remarks by Messrs. McAuliffe and Cobb.

Roll call on Senate Bill No. 181:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Brown, Bugbee, Cahlan, Carroll, Cobb, Dunseath, Ebert, Goodin, Hamlin, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—30.

NAYS—None.

Absent—Messrs. Anderson, Butler, Cahill, Cooper, Hatton, Johnson, Murphy, Noble, O'Connor and Reynolds—10.

Senate Bill No. 181 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 80.

Mr. Brown moved that Senate Bill No. 80 be rereferred to Committee on Education.

Remarks by Messrs. Smith, Malone, Dunseath and Cahlan.

Carried.

## MOTIONS, RESOLUTIONS AND NOTICES

Mr. Cobb moved that Senate Bill No. 134 be returned from the Committee on Enrollment.

Carried.

Mr. Persson moved that the Assembly do not concur in the Senate amendments to Assembly Bill No. 288, and that a conference committee be appointed to confer with a like Senate committee.

Carried.

Mr. Lage moved that the Assembly concur in the Senate amendments to Assembly Bill No. 302 as favored by the Conference Committee.

Carried.

## INTRODUCTION AND FIRST READING

By Mr. Taber:

Assembly Bill No. 313—An Act fixing the compensation of the county officers of Elko County, Nevada, and regulating the employment and compensation of deputies and other employees of said officers, and repealing all Acts and parts of Acts in conflict herewith.

Mr. Taber moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, declared an emergency measure, considered engrossed, and placed on top of the file for third reading and final passage.

Mr. Speaker appointed Messrs. Blundell, Ebert and Persson as the Conference Committee on Assembly Bill No. 288.

House recessed subject to the call of the chair.

## HOUSE IN SESSION

Mr. Speaker in the chair.

Quorum present.

## REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Labor has had Senate Bill No. 194 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

PAT McAULIFFE, *Chairman.*

## MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 195, which has this day passed the Senate, as amended, by the following vote: Yeas, 16; nays, 1. Amend as follows: Amend section 1 of Senate Bill No. 195 by striking in line 9, page 1, the words "the State of Nevada," and inserting on page 1, line 10, after the word "person" the words: "to the State of Nevada, any of its agencies, officers, departments or commissions, or to any political subdivision of the State of Nevada, or its agencies or officers, hereinafter referred to as the creditor." Page 1, line 12, after word "after" insert word "full"; line 14, strike words "all claims" and substitute "among other claims all those." Amend section 2, page 2, line 3, by inserting word "so" preceding word "indebted." Line 4, strike the first word

"to" and insert: "or alleged to be indebted." Line 4, insert comma after word "obligation" and strike balance of that line and also lines 5 and 6, and first two syllables "(gation)" and comma in line 7. Page 2, line 18, after the period insert: "The creditor, through its legal representative, shall likewise have permission to initiate and file a similar petition." Amend section 3, page 2, line 19, after word "Every" insert words "such debtors." Page 2, between lines 25 and 26 insert: "or is filed by a receiver under an order of the court, or if petition is filed by the creditor." Amend section 2, page 2, line 14; section 4, page 3, lines 4 and 8; section 5, page 3, line 18, and section 7, page 4, line 23, by striking out word "State" and insert "creditor." Amend section 6, page 4, line 4, after word "petitioner" insert "other than the creditor." Line 10, after word "petition" insert "other than a creditor's petition." Amend section 8, page 4, by striking out the first sentence of the section in lines 29, 30, 31 and 32. Amend title by striking period at end thereof, substituting comma, and adding "or any political subdivision thereof."

Also, Senate Bill No. 205, which passed: Yeas, 12; nays, 3; not voting, 2.

Also, Senate Bill No. 204, which passed, as amended: Yeas, 16; nays, 1. Amend section 1 as follows: Page 1, line 2, add the letter "s" to the word "money," and after the word "received" add the words "from pari mutuel." Page 1, lines 3 and 4, strike the words "State of Nevada" and insert in lieu thereof "city of Reno at the race track."

Also, Senate Bill No. 206, which passed: Yeas, 13; nays, 4.

Also, Senate Joint Resolution No. 23, which passed: Yeas, 17; nays, none.

Also, to return Assembly Bill No. 282, which passed, as amended: Yeas, 13; nays, 1; absent, 1; not voting, 2. Amend by adding a new section on page 2, as follows:

Sec. 2. Lyon County shall assume and pay its due proportion of the present bonded indebtedness of Mineral County as now constituted, the basis and manner of said apportionment being as follows, to wit: On or before April 15, 1933, the Board of County Commissioners of said Mineral County and the Board of County Commissioners of said Lyon County shall meet in joint session at the county courthouse at Hawthorne, Nevada, at a time to be agreed upon by the members of said boards, and shall then and there ascertain the total bonded indebtedness of said Mineral County, deducting therefrom all money collected or set aside and designated to apply on the payment thereof, and immediately apportion the amount thus obtained to said Mineral County and to said Lyon County, respectively, in the following manner:

(a) Ascertain the total assessed valuation for taxation purposes of all property subject to taxation in Mineral County as constituted for the year 1933.

(b) Then ascertain the total assessed valuation for taxation purposes of all property subject to taxation in that portion of Mineral County so severed and withdrawn from that county and so attached to said Lyon County in the year 1933.

(c) As such total assessed value of all such property for that year in that portion of said Mineral County remaining after such severance and withdrawal is to the total assessed value of all such property in that portion of Mineral County so severed and withdrawn therefrom and attached to said Lyon County, so shall be the proportion of said bonded indebtedness to be paid by said Mineral County and by said Lyon County, respectively.

(d) Upon so ascertaining the proportion of said bonded indebtedness so to be paid by each of said counties, the Board of County Commissioners of said Mineral County shall immediately prepare and adopt a resolution specifying the amount thereof, and file the original of such resolution with the County Clerk of said Mineral County, and cause such County Clerk to file a copy thereof duly certified by him with the County Auditor of that county, and another copy thereof so certified with the County Clerk and another copy so certified with the County Auditor of said Lyon County.

(e) For the purpose of creating a fund in said Lyon County for the payment of its portion of said bonded indebtedness, and the interest thereon as provided for in such bonds, the Board of County Commissioners of said Lyon

County is hereby authorized and required to levy and collect annually, in the same manner as other taxes are levied and collected, a special tax on the assessed value of all property subject to taxation, both real and personal, including also the proceeds of mines, in the area or territory so severed and withdrawn from said Mineral County, and so attached to said Lyon County; and the amount so collected shall be paid by said Lyon County to said Mineral County at the times and in the amounts as the same shall become due under the law authorizing said bonded indebtedness.

(f) The Board of County Commissioners of said Lyon County shall also, at or before the regular time for the levying of taxes for the year 1934, estimate and ascertain the amount necessary to transcribe and transfer any and all deeds, mortgages, liens, leases, contracts, and other written instruments, documents, papers, and other records relating in any way to the property in the area or territory so severed from said Mineral County and so attached to said Lyon County, and shall levy and collect, in the same manner as other taxes are levied and collected, a special tax on the assessed value of all said property so subject to taxation in said area or territory so severed, and so attached to said Lyon County, sufficient to pay the same, and, when the money therefor shall have been collected and is available for that purpose, said Board of County Commissioners of Lyon County shall cause all such deeds, mortgages, liens, leases, contracts, and other written instruments, documents, papers, and other records to be transcribed and transferred into the records of said Lyon County in the office of the County Recorder or other proper officer of said Lyon County, and pay out the money so collected to pay therefor to the proper person or persons as other claims against the county are legally paid; and the same shall thereupon be and become a part of the records of said Lyon County and of the proper offices thereof; and, until so transcribed and transferred, all such deeds and other instruments, documents, papers, and records may be proven, as if already so transcribed and transferred, although of record in said Mineral County.

(g) All taxes due on said annexed territory as levied for the fiscal year 1932 shall and will be due, owing and payable to Mineral County.

(h) Upon the passage and approval of this Act, any county officer now qualified as such in and for Mineral County shall cease to hold any such office as an officer of Mineral County, and the office held by any such officer is hereby declared to be vacant, and it shall be the duty of the Governor to fill any such vacancy in the manner now provided by law."

Sec. 3. All Acts and parts of Acts in conflict herewith are hereby expressly repealed.

Sec. 4. This Act shall become effective and operative from and after its passage and approval.

Also, Assembly Bill No. 288, which passed, as amended: Yeas, 17; nays, none. Amend as follows: Page 2, line 21, change word "two" to "three." Page 2, line 24, strike out word and letters "the mem-" and all of lines 25, 26 and 27. Amend section 12 by striking out the period after the word "fund" in line 23, page 11 of the printed bill, and inserting in lieu thereof a semicolon, and the following: "*provided*, that the sum of one dollar required by law for a deer tag shall be held as a deposit by the County Clerk of each county where any hunting license is issued, until ten days after the close of the deer season in such county or counties, and any holder of a hunting license and a deer tag who shall fail to kill a deer in such season shall have the said sum of one dollar refunded to him by the said County Clerk, if the said deer tag unused is returned, and the holder thereof shall make an affidavit of such failure to kill a deer, within said period of ten days, and the said County Clerk shall administer such oath and shall make no charge therefor."

Also, Assembly Bill No. 268, which passed, as amended by printed Senate amendments, attached hereto, and further amendments shown below, by the following vote: Yeas, 16; nays, 1. Amend further as follows: Amend on page 1 of printed Senate amendments, as written thereon. Page 4, line 6, strike the word "uncurrent" and insert in lieu thereof the word "noncurrent."

Page 12, lines 15 and 16, strike the words "as to stockholder directors." Page 12, line 25, after the word "number" insert the article "a." Page 19, line 23, strike the word "conditions" and insert in lieu the word "condition." Page 38, line 4, strike the word "earlier" and insert in lieu thereof the word "later." Page 39, line 12, after the word "specifying" insert "such claims as have been rejected by him, and." Page 42, line 15, strike the word "competed" and insert in lieu thereof the word "completed." Page 44, line 15, strike "Sec. 68," but not the section itself. Page 34, line 17, after the word "corporation" insert the word "or." Lines 17 and 18, strike the words "or private or individual banker." On page 8 of printed Senate amendments, section 73, correct the spelling of "depositors" in second line of said section.

SENATE AMENDMENTS TO ASSEMBLY BILL NO. 268

Amend subdivision seventh of section 1 of Assembly Bill No. 268, by placing a period after the word "hypothecated" in line 18, page 2; strike out the word "and," the last word in said line 18; and strike out all of the line 19 and the words "chosen from the depositors as by law provided," in line 20.

Amend section 1 of Assembly Bill No. 268, by adding two subdivisions, numbered tenth and eleventh, to be inserted between lines 25 and 26, page 2 of the printed bill, and to read as follows:

"Tenth—Banks organized under this Act may maintain branch offices, but the location of all branch offices shall be fixed in the articles of incorporation, and additional branches may be from time to time established by the board of directors with the written consent of the Superintendent of Banks. Banks which shall have branches in not more than two counties shall have a paid up capital and surplus of at least \$100,000, of which amount at least \$50,000 shall be capital. Banks which shall have branches in more than two counties shall have a paid up capital and surplus of at least \$1,000,000, of which amount at least twenty per cent thereof shall be surplus.

"Eleventh—Said articles of incorporation may also provide for the issuance and sale of preferred stock, in such amount as shall be fixed by the articles or by amendments thereto, and the amount and number of shares thereof, and the terms and conditions thereof not inconsistent with the later provisions of this Act."

Amend section 4 of Assembly Bill No. 268, by striking out after the word "business" in line 9, page 4, the word "asset" in said line, and by striking out all of line 10 and all of line 11 and the words "and in no event to" in line 12, and inserting the word "not" before the word "exceed" in said line 12.

Amend section 4, line 12, page 4 of the printed bill, by striking out the words "one-third" and inserting in lieu thereof the words "two-thirds."

In line 13 of the printed bill, page 4, section 4, after the words "fully paid" insert the following: "provided, the asset value of furniture and fixtures shall be written down on the books of the bank at an annual rate of ten per cent until it does not exceed the assessed value of said furniture and fixtures."

Amend section 5 of Assembly Bill No. 268, by striking out all of lines 1, 2, 3, 4, 5, 6, and 7 on page 5 of the printed bill.

Amend section 6 of Assembly Bill No. 268, by striking out the word "any" in line 10, page 5, and all of line 11, and all of line 12 of said page 5 of the printed bill; capitalize the first letter of the first word in line 13, page 5 of the printed bill.

Amend section 6 of Assembly Bill No. 268, by striking out the word "twenty-five" in line 4, page 6 of the printed bill, and inserting in lieu thereof the word "forty."

Amend section 8 of Assembly Bill No. 268, by inserting after the word "cash" in line 33, page 6 of the printed bill, a comma, and the following words: "exclusive of all organization expenses."

Amend section 8 of Assembly Bill No. 268, by striking out the word "three" in line 5, page 7 of the printed bill, and inserting in lieu thereof the word "four."

Amend section 10 of Assembly Bill No. 268, by placing a period after the

word "number" in line 24, page 8 of the printed bill, and by striking out all of the remainder of said line after said period, and all of lines 25, 26, 27 and 28 down to and including the word "statute."

Amend said section 10 by striking out the word "stockholder" and the hyphen in line 29, page 8 of the printed bill.

Amend said section 10 by striking out everything after the word "national" in line 3, page 9 of the printed bill, to the end of the page, and by striking out all of page 10 and all of page 11 down to and through line 32, page 11.

Amend said section 10 by striking out the word "each" at the end of line 3, page 13 of the printed bill, and insert in lieu thereof the words "every three," and by changing the word "month" to "months" in line 4, page 13 of the printed bill.

Amend section 12 of Assembly Bill No. 268, by striking out all of said section after the words "Sec. 12." in line 16, page 13 of the printed bill, and inserting in lieu thereof the following:

"The holders of capital stock of any corporation organized under the provisions of this Act, after they have fully paid therefor, shall be under no stockholder's liability to the creditors of such corporation; *provided, however,* where the capital stock of any bank has been impaired, an assessment upon the stockholders, as hereinafter provided, may be levied to make such impairment good, and the stock of any shareholder of such bank may be sold as hereinafter provided if said assessment is not paid."

Amend section 13 of Assembly Bill No. 268 by placing a comma after the word "law" in line 14, page 14 of the printed bill, and add the following words: "*provided, however,* that any such property must be sold within two years from the date of its acquisition."

Amend section 14 of Assembly Bill No. 268 by striking out the word "make" in line 29, page 14 of the printed bill, and inserting in lieu thereof the words "pay or declare."

Amend section 16, page 16, of Assembly Bill No. 268, by striking out all words after the word "be" in line 5 of said page and all of lines 6 and 7, and insert in lieu thereof the following: "liable for all damages which said bank, its stockholders, creditors, or depositors shall suffer in consequence thereof."

Amend section 19, page 17, of Assembly Bill No. 268, by inserting after the word "thereof" in line 27 the following: "the Nevada Industrial Commission, or of the United States, or any officer, agent, agency, or department thereof."

Amend section 20 of Assembly Bill No. 268, by striking out the word "ten" in line 6, page 18 of the printed bill, and insert in lieu thereof the word "eight."

Amend section 21 of Assembly Bill No. 268, by striking out the word "Auditor," line 16, page 18 of the printed bill, and substituting therefor the word "person," and by striking out the word "auditor" in line 20, page 18, and substituting therefor the word "person."

Amend section 21, by striking out the words "at market value" in line 31, page 19 of the printed bill, and substituting in lieu thereof the words "at cost or market value."

Amend section 21, by striking out the words "at market value" in line 1, page 20 of the printed bill, and substituting in lieu thereof the words "at cost or market value."

Amend section 21 by striking out the words "Redemption funds" in line 20, page 20 of the printed bill.

Amend said section 21 by striking out the lines numbered 29, 30, and 31 on page 20 of the printed bill.

Amend said section 21 by striking out line 7 on page 21 of the printed bill.

Amend section 21 of Assembly Bill No. 268, by striking out the word "rediscunts" in line 12, page 21 of the printed bill, and substitute in lieu thereof the following words: "Loans from banks—Amount secured, \$.....; Amount unsecured, \$....."

Amend said section 21, by striking out all the words "Profit and loss account" in line 19, page 21 of the printed bill, and substitute in lieu thereof the word "Rediscunts."



Amend section 21 of Assembly Bill No. 268, by striking out the word "auditor," line 25, page 21.

Amend section 33 of Assembly Bill No. 268, by striking out the word "applies" in line 3, page 26 of the printed bill, and substitute in lieu thereof the word "misapplies."

Amend section 33, page 26, of said Assembly Bill No. 268, by striking out the words "judgment, or decree," from line 6 of page 26.

Amend section 35 of Assembly Bill No. 268, by inserting after the word "capital," in line 32, page 26, the words "and surplus."

Amend said section 35 by striking out everything after the word "therefor," in line 33, page 26, placing a semicolon after the word "therefor" in said line 33, striking out all of lines 1, 2, 3, 4, 5, 6, and 7 on page 27, and substituting therefor the following: "and provided further, that, with written consent of the Superintendent of Banks and the State Board of Finance, a bank may borrow to the amount of fifty per cent in excess of its paid up capital and surplus, and pledge assets of the bank as collateral security therefor. Any indebtedness, however, contracted in excess of the amount limited herein shall be null and void in its entirety."

Amend section 36 of Assembly Bill No. 268, by striking out the word "sixty" in line 12, page 27 of the printed bill, and substitute in lieu thereof the word "ninety."

Amend Assembly Bill No. 268, as passed by the Assembly, by reinserting lines 14, 15 and 16 of section 47, page 31 of the printed bill, reading as follows: "In addition to the foregoing, every such bank shall pay a license fee of \$100 for each branch bank, or branch office, by it maintained."

Substitute for section 50, page 32, of Assembly Bill No. 268, the following:

"Sec. 50. The Governor shall appoint a Bank Examiner who, from and after the passage and approval of this Act, and in the administration of this Act, shall be known and designated as 'Superintendent of Banks,' and he shall be a person who has had practical banking experience. He shall receive a salary of.....(\$.....) dollars a year, payable in equal monthly installments as other State officers are paid, and such salary shall be in full for all services rendered by him in connection with banks and banking in any capacity whatsoever under this Act or otherwise. He shall not, either directly or indirectly, be interested in any bank, association, or corporation to which this Act is applicable, except as a depositor, nor engage in business as a private banker or personal loan broker. He may be removed from office by the Governor at any time. He shall, after appointment and before entering upon the discharge of the duties of his office, take and subscribe to an official oath, and execute to the State of Nevada a good and sufficient bond for the faithful performance of his duties, in a sum and amount not less than fifty thousand (\$50,000) dollars, which bond shall be approved in writing annually, as to adequacy by the State Board of Examiners, and approved as to form by the Attorney-General. Said bond shall be filed with the State Board of Finance. Until his successor shall be named and appointed by the Governor, the present Bank Examiner, who shall hereafter be known as 'Superintendent of Banks,' shall continue in office at the salary hereinabove provided, with all the powers and duties herein conferred and imposed. Said Superintendent of Banks shall continue to serve in an ex officio capacity as now provided by law for the State Bank Examiner. In every case where the Superintendent of Banks shall be called upon to take charge of the affairs or assets of a bank or banks, in accordance with the provisions of this Act, the State Board of Finance shall require him to give an additional bond in such sum as may be fixed by the Board, and such bond shall be approved in like manner as his official bond hereinabove provided for and filed with the State Board of Finance. Said Superintendent of Banks may, if the circumstances, in his judgment, warrant such action, and with the approval of the State Board of Finance, appoint a Deputy Superintendent of Banks to aid him in carrying out the provisions of this Act. Said Deputy Superintendent of Banks shall receive a salary of two hundred fifty (\$250) dollars per month, payable as salaries of other State

officers are paid. Such deputy shall perform such duties as the Superintendent of Banks shall direct, but the employment of such deputy shall not continue longer than necessarily required for the purpose for which he was employed, and he shall be subject to removal at any time at the pleasure of the Superintendent of Banks. The Superintendent of Banks shall also appoint a further deputy who, under the direction and supervision of the Superintendent of Banks, shall perform only such ex officio duties as are imposed upon the Superintendent of Banks or State Bank Examiner, and such deputy shall receive a salary of.....(\$).....dollars a year, payable in equal monthly installments as other State officers are paid. The Superintendent of Banks shall occupy the offices of the State Board of Finance. All licenses, order, and certificates issued by the Superintendent of Banks shall be attested by the seal of the State Board of Finance and by the signature of the said Superintendent of Banks.

Substitute for section 54, page 36, of Assembly Bill No. 268, the following:

"SEC. 54. Upon taking possession of the property and business of such bank, the title to all assets of such bank shall immediately become fully vested in the Superintendent of Banks. The Superintendent of Banks is authorized to collect moneys due to such bank, and do such other acts as are necessary to conserve its assets and business, and shall proceed to liquidate the affairs thereof as hereinafter provided. The Superintendent shall collect all debts and claims, and enforce all liabilities and rights of action accrued to or belonging to such bank, and may institute and prosecute all proper and necessary actions for that purpose, and may sell or compound all bad or doubtful debts, and, upon the order of the District Court for the county where the bank carried on business, may sell all the real and personal property of such bank on such terms as the court may direct. In cases where the bank owned real or chattel mortgages, and to protect the assets covered thereby advances of money are necessary, and an agency of the United States Government is willing to make such advances, or where the amount of money obtainable from such government agency represents eighty per centum of the market value of such assets, the Superintendent of Banks is authorized without court order to execute subordinating agreements, subordinating the first lien on such mortgages to such governmental agency. The Superintendent may employ such clerks and assistants and incur such expenses for rent, office supplies, and other proper and reasonable expenses as may be necessary in the preservation and liquidation of the business of such bank, and in special and important cases may employ an attorney, or attorneys at law, as special counsel to assist in the conduct of any particular case, whose compensation shall be fixed by the State Board of Finance at such reasonable and proper sum as may be determined upon by them for the services rendered. In ordinary cases, and for the usual advice and assistance that the Superintendent of Banks may require in all legal matters, such services shall be rendered by the District Attorney of the county where said banking business was carried on, and also, upon request of the Superintendent, by the Attorney-General, without additional compensation except that the State Board of Finance may, in its discretion, allow the District Attorney such sum as may be adjudged reasonable by them, not exceeding, however, fifty dollars per month, during the period of the rendition of said services."

Amend section 56 of Assembly Bill No. 268, by striking out the figures "24" in line 32, page 38 of the printed bill, and substituting therefor the figures "23."

Amend section 66 of Assembly Bill No. 268, by striking out the word "four" in line 25, page 42 of the printed bill, and inserting in lieu thereof the word "six."

Amend section 67, page 44, of Assembly Bill No. 268, by substituting therefor the following:

"SEC. 67. The Superintendent of Banks and Deputy Superintendent of Banks shall be allowed their actual and necessary traveling expenses, when away from the Capitol on official business, and, when bills for the same are approved by the State Board of Finance and the State Board of Examiners,

they shall be paid out of the appropriation made for the support of the Office of the Superintendent of Banks."

Amend Assembly Bill No. 268, as printed, page 44, by inserting therein new sections to be known as sections 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80 and 81, and reading as follows:

Sec. 68. Whenever any bank shall voluntarily suspend business or when the Superintendent of Banks shall have taken possession of the assets of any bank, the Attorney-General, upon written request of depositors or creditors representing fifteen (15%) per cent of the total amount of the outstanding indebtedness against said bank, shall commence an action in the District Court of Ormsby County against the bank, setting forth that such bank is insolvent, and is unable to pay its depositors and creditors in the usual course of business, or has suspended payment of its obligations, and has refused or neglected to pay its obligations for a period of thirty (30) days prior to the filing of the complaint, or either of said causes.

In any such action the bank and the Superintendent of Banks and the directors of such bank, and the depositors and creditors and stockholders, and each county and State political subdivision or State agency or officer having deposits in said bank shall be made parties defendant. The State of Nevada consents to be made a party defendant in any such action, and to be sued therein.

When the number of stockholders or depositors and creditors are numerous, and it is impracticable to bring them all before the court, stockholders and depositors and creditors named as parties may defend for the benefit of all.

Summons shall be served upon the parties defendant as in other civil cases, and every such action shall be governed by the provisions of "An Act to regulate proceedings in civil cases in this State, and to repeal all other Acts in relation thereto," approved March 17, 1911, and Acts amendatory and supplementary thereto; *provided, however*, that all objections or defenses in point of law arising upon the face of the complaint, which, under the civil practice Act, might be made by demurrer, must be set forth in the answer. Such objections shall be disposed of at and as part of the final hearing unless the court, in its discretion, shall order prior disposition.

Sec. 69. At the time of the filing of said complaint, the court shall order the Superintendent of Banks, within such time as the court shall fix by said order, to file a full and complete inventory of the assets of such bank in his possession, together with his appraisal or opinion of the value of said assets, and of each item constituting the same, and also a full and complete report of all claims and demands against said bank, together with the names and amount due each creditor, depositor, or claimant.

The Superintendent of Banks, immediately after he receives notice of the pendency of such action, shall cause notice to be given by advertisement in one or more newspapers published in the place of the principal office of the closed bank weekly for two (2) consecutive weeks, calling on all persons who have claims against the closed bank, other than claims as depositors therein, to present the same to the Superintendent of Banks and make legal proof thereof to him within thirty (30) days from the date of the first publication.

The Superintendent of Banks shall mail a similar notice to all persons who appear as creditors or depositors on the books of the closed bank, specifying the balance or amount shown by said books to be due to such creditor or depositor, advising that in the absence of proof submitted to the contrary he will be listed and considered as a creditor or depositor of the bank in the amount shown by the books of the closed bank. The Superintendent of Banks, if he doubts the validity or justice of any claim or any preference claimed, may reject or disallow the same in whole or in part, and serve notice of such action upon the claimant, either by mail or personally. An affidavit of service of such notice shall be prima facie evidence thereof and shall be filed in court.

Any person aggrieved by the action of the Superintendent of Banks upon any claim must commence an action upon the claim so rejected within three (3) months after such service, and a judgment for such claim shall have the effect of placing the same as an approved claim with such rank and preference

as may be determined in such action, but shall create no other lien or preference on the property or assets of the closed bank in the possession of the Superintendent of Banks.

In any case where the Superintendent of Banks has issued and published notice to creditors, it will be unnecessary for the Superintendent of Banks to give any further notice, and claims theretofore filed with the Superintendent of Banks shall be acted upon in the same manner as though filed under the notice hereinabove provided for.

All proceedings and hearings under this Act shall take precedence over all other matters before the court, except older matters of the same character, to the end that there shall be a determination thereof as expeditiously as possible.

Sec. 70. Upon the trial of any such action, the court shall find and determine the value of the assets of such bank, and if the court shall find and determine that such bank is insolvent, and that the value of its assets at the time of the hearing is such that said bank is unable to pay more than eighty cents (80¢) on the dollar to all of its depositors and creditors, the court shall, on the application of persons representing five per cent (5%) of the total number of depositors or creditors who hold fifty per cent (50%) or more of the total outstanding indebtedness, direct that a corporation be formed with an authorized capital of common stock equivalent to the aggregate amount of the value of the assets of said bank as found by the court, and shall order said bank and the Superintendent of Banks to convey, assign, and set over all of the property, real and personal, all stocks, bonds and notes, actions and causes of actions, books and records, and all assets of every kind and character of said bank to said corporation so formed, in consideration of the issuance, fully paid and nonassessable, of the capital stock of said corporation.

Sec. 71. In ordering the transfer of assets and property of any insolvent bank to the corporation hereinbefore mentioned, the court shall order and direct that sufficient of the cash and assets thereof be retained by the Superintendent of Banks to meet and make payment of any claims which then are or which shall thereafter be declared to be preferred claims or trust funds, and the new corporation shall acquire no title thereto; *provided, however*, that if there be a surplus of such cash and assets so retained by the Superintendent of Banks after the payment of any such preferred claims or trust funds, then such surplus shall be paid or delivered over to such new corporation.

All persons claiming to be the holders of preferred claims or entitled to any trust fund or funds which shall have been rejected or disallowed shall, within three months from the date of notice of such rejection or disallowance as herein provided, commence an action to have their claim declared to be preferred or to be a trust fund and preferred as such, and any person failing to commence such action within three (3) months shall be barred from thereafter making any such claim of preference or demand for trust funds, and such claimant, if he have an otherwise valid claim, shall be issued stock on the same basis as other unsecured depositors, creditors, and claimants.

Sec. 72. The State of Nevada, or agencies, or officers thereof, or any political subdivision of the State of Nevada, or officers, or agents thereof, who or which are depositors or creditors of any closed bank shall not take or be required to receive stock in the corporation herein provided to be formed, but there shall be issued to them for their respective claims participation certificates in an amount which their claim or deposit bears to the total net value of such insolvent bank, as fixed and determined by said court upon the hearing and trial, as hereinabove provided, and upon the sale of any of the assets of the corporation or from any realization therefrom, dividends shall be paid upon said participation certificates in the same ratable proportion as dividends shall or may be paid to stockholders of the corporation.

Nothing in this Act shall be construed as relieving any principal or surety or sureties on the bond of any public officer for or on account of his or their liability thereon.

Sec. 73. The court shall order a distribution of the stock of said corporation pro rata to the unsecured creditors and depositories of said bank and the secured creditors to the extent of the difference between the amount of their respective claims and the fair value of their security; *provided, however*, that if any secured creditor shall refuse to accept stock in said amount, then in lieu thereof the directors may issue to said secured creditor a participation certificate or certificates in the assets of the corporation to the extent that such secured creditor would be entitled by law.

Said corporation shall also issued a class of stock to be known as "Class B" stock. Said stock shall be issued ratably to the stockholders of the closed bank and shall be so distributed to them. The holders of Class B stock shall not participate in dividends, distribution of assets upon liquidation, either voluntary or involuntary, or the proceeds of any sale of the assets of said corporation until the holders of the common stock and participating certificates shall have received the full amount of their original claim or deposit, together with interest thereon at the rate of three per cent (3%) per annum from the date of the closing of the closed bank. Said Class B stockholders shall have no voting powers until such time as holders of the common stock and participating certificates shall have received the full amount of their original claim or deposit and interest thereon as aforesaid. However, and if and when the holders of the common stock and participation certificates shall have received the full amount of their original claim or deposit, together with interest as aforesaid, the Class B stock shall be entitled to have the only voting power, and all common stock and participation certificates shall be canceled and retired.

Such corporation shall be formed under the General Corporation Act of this State, but the articles of incorporation shall, in any event, provide that such corporation shall be so organized as to be a qualified borrower and a liquidator or liquidating agent, qualified to borrow money from the Reconstruction Finance Corporation or other Federal loan agencies.

Sec. 74. The court shall, by its judgment or other order, appoint three (3) persons to sign and acknowledge the articles of incorporation, and upon the filing thereof, as required by law, shall appoint five (5) directors who shall serve from the date of their appointment and until their successors are elected and qualified as hereinafter provided.

It shall be the duty of the directors appointed by the court to immediately meet and elect a president and vice president and a secretary, and within twenty (20) days to issue a call and notice of a meeting of stockholders to be held not earlier than thirty (30) days nor more than forty (40) days from the date of the call. Said notice and call shall be mailed to each depositor, creditor and claimant at his address as shown by the books of the closed bank.

For the purpose of the first meeting of stockholders, unsecured depositors or creditors of any such insolvent bank, and secured creditors to the extent of the difference between the amount of their respective claims and the fair value of their security, shall be deemed to be stockholders of the corporation so formed, and shall be entitled to one (1) vote for each share of stock respectively held by them, or to which they would or may be entitled on the day of election.

At said meeting of stockholders so held, they shall elect a board of five (5) directors and adopt by-laws for the corporation and transact such other business as usual, or would be proper, at an annual meeting of stockholders of a corporation under the laws of Nevada.

The directors elected at said meeting shall, immediately following their election, meet and elect officers of the corporation, and thereafter the corporation shall be conducted in accordance with the by-laws, the articles of incorporation, and the laws of the State of Nevada governing corporations.

It shall be the duty of the Attorney-General to prepare the articles of incorporation of said corporation, and attend and assist in the formation thereof and of the transfer of all of the assets and property of said insolvent bank to the corporation so formed.

SEC. 75. At any time after the filing of the complaint by the Attorney-General, as in this Act provided, and prior to the trial thereof, persons representing five per cent (5%) of the total number of depositors or creditors who hold fifty per cent (50%) or more of the outstanding indebtedness of the closed bank may present to the court a plan or plans for the reopening of said closed bank, or for the reopening of said closed bank in connection with other closed banks. Such plan or plans for reopening of said bank or banks may be by consolidation of banks or by the organization of a new bank, in conjunction with other corporations qualified as borrowers from the Reconstruction Finance Corporation or other Federal loan agencies or associations, which will have for their purpose and which will take over all or any part of the assets of the closed bank or banks, and if it shall appear that any such plan proposed is reasonable, just and equitable and for the best interest of the depositors and creditors of the bank, and of each of the banks where more than one are joined or to be joined in any such plan, the court may, by appropriate order and decree, accept and adopt said plan and order the same carried out.

Where more than one bank is joined in such plan, five per cent (5%) of the total number of depositors or creditors holding fifty per cent (50%) or more of the outstanding indebtedness of each of the respective banks shall join in and consent to and request the adoption of such plan.

Under such plan, the new bank must assume and pay all trust funds and preferred claims in full.

If any such order and decree the court may direct that shares of stock in other corporations, whether of the bank or mortgage company, may be issued and accepted in part payment of the value of the assets of the closed bank so sold and conveyed, and may permit the sale of the assets of said closed bank for cash, or for part cash and part stock, or for part cash and part shares of stock in the corporations to be organized, including the bank, and may permit all or any part of the credit in the new bank to be in the form of deferred deposits or time certificates of deposit, but such deposits, if deferred, must be payable in at least four (4) equal yearly installments, and the final installment must, in any event, be payable within four (4) years from the date of the opening of the new bank.

SEC. 76. The State of Nevada, or agents, or officers thereof, or any county or political subdivision of the State, or officers, or agents thereof, who are or which are depositors and creditors of any closed bank shall not take or be required to receive stock in the new bank or of any corporation organized in connection with the carrying out of said plan, but there shall be issued to them for their respective claims participation certificates in an amount which their respective claims or deposits bear to the total net value of such insolvent bank, after deducting therefrom the deposit or time certificates of deposit fixed by said plan or the order of the court as a deposit in the new bank.

Such participation certificates shall not be issued by the bank, but by such other corporation or mortgage company as may be organized as a part of said plan for the reopening of said closed bank or banks.

Dividends on said participation certificates shall be paid in the same ratable proportion as dividends may or shall be paid to stockholders of the mortgage company or other corporation formed in connection with said plan.

SEC. 77. For the purposes of this Act, it is hereby declared that no funds of the State of Nevada, or agencies or officers thereof, or of any political subdivision of the State of Nevada, or officers or agents thereof, which funds have been deposited in strict compliance with law, shall be entitled to any preference beyond the value of any bonds given by the depositary as security therefor.

SEC. 78. If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

SEC. 79. In all cases where the Superintendent of Banks takes over possession of the property and assets of a bank or banks, upon consent in writing of

the representatives of fifty per cent (50%) or more of the amount of deposits of any such bank or banks, the Superintendent of Banks shall, by order, freeze all or any part of the deposits of such bank or banks for a period not to exceed four (4) years, as one of the terms of the reorganization of said bank or the conveying of the assets of said bank or banks to a new corporation organized for the purpose of taking over said assets.

All public officers of the State of Nevada and of any county, town, or city of said State, and all State Boards, State agents, school districts and high school districts, including the Board of Regents of the University of Nevada, the Nevada Industrial Commission, the Superintendent of Banks in possession and charge of other closed banks having deposits in such banks, irrigation districts, municipal corporations or quasi municipal corporations of the State, having control of public money on deposit with any such bank, are hereby empowered to sign and execute such consent to the freezing of such deposits of public money for the purpose herein contemplated; *provided, however*, that before such freezing order shall become effective, the Superintendent of Banks shall give ten (10) days' notice by publication of his intention to apply to the District Court of Ormsby County to have such order confirmed and, at the time of the hearing of such application, any persons interested may appear and present objections why such order should not be confirmed.

Sec. 80. If it appears upon said hearing that, by or through freezing of deposits of said bank, said bank may safely be permitted to reopen for business, the court may so order; but, in every such case, all transactions and business of every kind or character must be under the direct supervision of the Superintendent of Banks. In every such case, the bank will be permitted to receive deposits; but deposits received while the bank is under the direct control and supervision of the Superintendent of Banks shall not be subject to any limitation as to payments or withdrawals, and such deposits shall be segregated and shall not be used to liquidate any indebtedness of such bank existing at the time of reopening, or for the liquidation of any subsequent indebtedness incurred for the purpose of liquidating any indebtedness of such bank existing at the time such reopening is permitted.

All deposits received after the bank reopens and while the said bank is under the direct supervision and control of the Superintendent of Banks must be kept on hand in cash or invested in direct obligations of the United States or deposited with a Federal Reserve Bank, as permitted by an Act of the Congress of the United States entitled "An Act to provide relief in the existing national emergency in banking and for other purposes," approved March 9, 1933.

Sec. 81. In the incorporation or organization or reorganization of any bank under the provisions of this Act or for the purpose of carrying it into effect, any bank in its original articles of incorporation or by amendment to the articles of incorporation of existing banks may provide for the sale and issuance of preferred stock in such amount as may be fixed by the original articles of incorporation in the case of a new bank, or by amendment in the case of an existing bank.

The holders of such preferred stock shall be entitled to cumulative dividends at a rate not to exceed six (6%) per cent per annum to be fixed by the articles of incorporation or amendment thereto, but shall not be held individually responsible as such holders for any debt, contract or engagement of such bank, and shall not be liable for assessments to restore impairments in the capital of such bank as now provided by law with reference to the holders of common stock.

Preferred stock shall have such voting rights and be subject to retirement in such manner and upon such terms and conditions as may be provided in the articles of incorporation of new banks or amendments to the articles of incorporation of existing banks.

No dividends shall be declared or paid on common stock until all cumulative dividends on the preferred stock shall have been paid in full; and, if said bank be liquidated, either through voluntary or involuntary proceedings, and if all depositors and creditors be paid in full, then the preferred stockholders

shall be paid the full par value of their stock plus all cumulated dividends prior to any distribution to holders of common stock.

Amend section 69 of Assembly Bill No. 268, by striking out the figures "69" on page 44, line 24 of the printed bill, and inserting in lieu thereof the figures "82."

Also, amend said section 69 by inserting after the word "shall," in line 26, page 44 of the printed bill, and before the word "neglect" in said line the word "willfully."

Amend line 3, page 45 of the printed bill, by changing the number of the section so that it will read "Sec. 83."

Amend line 10, page 45 of Assembly Bill No. 268, as printed, by changing the number of the section so that it will read "SEC. 84"; and further amend said section by striking out the word "eighteen" in line 27, and by striking out the word "months" in line 28, page 45 of said printed bill, and inserting in lieu thereof the words "three years."

Amend line 30, page 45 of Assembly Bill No. 268, as printed, by changing the number of the section so that it will read "SEC. 85."

Amend line 3, page 46 of Assembly Bill No. 268, as printed, by changing the number of the section from 73 to 86, so that it will read "SEC. 86."

Amend line 6, page 46 of Assembly Bill No. 268, as printed, by changing the number of the section from 74 to 87, so that it will read "SEC. 87."

Amend the section entitled "SEC. 75" on page 46 of Assembly Bill No. 268, as printed, beginning with line 14 and ending on line 17 of said page, by striking out all of lines 14, 15, 16, and 17.

Amend line 18, page 46 of Assembly Bill No. 268, as printed, by changing the number of the section from 76 to 88, so that it will read "SEC. 88."

Amend line 31, page 46 of Assembly Bill No. 268, as printed, by changing the number of the section from 77 to 89, so that it will read "SEC. 89."

Amend the title of Assembly Bill No. 268, by inserting before the word "liquidation" the following: "Reorganization, incorporation of assets, and the."

Further amend the title of Assembly Bill No. 268, by striking out the words "to incorporate herein the provisions of the general corporation law, as amended" and the semicolon after "amended."

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Malone moved that no bills except the appropriation bill, banking bills and Assembly Bill No. 312 be considered without a two-thirds vote of the house.

Remarks by Messrs. Kenny, Cobb and Cahlan.

Carried.

Mr. Tandy moved that on requests of any bills being brought up for consideration, there will be no debate or discussion on the motion.

Carried.

Mr. Brown moved that the Assembly do not concur in the Senate amendments to Assembly Bill No. 268, and if the Senate recedes from their amendments that a conference committee be appointed.

Remarks by Messrs. Dunseath, Cahlan and Tandy.

Mr. Tandy amended motion that in the meantime the bill, with amendments, be referred to the Committee on Banks and Banking.

Amendment carried.

Motion carried.

Mr. Cobb moved that the Assembly strike out the Assembly amendments to Senate Bill No. 134.

Carried.



Mr. Hamlin moved that the Assembly refuse to concur in the Senate amendments to Assembly Bill No. 282, and that a conference committee be appointed to confer with a like Senate committee.

Carried.

Mr. Speaker appointed the Lyon and Mineral County Delegations as the Conference Committee.

#### MESSAGES FROM GOVERNOR

In compliance with Assembly Concurrent Resolution No. 17, the Governor returned Assembly Bill No. 137 without action.

In compliance with Assembly Concurrent Resolution No. 18 the Governor returned Assembly Bill No. 222 without action.

#### INTRODUCTION AND FIRST READING

Senate Joint Resolution No. 23.

Mr. Tandy moved that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, considered engrossed, and referred to Committee on Banks and Banking.

Carried.

Senate Bill No. 204.

Mr. Brown moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, considered engrossed, and referred to Committee on Ways and Means.

Carried.

Senate Bill No. 205.

Without objection rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, considered engrossed, and referred to Committee on Ways and Means.

Senate Bill No. 195.

Mr. Brown moved that Senate Bill No. 195 be laid on the table.

Remarks by Mr. Dunseath.

Carried.

Mr. Speaker appointed Messrs. Kenny, Black and Hatton as the conference committee on Assembly Bill No. 268.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 312.

Roll call on Assembly Bill No. 312:

YEAS—Messrs. Barnes, Black, Blundell, Brown, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Taber, Tandy, Wheelwright and Mr. Speaker—31.

NAYS—None.

Absent—Messrs. Beverly, Bugbee, Butler, Ebert, Goodin, Johnson, Reynolds and Strosnider—8.

Not voting—Mr. Anderson.

Assembly Bill No. 312 having received a constitutional majority, Mr. Speaker declared it passed.

Amendment proposed by Mr. Cahlan to title: Amend title of Assembly Bill No. 137 by striking out in line 3 of the title the quotation marks immediately preceding the word "approved" and by inserting in said line 3 immediately preceding the word "approved" the following: "and repealing all Acts and parts of Acts in conflict with the provisions of this Act."

Mr. Cahlan moved adoption of amendment.

Carried.

Mr. Taber moved that Assembly Bill No. 313 be placed on top of the file for third reading and final passage.

Carried.

Assembly Bill No. 313.

Roll call on Assembly Bill No. 313:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Noble, O'Connor, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—33.

NAYS—None.

Absent—Messrs. Bugbee, Butler, Johnson, Moore, Murphy, Reynolds and Persson—7.

Assembly Bill No. 313 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Noble moved that Assembly Bill No. 96 be placed on top of the file for third reading and final passage.

Motion lost.

Mr. Strosnider moved that Assembly Bill No. 309 be placed on top of the file for third reading and final passage.

Remarks by Messrs. Noble, Cobb and Hamlin.

Carried.

Assembly Bill No. 309.

Amendment proposed by Committee on Judiciary: Amend section 1, line 6, by striking out the character "/" after the word "and" and strike out the word "or" immediately thereafter, and in line 7 insert the words "or either of them" immediately preceding the word "for" in said line and insert a comma after the letters "ments" in said line 7; in line 12 strike out the character "/" after the word "and" and strike out the word "or" at the end of said line; in line 12 insert the words "or either of them" after the word "assessments" in said line, and in line 12 strike out the character "/" and the word "or" after the word "and" in said line, and insert a comma after the word "assessments" in said line 12, and in line 12 after the word "assessments" insert the words "or either of them"; in line 13 strike out the word "and" and the character "/".

Mr. Strosnider moved adoption of amendment.

Roll call on Assembly Bill No. 309:

YEAS—Messrs. Anderson, Barnes, Beverly, Brown, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hatton, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Noble, O'Connor, Raycraft, Roberts, Smith, Stewart, Stro-snyder, Taber, Tandy, Wheelwright and Mr. Speaker—29.

NAYS—Messrs. Black and Cahill—2.

Absent—Messrs. Bugbee, Butler, Johnson, Murphy, Persson and Reynolds—6.

Not voting—Messrs. Blundell, Hamlin and Heward—3.

Assembly Bill No. 209 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Mr. Cooper moved that Senate Bill No. 200 be placed on top of the file for third reading and final passage.

Carried.

Mr. Tandy moved that Assembly Bill No. 268, with amendments, be withdrawn from the Committee on Banks and Banking and sent back to Senate with message that a conference committee had been appointed to confer with them.

House recessed.

#### HOUSE IN SESSION

Mr. Speaker in the chair.

Quorum present.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 222.

Bill returned from the Governor.

Remarks by Messrs. Noble and Tandy.

Mr. Tandy moved that under suspension of all rules, and under unanimous consent, that the action of Assembly on Assembly Bill No. 222 be rescinded.

Carried.

Bill read third time.

Amendment proposed by Mr. Noble: Amend section 2 of Assembly Bill No. 222 by striking out after the word "which" in line 13, page 2 of the printed bill, the following: "one of the members of said copartnership named in the mortgage resides," and insert in lieu thereof the following: "the principal place of business of said copartnership is located."

Mr. Noble moved adoption of amendment.

Carried.

Roll call on Assembly Bill No. 222:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Raycraft, Roberts, Smith, Stewart, Stro-snyder, Taber, Tandy and Mr. Speaker—34.

NAYS—None.

Absent—Messrs. Bugbee, Butler, Johnson, Persson, Reynolds and Wheelwright—6.

Assembly Bill No. 222 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Amendment proposed by Mr. Noble to title: Amend title of Assembly Bill No. 222 by striking out the period after the figures "1923" in the title, insert a comma and the following: "and providing for the filing thereof."

Mr. Noble moved adoption of amendment.

Carried.

Assembly Bill No. 137.

Bill returned from the Governor.

Remarks by Messrs. Cahlan and Tandy.

Mr. Tandy moved that under suspension of all rules, and under unanimous consent, the action of this house on the bill and on the title be rescinded.

Carried.

Bill read third time.

Roll call on Assembly Bill No. 137:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Cahill, Carroll, Cahlan, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Lage, McAuliffe, Malone, Moore, Noble, O'Connor, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—33.

NAYS—None.

Absent—Messrs. Bugbee, Butler, Johnson, Kenny, Murphy, Persson and Reynolds—7.

Assembly Bill No. 137 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 200.

Mr. McAuliffe moved that Senate Bill No. 200 be laid on the table.

Remarks by Mr. Cooper.

Motion lost.

Roll call on Senate Bill No. 200:

YEAS—Messrs. Anderson, Beverly, Black, Blundell, Brown, Cahill, Cahlan, Carroll, Cooper, Ebert, Goodin, Hatton, Heward, Hussman, Kenny, Lage, Noble, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Wheelwright—24.

NAYS—Messrs. Dunseath and McAuliffe—2.

Absent—Messrs. Bugbee, Butler, Cobb, Johnson, Murphy, O'Connor, Persson and Reynolds—8.

Not voting—Messrs. Barnes, Hamlin, Malone, Moore, Raycraft and Mr. Speaker—6.

Senate Bill No. 200 having received a constitutional majority, Mr. Speaker declared it passed.

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to inform your honorable body that the Senate refuses to recede from its amendments to Assembly Bill No. 268, and has this day appointed a conference committee consisting of Senators Henderson, Scott and Miller to confer with a like committee appointed by the Speaker of the Assembly.

LENA GALE,

*Assistant Secretary of the Senate.*

## MOTIONS, RESOLUTIONS AND NOTICES

Mr. Cahlan moved that Senate Bill No. 191 be lifted from the Committee on Judiciary and placed on the Clerk's desk.

Carried.

Mr. Cahlan moved that Senate Bill No. 191 be placed on the general file for third reading and final passage.

Carried.

Mr. Cahlan moved that Senate Bill No. 161 be placed on the general file for third reading and final passage.

Carried.

Mr. Black moved that Senate Bill No. 202 be placed on the general file for third reading and final passage.

Roll call asked for by Messrs. McAuliffe, Smith and Malone.

Roll called :

YEAS—Messrs. Anderson, Barnes, Black, Blundell, Cahill, Dunseath, Hatton, Heward, Hussman, Kenny, Murphy, Roberts, Stewart and Taber—14.

NAYS—Messrs. Beverly, Brown, Cahlan, Carroll, Ebert, Goodin, Hamlin, McAuliffe, Malone, Moore, Noble, O'Connor, Raycraft, Smith, Strosnider, Tandy and Wheelwright—17.

Absent—Messrs. Bugbee, Butler, Cooper, Johnson, Lage, Persson and Reynolds—7.

Not voting—Mr. Cobb and Mr. Speaker—2.

Motion lost.

Mr. Taber moved that Assembly Bill No. 294 be reported out of committee and placed on the general file for third reading and final passage.

Roll call on motion asked for by Messrs. Anderson, Cahill and Taber.

Roll called :

YEAS—Messrs. Anderson, Black, Cahill, Cobb, Cooper, Ebert, Hatton, Heward, Hussman, Kenny, Murphy, Noble, Stewart, Taber and Wheelwright—15.

NAYS—Messrs. Barnes, Brown, Cahlan, Carroll, Dunseath, Goodin, Hamlin, Lage, McAuliffe, Malone, Moore, O'Connor, Persson, Raycraft, Roberts, Smith, Strosnider and Tandy—18.

Absent—Messrs. Blundell, Bugbee, Butler, Johnson and Reynolds—5.

Not voting—Mr. Beverly and Mr. Speaker—2.

Motion lost.

Mr. Noble asked that a conference committee be appointed to confer with a like Senate committee to discuss Senate amendments on Assembly Bill No. 173.

Carried.

Mr. Dunseath moved that Senate Bills Nos. 145 and 155 be reported out of committee and placed on general file.

Carried.

Mr. Hussman moved that Senate Substitute for Senate Bill No. 117 be placed on general file for third reading and final passage.

Carried.

By Mr. McAuliffe :

Assembly Resolution No. 36 :

*Resolved by the Assembly, That each member of the Assembly be and he is*

hereby allowed the sum of twenty-five dollars for postage and stationery in addition to any other allowance heretofore made, and the State Controller is hereby authorized and directed to draw his warrants therefor and the State Treasurer is directed to pay the same out of the Legislative Fund.

Remarks by Mr. Taber.

Roll call asked for by Messrs. Taber, Murphy and Cahill.

Roll called:

YEAS—Messrs. Barnes, Beverly, Cahlan, Carroll, Cobb, Cooper, Hamlin, Hatton, Lage, McAuliffe, Malone, Moore, Murphy, Persson, Raycraft, Roberts, Smith and Strosnider—18.

NAYS—Messrs. Anderson, Black, Brown, Cahill, Ebert, Goodin, Heward, Hussman, Kenny, Noble, O'Connor, Taber, Tandy and Wheelwright—14.

Absent—Messrs. Blundell, Bugbee, Butler, Johnson and Reynolds—5.

Not voting—Messrs. Dunseath, Stewart and Mr. Speaker—3.

Carried.

Remarks by Messrs. Black, Kenny and Cahlan.

#### GENERAL FILE AND THIRD READING

Senate Bill No. 191.

Remarks by Mr. Cahlan.

Roll call on Senate Bill No. 191:

YEAS—Messrs. Barnes, Beverly, Blundell, Brown, Cahlan, Carroll, Cobb, Dunseath, Ebert, Goodin, Hamlin, Hatton, Hussman, Kenny, Lage, Malone, Murphy, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Strosnider, Taber and Tandy—26.

NAYS—None.

Absent—Messrs. Black, Bugbee, Butler, Johnson, McAuliffe, Moore, Reynolds, Stewart and Wheelwright—9.

Not voting—Messrs. Anderson, Cahill, Cooper, Heward and Mr. Speaker—5.

Senate Bill No. 191 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 161.

Roll call on Senate Bill No. 161:

YEAS—Messrs. Barnes, Blundell, Brown, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Heward, Hussman, Kenny, Malone, Murphy, Noble, O'Connor, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber and Tandy—25.

NAYS—Mr. Anderson.

Absent—Messrs. Beverly, Black, Bugbee, Butler, Hamlin, Hatton, Johnson, Lage, McAuliffe, Moore, Persson, Reynolds and Wheelwright—13.

Not voting—Mr. Speaker.

Senate Bill No. 161 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Substitute for Senate Bill No. 117.

Amendment proposed by Mr. Hussman: Amend section 1 of Senate Substitute for Senate Bill No. 117 by striking out after the word "Gardnerville," line 8, page 2 of the printed bill, all of the remainder of line 8 and all of lines 9, 10, 11, 12, 13, 14, and the words "are paid" in line 15, and insert in lieu thereof the following: "at a salary to be fixed by the Board of County Commissioners, but not to exceed the sum of \$35 per month, during the period of employment, and a second

Deputy Sheriff for the Lake Tahoe district, for a period of not to exceed five months in each calendar year beginning in 1933, at a salary to be fixed by the Board of County Commissioners, but not to exceed \$60 per month during the period of employment. The salary of said deputies shall be payable monthly as other county salaries are paid."

Mr. Hussman moved adoption of amendment.

Carried.

Roll call on Senate Substitute for Senate Bill No. 117:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Cahill, Carroll, Cobb, Cooper, Dunseath, Ebert, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—32.

NAYS—None.

Absent—Messrs. Bugbee, Butler, Cahlan, Goodin, Johnson, Reynolds and Wheelwright—7.

Not voting—Mr. Raycraft.

Senate Substitute for Senate Bill No. 117, as amended, having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 155.

Roll call on Senate Bill No. 155:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Cahlan, Carroll, Cobb, Dunseath, Goodin, Heward, Hussman, Kenny, McAuliffe, Malone, Murphy, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Taber, Tandy and Mr. Speaker—27.

NAYS—None.

Absent—Messrs. Bugbee, Butler, Ebert, Hamlin, Hatton, Johnson, Lage, Moore, Reynolds, Strosnider and Wheelwright—11.

Not voting—Messrs. Cahill and Cooper—2.

Senate Bill No. 155 having received a constitutional majority, Mr. Speaker declared it passed.

Without objection Mr. Speaker signed Assembly Bills Nos. 299, 243, 207, 217 and 190.

House recessed.

#### HOUSE IN SESSION

Mr. Speaker in the chair.

Quorum present.

Without objection the Assembly resolved itself into Committee of the Whole to consider Senate Bill No. 145.

Mr. Speaker appointed Mr. Hussman Chairman of the Committee of the Whole.

#### HOUSE IN SESSION

Mr. Speaker in the chair.

Quorum present.

#### MESSAGES FROM THE GOVERNOR

*To the Honorable the Senate and the Honorable the Assembly:*

On February 2, 1933, Assembly Bill No. 57, an Act entitled "An Act relating to insurance companies, providing a tax on premiums, and other matters relating thereto," was introduced by Mr. Hussman, and is now before me for approval.

My attention has been drawn to what possibly may be certain unconstitutional features of that Act, and that legislation is contemplated amendatory or supplemental thereto.

It is not the policy of the Executive to interfere or to attempt to influence the passage of any legislation, but in the instant case it has been estimated by the State Controller that this bill, if enacted into law, will produce a net income to the State of Nevada in excess of \$40,000 annually from a hitherto untouched field.

In view of the pressing necessity for the raising of additional revenues for the support of the government of the State of Nevada, without unduly burdening our taxpayers, serious consideration can properly be given to the desirability of passing such amendatory Act, and thus remove any doubts as to the constitutionality of the original Act.

In this connection, it is to be borne in mind that practically every State in the Union, with the exception of Nevada, levies a percentage tax on insurance premiums, and no good reason is apparent why this should not be done within our own State at the present time.

I have the honor, therefore, to request that if amendatory or supplemental legislation to Assembly Bill No. 57 be proposed, that the same should be given your careful and serious attention when the same is reached in the ordinary course of business. Very truly yours,

F. B. BALZAR,  
*Governor.*

Without objection message was filed for future reference.

Without objection Mr. Speaker signed Senate Bills Nos. 163, 164, 181, 197, Assembly Bills Nos. 255, 168 and 262, and Assembly Joint Resolution No. 22.

#### REPORT OF COMMITTEE OF THE WHOLE

*Mr. Speaker:*

Your Committee of the Whole House has had under consideration Senate Bill No. 145, and begs leave to report favorably on the same, with the recommendation that it do pass.

GEO. G. HUSSMAN, *Chairman.*

Mr. Hussman moved adoption of report.

Carried.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Claims has had Senate Bill No. 145 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

Your committee has nothing to substantiate this claim.

TOM P. EBERT, *Chairman.*

#### GENERAL FILE AND THIRD READING

Senate Bill No. 145.

Roll call on Senate Bill No. 145:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Bugbee, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Heward, Hussman, Lage, McAuliffe, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Tandy, Wheelwright and Mr. Speaker—31.

NAYS—Mr. Anderson.

Absent—Messrs. Brown, Butler, Hatton, Johnson, Kenny, Reynolds and Taber—7.

Not voting—Mr. Murphy.

Senate Bill No. 145 having received a constitutional majority, Mr. Speaker declared it passed.



## REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Select Conference Committee has had Assembly Bill No. 268 under consideration, and begs leave to report that said Committee has failed to agree on any action on said bill, and recommends the appointment of a free conference committee.

A. S. HENDERSON,  
A. SCOTT,  
J. H. MILLER,

G. J. KENNY,  
ERNEST S. BROWN,  
WILLIAM D. HATTON.

Mr. Kenny moved adoption of report.

Carried.

Mr. Tandy moved that a committee on free conference be appointed in connection with Assembly Bill No. 268.

Carried.

Mr. Speaker appointed Messrs. Kenny, Brown and Hatton as the free conference committee.

Without objection Mr. Speaker signed Assembly Bills Nos. 252, 224, 180, 218 and 159.

Mr. Speaker appointed Messrs. Noble, Stewart and Taber as a conference committee to confer with a like Senate committee on Assembly Bill No. 173.

House recessed.

## HOUSE IN SESSION

Mr. Speaker in the chair.

Quorum present.

## REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Conference Committee has had Assembly Bill No. 288 under consideration, and begs leave to report that they are unable to agree, and ask that a free conference committee be appointed.

A. BLUNDELL, *Chairman.*

Mr. Blundell moved adoption of report.

Carried.

Mr. Speaker appointed Messrs. Persson, Blundell and Ebert as the free conference committee.

*Mr. Speaker:*

Your Committee on Conference has had Assembly Bill No. 282 under consideration, and begs leave to report they are unable to agree, and ask that a free conference committee be appointed.

FRED STROSNIDER, *Chairman.*

Mr. Strosnider moved adoption of report.

## MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to inform your honorable body that the Senate has refused to recede from its action to the Assembly amendments on Senate Bill No. 52, and has this day appointed a conference committee consisting of Senators Fairchild, Marsh and Coryell to act with a like committee appointed by the Speaker of the Assembly.

Also, to inform you that the Senate has this day concurred in the Assembly amendments to Senate Bill No. 111.

Also, to present Senate Concurrent Resolution No. 16, which was this day adopted by the Senate.

Also, to inform you that the Senate has adopted the report of the conference committee to Assembly Bill No. 268, and the President of the Senate has this day appointed a free conference committee consisting of Senators Henderson, Scott and Getchell to confer with a like committee from the Assembly.

Also, that the Senate refuses to recede from its actions on Assembly Bill No. 288, and has this day appointed a conference committee consisting of Senators Getchell, Molini and Miller to confer with a like committee appointed by the Speaker of the Assembly.

Also, to return Assembly Bill No. 312, which passed, as amended: Yeas, 15; nays, none; absent, 2. Amend as follows: In subdivision 2 strike out word "be" and insert in lieu thereof the words "have been."

Also, that the Senate refuses to recede from its action on Assembly Bill No. 173, and has this day appointed a conference committee consisting of Senators Fairchild, Coryell and Carpenter to meet with a like committee appointed by the Speaker of the Assembly.

Also, to return Assembly Bill No. 310, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Strike out "section 3" and renumber sections 4 and 5 to read 3 and 4.

LENA GALE,

*Assistant Secretary of the Senate.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Carroll moved that Senate Bill No. 199 be placed on file for third reading and final passage.

Motion lost.

Mr. Speaker appointed the Lyon and Mineral County Delegations as a free conference committee to confer with a like Senate committee on Assembly Bill No. 282.

Senate Concurrent Resolution No. 16.

Mr. Tandy moved adoption of resolution.

Carried.

Mr. Bugbee moved that the Assembly concur in the Senate amendments to Assembly Bill No. 310.

Carried.

House recessed.

#### HOUSE IN SESSION

Mr. Speaker in the chair.

Quorum present.

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to inform your honorable body that the Senate has this day adopted the Conference Committee report to Assembly Bill No. 173, and Senate Bill No. 52.

Also, that the Senate adopts the report of the Conference Committee to Assembly Bill No. 282, and the President of the Senate has this day appointed a free conference committee consisting of Senators Miller, Marsh and Tobin to confer with a like committee from the Assembly.

Also, that the Senate has this day refused to recede from its amendments to Assembly Bill No. 282, and appointed a conference committee consisting of

Senators Miller, Carpenter and Getchell to confer with a like committee appointed by the Speaker of the Assembly.

LENA GALE,

*Assistant Secretary of the Senate.*

#### MOTIONS, RESOLUTIONS AND NOTICES

By Mr. Carroll:

Assembly Resolution No. 37:

WHEREAS, The Assembly of the State of Nevada has given attention to all important legislative matters that have been presented; and

WHEREAS, It is the sense of this body that all has been accomplished that is possible; and

WHEREAS, We feel that the time has arrived for the adjournment of the Thirty-sixth Session of the Nevada Legislature; therefore, be it

*Resolved*, That the Assembly of the State of Nevada inform the Senate that it is now ready to adjourn *sine die*, and that we suggest as the hour for adjournment sixteen hours from the adoption by the Assembly of this resolution.

Mr. Carroll moved adoption of resolution.

Remarks by Messrs. Hussman, Malone, Moore, Dunseath and Tandy.  
Motion lost.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

We, your Conference Committee, having had Assembly Bill No. 173 under consideration, do hereby recommend that the Assembly concur in the Senate amendments thereto.

C. I. NOBLE,

T. T. FAIRCHILD,

F. B. STEWART,

P. R. CORYELL,

WILLIAM F. TABER,

W. W. CARPENTER.

Mr. Taber moved adoption of report.

Carried.

*To the Honorable the Assembly:*

The Conference Committee on the disagreeing votes of the houses on Assembly Bill No. 282, having met after full and free conference, have agreed to recommend, and do recommend, to their respective houses as follows: That the Assembly concur in the Senate amendments to the bill with the following amendments: Amend section 2 of Assembly Bill No. 282 by adding an additional subparagraph "(I)": "(I) If any of the sections, subsections, words, phrases or sentences shall be held unconstitutional, the same shall not invalidate any other sections, subsections, words, phrases or sentences." Amend section 2 of Assembly Bill No. 282 by striking out the figures "1933" in subparagraph "A" of Assembly Bill No. 282, and insert in lieu thereof the figures "1932." Strike all of subparagraph "(H)" in section 2, and insert in lieu thereof the following: "(H) Upon the passage and approval of this Act the office of any county officer then residing in said portion of said Mineral County so severed therefrom and so attached to said Lyon County shall thereupon become vacant, and the vacancy so caused thereby shall be filled in the manner provided by law for the filling of vacancies in such office.

FRED STROSNIDER,

J. H. MILLER,

FRANK BUGBEE,

W. A. MARSH,

M. C. HAMLIN,

PHIL M. TOBIN.

Mr. Strosnider moved adoption of report.

Carried.

*To the Speaker of the Assembly:*

We, your Conference Committee, having had Senate Bill No. 52 under consideration, do hereby recommend that the Assembly recede from its amendments.

T. T. FAIRCHILD,  
P. R. CORYELL,  
W. A. MARSH,  
C. L. NOBLE,  
GEO. G. HUSSMAN.

Mr. Hussman moved adoption of report.

Carried.

*To the Speaker of the Assembly and the President of the Senate:*

We, your Free Conference Committee, to whom was referred Assembly Bill No. 288, have had the same under consideration, and beg leave to report as follows: We recommend that the Assembly agree to Senate amendment in lines 24, 25, 26 and 27, page 2 of the printed bill, with an amendment submitted herewith.

We submit herewith an amendment to be inserted between lines 9 and 10, page 7 of the printed bill.

We submit an amendment to be added after the word "year" in line 16, page 7 of the printed bill.

We refuse to agree with Senate amendment offered at the end of line 23, page 11 of the printed bill.

We therefore report the same with the recommendation that the committee amendments be adopted, and with the recommendation that the Assembly refuse to concur in the Senate amendment on page 11 of the printed bill.

Amend section 2 of Assembly Bill No. 288 by striking but in line 26, page 2 of the printed bill, the following: "or expense." Add after the period following the word "Commissioners" in line 24 of the printed bill, the following: "All accounts for expenditures made or incurred by the said Board of Fish and Game Commissioners, or by any commissioner, pursuant to the provisions of this Act, shall be approved by the said board, and upon being approved by the State Board of Examiners warrants for the respective amounts shall be drawn on the State Treasurer." Amend section 8 of Assembly Bill No. 288 by adding after the period following the word "year," line 16, page 7 of the printed bill, the following: "All sums received from the sale of alien licenses shall be paid to the credit of the Fish and Game Fund of the respective counties." Amend section 8 of Assembly Bill No. 288 by inserting between the lines 9 and 10, page 7 of the printed bill, an additional paragraph which shall read as follows: "Sixth—Every nonresident or alien trapper must have a hunting license, and shall pay therefor a license fee as follows: Alien declarant trappers and non-resident citizen trappers, ten dollars (\$10) each; and for an alien trapper, twenty-five dollars (\$25) each." In line 10, page 7, before the word "the" insert the following: "Seventh—"

A. BLUNDELL, J. H. MILLER,  
TOM P. EBERT, J. A. MOLINI,  
ROY PERSSON, PHIL M. TOBIN.

Mr. Blundell moved adoption of report.

Carried.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Enrollment has carefully compared Assembly Enrolled Bills Nos. 57, 67, 98, 107, 111, 113, 117, 122, 125, 130, 137, 138, 144, 148, 153, 159, 167, 168, 174, 178, 180, 187, 190, 196, 202, 206, 207, 215, 217, 218, 220, 222, 225, 249, 252, 254, 255, 262, 264, 270, 289, 299, 300, 307, and Assembly Joint Resolutions Nos. 22 and 24 with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. H. BARNES, *Chairman.*

The Speaker appointed Messrs. Dunseath, Black and Hatton as a select committee to draft proper resolutions in respect to the memory of our departed brother Assemblyman Clyde Johnson.

House recessed.

### HOUSE IN SESSION

Mr. Speaker in the chair.

Quorum present.

### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Special Committee, appointed to draft resolution of sympathy respecting the death of Honorable Clyde Johnson, a member of this body, beg leave to submit the accompanying resolution:

WHEREAS, Honorable Clyde Johnson, a member of the Assembly of the Thirty-sixth Session of the Nevada Legislature, has just passed away at his home in Reno; and

WHEREAS, Mr. Johnson, in this session of the Nevada Legislature, demonstrated at the beginning of the session his ability for the needs of his office, a keen understanding of and sympathy for his fellow man, and a full and complete realization of the responsibility imposed upon him by the trust of his office; and

WHEREAS, By his integrity and sincerity of purpose he had won a warm place in the hearts of his colleagues in this Legislature; and

WHEREAS, By his sterling qualities he had won from the people of this State a deep respect; and

WHEREAS, We feel that the State has lost a valuable citizen, his devoted wife a loving husband, and his son a kind father; now, therefore, be it

*Resolved by the Assembly of the State of Nevada,* That in token of the achievements of our colleague that this body deplores his untimely death as a public loss; and be it further

*Resolved,* That we offer to the bereaved family our sincere sympathy in their hour of grief, assuring them that the people of this State suffer a common grief with them; and be it further

*Resolved,* That a properly certified copy of this resolution be certified by the Speaker and Chief Clerk and transmitted to the family; that these resolutions be spread in full upon the minutes of this Assembly, and that upon their adoption that this honorable body recess out of respect to the memory of our departed friend and colleague; be it further

*Resolved,* That during the reading of this resolution this body stand in reverence.

HARRY DUNSEATH,  
FRED D. BLACK,  
WM. D. HATTON.

Mr. Dunseath moved adoption of resolution.

Unanimously adopted.

House recessed in honor of Mr. Clyde Johnson.

### HOUSE IN SESSION

Mr. Speaker in the chair.

Quorum present.

Former Assemblyman Albert Ayres was escorted to the Speaker's desk by Messrs. Dunseath and Goodin.

Without objection Mr. Speaker signed Assembly Bills Nos. 153 and 310.

## MOTIONS, RESOLUTIONS AND NOTICES

Mr. Cahlan moved that Senate Bill No. 203 be placed on general file for third reading and final passage.

Carried.

Mr. Raycraft moved that Senate Bill No. 103 be placed on file for third reading and final passage.

Carried.

Mr. Cahill moved that Senate Bill No. 127 be lifted from the table. Remarks by Messrs. Black, Cahill and Tandy.

Carried.

Mr. Cahill moved that Senate Bill No. 127 be indefinitely postponed. Roll call asked for by Messrs. Noble, Malone and Black.

Remarks by Mr. Taber.

Roll called:

YEAS—Messrs. Anderson, Beverly, Black, Blundell, Cahill, Cahlan, Carroll, Cooper, Dunseath, Ebert, Hamlin, Heward, Moore, Murphy, O'Connor, Roberts, Persson, Reynolds, Tandy and Wheelwright—20.

NAYS—Messrs. Bugbee, Cobb, Goodin, Malone, Noble, Raycraft, Stewart, Strosnider and Taber—9.

Absent—Messrs. Barnes, Brown, Butler, Hatton, Hussman, Johnson, Kenny, Lage and McAuliffe—9.

Not voting—Mr. Smith and Mr. Speaker—2.

Motion to indefinitely postpone carried.

Mr. Raycraft moved that Senate Bill No. 171 be placed on general file for third reading and final passage.

Carried.

Without objection Mr. Speaker signed Senate Bills Nos. 128, 112, 167, 117, 162, 111, 155, 191, 152, 126, 151, 148, 157, 200, 180, 145, 159, 161, 137, and Senate Concurrent Resolution No. 16.

## GENERAL FILE AND THIRD READING

Senate Bill No. 171.

Roll call on Senate Bill No. 171:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Bugbee, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Heward, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Wheelwright—30.

NAYS—None.

Absent—Messrs. Brown, Butler, Hatton, Hussman, Johnson, Kenny, Lage and McAuliffe—8.

Not voting—Mr. Cahill and Mr. Speaker—2.

Senate Bill No. 171 having received a constitutional majority, Mr. Speaker declared it passed.

Former Assemblyman Harry Stewart was escorted to the Speaker's desk by Messrs. Heward and Blundell.

Senate Bill No. 103.

Roll call on Senate Bill No. 103:

YEAS—Messrs. Barnes, Beverly, Black, Blundell, Bugbee, Cahill, Cahlan,

Carroll, Cobb, Cooper, Dunseath, Goodin, Heward, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—29.

NAYS—None.

Absent—Messrs. Brown, Butler, Ebert, Hatton, Johnson, Kenny, Lage and McAuliffe—8.

Not voting—Messrs. Anderson, Hamlin and Hussman—3.

Senate Bill No. 103 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 203.

Roll call on Senate Bill No. 203:

YEAS—Messrs. Anderson, Barnes, Black, Blundell, Bugbee, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Heward, Hussman, Malone, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—31.

NAYS—Mr. Moore.

Absent—Messrs. Beverly, Brown, Butler, Hatton, Johnson, Kenny, Lage and McAuliffe—8.

Senate Bill No. 203 having received a constitutional majority, Mr. Speaker declared it passed.

House recessed.

#### HOUSE IN SESSION

Mr. Speaker in the chair.

Quorum present.

#### PRESENTATION OF PETITIONS

A telegram from Patrick McCarran regarding the eighteenth amendment was read.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Ways and Means has had Senate Bill No. 204 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

J. H. CAHILL, *Chairman.*

*Mr. Speaker:*

The majority of your Committee on Washoe County Delegation has had Assembly Bill No. 306 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

J. H. CAHILL,	ERNEST S. BROWN,
J. H. HEWARD,	W. H. GOODIN,
F. D. BLACK,	A. BLUNDELL.

*Mr. Speaker:*

The minority of your Committee of Washoe County Delegation has had Assembly Bill No. 306 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

HARRY DUNSEATH,  
H. E. MALONE.

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to inform your honorable body that the Senate concurs in the Assembly amendments to Senate Substitute for Senate Bill No. 117.

Also, to present Senate Bill No. 134, which passed: Yeas, 14; nays, none; absent, 3.

Also, to inform you that the Senate has this day adopted the report of the Free Conference Committee on Assembly Bill No. 282.

Also, that the Senate has this day adopted the report of the Free Conference Committee on Assembly Bill No. 288.

Also, to present Senate Bill No. 206, which passed, as amended: Yeas, 14; nays, none; absent, 3. Amend title as follows: Strike the comma after the word "thereto" and place a period in lieu thereof, and strike balance of the title.

Also, to return Assembly Bill No. 222, which passed: Yeas, 13; nays, none; absent, 3; not voting, 1.

Also, Assembly Bill No. 309, which passed: Yeas, 14; nays, none; absent, 3.

Also, Assembly Bill No. 313, which passed, as amended: Yeas, 13; nays, none; absent, 3; not voting, 3. Amend as follows: Amend section 10 by striking out the word "ten" in line 10 of said section, and inserting the words "seven and one-half" in lieu thereof.

LENA GALE,

*Assistant Secretary of the Senate.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Black moved that Assembly Bill No. 306 be placed on file for third reading and final passage.

Carried.

Mr. Cahill moved that Senate Bill No. 174 be placed on file for third reading and final passage.

Carried.

Mr. Cahill moved that Senate Bill No. 201 be placed on file for third reading and final passage.

Carried.

Mr. Taber moved that the Assembly concur in the Senate amendments to Assembly Bill No. 313.

Carried.

#### INTRODUCTION AND FIRST READING

By Mr. Cobb:

Assembly Bill No. 314—An Act authorizing an additional stationery allowance for the members of the Thirty-sixth Session of the Nevada Legislature.

Mr. Dunseath moved that the bill be laid on the table.

Roll call asked for by Messrs. Dunseath, Moore and Cahill.

Roll called:

YEAS—Messrs. Anderson, Blundell, Bugbee, Cahill, Cooper, Dunseath, Goodin, Heward, Hussman, O'Connor, Reynolds, Stewart, Strosnider, Taber, Tandy and Wheelwright—16.

NAYS—Messrs. Barnes, Beverly, Black, Cahlan, Carroll, Cobb, Ebert, Hamlin, Lage, McAuliffe, Malone, Moore, Murphy, Raycraft, Roberts and Smith—16.

ABSENT—Messrs. Brown, Butler, Hatton, Johnson, Kenny and Noble—6.

Not voting—Mr. Persson and Mr. Speaker—2.

Motion lost.

Mr. Cobb moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, declared an emergency measure, considered engrossed, and placed on the Clerk's desk.

Carried.



Senate Bill No. 134.

Without objection rules suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and placed on general file for third reading and final passage.

Senate Bill No. 206.

Mr. Hussman moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, declared on emergency measure, considered engrossed, and placed on top of the file for third reading and final passage.

Remarks by Messrs. Goodin and Hussman.

Carried.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 306.

Remarks by Mr. Black.

Roll call on Assembly Bill No. 306 :

YEAS—Messrs. Anderson, Black, Blundell, Bugbee, Cahill, Carroll, Cobb, Ebert, Goodin, Hatton, Heward, Hussman, Lage, McAuliffe, Murphy, Noble, Roberts, Stewart, Strosnider and Taber—20.

NAYS—Messrs. Dunseath and Malone—2.

Absent—Messrs. Beverly, Butler, Cahlan, Cooper, Hamlin, Johnson, Kenny, Smith and Wheelwright—9.

Not voting—Messrs. Barnes, Brown, Moore, O'Connor, Persson, Raycraft, Reynolds, Tandy and Mr. Speaker—9.

Assembly Bill No. 306 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Assembly Bill No. 314.

Remarks by Messrs. Cobb, Dunseath, Goodin, Cahlan, Black and McAuliffe.

Roll call on Assembly Bill No. 314 :

YEAS—Messrs. Barnes, Beverly, Bugbee, Cahlan, Carroll, Cobb, Cooper, Hamlin, Hatton, Lage, McAuliffe, Malone, Moore, Murphy, Persson, Raycraft, Roberts and Smith—18.

NAYS—Messrs. Black, Blundell, Brown, Cahill, Dunseath, Ebert, Goodin, Heward, Hussman, Kenny, Noble, O'Connor, Reynolds, Stewart, Strosnider, Taber, Tandy and Wheelwright—18.

Absent—Messrs. Butler and Johnson—2.

Not voting—Mr. Anderson and Mr. Speaker—2.

Assembly Bill No. 314 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Senate Bill No. 174.

Roll call on Senate Bill No. 174 :

YEAS—Messrs. Barnes, Black, Blundell, Brown, Bugbee, Cahill, Carroll, Cobb, Dunseath, Ebert, Goodin, Hamlin, Heward, Hussman, Malone, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Stewart, Strosnider, Taber, Tandy and Wheelwright—26.

NAYS—Messrs. Cooper, Lage, McAuliffe and Murphy—4.

Absent—Messrs. Butler, Johnson, Kenny and Moore—4.

Not voting—Messrs. Anderson, Beverly, Cahlan, Hatton, Smith and Mr. Speaker—6.

Senate Bill No. 174 having received a constitutional majority, Mr. Speaker declared it passed.

Without objection Mr. Speaker signed Assembly Bills Nos. 173, 302, 269, and Senate Bills Nos. 52, 203, 103 and 171.

Senate Bill No. 201.

Roll call on Senate Bill No. 201:

YEAS—Messrs. Anderson, Barnes, Black, Blundell, Brown, Bugbee, Cahill, Cahlan, Carroll, Cobb, Dunseath, Ebert, Goodin, Hatton, Heward, Lage, McAuliffe, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—32.

NAYS—Messrs. Beverly, Cooper and Hamlin—3.

Absent—Messrs. Butler, Hussman, Johnson, Kenny and Smith—5.

Senate Bill No. 201 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 134.

Pursuant to a concurrent resolution, Senate Bill No. 134 was returned to Assembly and read third time.

Senate Bill No. 206.

Mr. Goodin moved that Senate Bill No. 206 be indefinitely postponed.

Remarks by Mr. Hussman, O'Connor and Goodin.

Motion lost.

Roll call on Senate Bill No. 206:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Cahill, Cahlan, Cooper, Dunseath, Ebert, Hatton, Heward, Hussman, Kenny, Malone, Noble, O'Connor, Persson, Raycraft, Stewart, Strosnider, Taber, Tandy and Wheelwright—25.

NAYS—Messrs. Bugbee, Carroll, Cobb, Goodin, Hamlin, Lage and Roberts—7.

Absent—Messrs. Butler, Johnson, McAuliffe, Moore, Reynolds and Smith—6.

Not voting—Mr. Murphy and Mr. Speaker—2.

Senate Bill No. 206 having received a constitutional majority, Mr. Speaker declared it passed.

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. O'Connor moved that Senate Bill No. 170 be taken off the table.

Carried.

Mr. O'Connor moved that Senate Bill No. 170 be referred to Committee on Roads and Highways.

Carried.

Mr. Kenny moved that the Assembly concur in the Senate amendments to Assembly Bill No. 312.

Carried.

Mr. Cahlan moved that Senate Bill No. 199 be placed on general file for third reading and final passage.

Carried.

Senate Bill No. 199.

Roll call on Senate Bill No. 199:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Brown, Bugbee, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Hamlin, Heward, Hussman,

Kenny, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—31.

YAYS—Mr. Lage.

Absent—Messrs. Blundell, Butler, Goodin, Hatton, Johnson, McAuliffe, Reynolds and Wheelwright—8.

Senate Bill No. 199 having received a constitutional majority, Mr. Speaker declared it passed.

#### GENERAL FILE AND THIRD READING

Senate Bill No. 134 (previously read).

Amendment proposed by Mr. Cobb: Amend section 1 of Senate Bill No. 134 by striking out on page 1, line 14, the word "twelve," and insert the word "fifteen"; also strike out in line 15 the figures "\$1,200," and insert the figures "\$1,500."

Mr. Cobb moved adoption of amendment.

Carried.

Roll call on Senate Bill No. 134:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Bugbee, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Heward, Hussman, Lage, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—34.

NAYS—None.

Absent—Messrs. Brown, Butler, Hatton, Johnson, Kenny and McAuliffe—6.

Senate Bill No. 134 having received a constitutional majority, Mr. Speaker declared it passed.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Live Stock has had Senate Substitute for Senate Bill No. 78 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

L. F. ANDERSON, *Chairman.*

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Concurrent Resolution No. 18, which was this day adopted by the Senate.

LENA GALE,

*Assistant Secretary of the Senate.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 18.

Mr. Tandy moved adoption of resolution.

Carried.

Mr. Brown moved that since the Nevada State Journal and its representative have been in contempt of this Assembly, the Assembly revoke the privileges of any representative of that paper, and that he be immediately requested to remove himself from the floor of the Assembly.

Mr. Dunseath moved that the motion be denied.  
 Remarks by Messrs. Cobb, Brown, Cahill and Moore.  
 Mr. Brown withdrew his motion.

Mr. Anderson moved that Senate Substitute for Senate Bill No. 78 be placed on file for third reading and final passage.

Carried.

House recessed.

### HOUSE IN SESSION

Mr. Speaker in the chair.

Quorum present.

Without objection Mr. Speaker signed Senate Bills Nos. 201, 174, 199 and 206.

### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Cooper moved that Senate Bill No. 101 be taken out of committee and placed on the Clerk's desk.

Carried.

Mr. Cooper moved that Senate Bill No. 101 be placed on file for third reading and final passage.

Carried.

Mr. Tandy moved that all bills brought out of committees will be done so by unanimous consent only.

Motion lost.

Mr. Noble moved that Senate Substitute for Senate Bill No. 129 be taken out of committee and placed on the Clerk's desk.

Motion lost.

By Committee on Enrollment:

Assembly Resolution No. 39:

*Resolved by the Assembly of the State of Nevada, That the following-named persons, for extra services by them rendered during the 36th Session of the Nevada Legislature, shall receive the amounts set opposite their respective names, in addition to any other sums or allowances that have been made to them or may be due them on account of their regular employment, to wit:*

Julian Thurston .....	\$30
L. K. Gregory.....	30
J. H. Malloy.....	30
Doris Cavanagh .....	30
Kathryn Monahan .....	30
George Smilanick .....	30
Charles Hicks .....	30
Ned A. Turner.....	30
Doris Hillman .....	30
Evelyn Wallace .....	30
Julia Meade .....	30
Oleta McGinness .....	30
Myra Harrington .....	30
Lucille Tobin .....	30
Clara Shields .....	30
Susan Petersen .....	30
Jane Ward .....	30
C. D. Baker.....	30

Roy Meffley .....	\$30
William J. Wallace.....	30
Paul Carney .....	30
Martin Petersen .....	30
Harriet Roberts .....	30
Jack Fogliani .....	30
Howard Harney .....	30
Ruth Brown .....	30
James D. Finch.....	40
Harry Coogan .....	30
Majorie Ligon .....	30
Claire Burns .....	30
Bernadine Cupit .....	30

The State Controller and State Treasurer are hereby directed to allow and pay each of the persons above named the sums set opposite their respective names out of the Legislative Fund of Nevada.

Mr. Dunseath moved adoption of resolution.

Amendment proposed by Mr. Rayercraft: Amend Assembly Resolution No. 39 by adding the following names and amounts: Geo. Brodigan, \$35; Chester Newnham, \$15; Stewart McKenzie, \$15; Morris Adams, \$10; John Oldham, \$10.

Mr. Rayercraft moved adoption of amendment.

Carried.

Resolution adopted, as amended.

By Mr. Noble:

Assembly Concurrent Resolution No. 21, requesting the return of Assembly Bill 222 from the enrolling committee for correction.

*Resolved by the Assembly of the State of Nevada, the Senate concurring.* That Assembly Bill No. 222 be returned from the Committee on Enrollment for correction.

Mr. Noble moved adoption of resolution.

Carried.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Free Conference Committee has had under consideration Assembly Bill No. 268 with the amendments adopted by the Assembly and amendments adopted by the Senate. Your committee finds that the Senate should recede from some of its amendments, and that the Assembly should recede from some of its amendments and, further, that additional amendments are in some cases required. Your committee therefore recommends that the engrossed bill containing both Assembly and Senate amendments be further amended as hereinafter specified, and that the Assembly and the Senate concur in the recommendations hereinafter made:

Section 1, page 2, line 7, strike the words "one hundred," and substitute the words "not less than twenty-five."

Page 2, lines 14 to 21, inclusive, substitute the following subdivision: "Seventh—The number of directors, which shall not be less than five, and the names of the stockholders selected to act as the first board of directors, each of whom shall be a bona fide subscriber for at least \$1,000 of the stock of said bank, fully paid and not hypothecated; and a statement of whether or not minority members of said board will be chosen from the depositors as permitted by section 10 of this Act. A majority of directors shall be residents of the State of Nevada."

Page 2, insert between lines 25 and 26 the following two subdivisions:

Tenth—Banks organized under this Act may maintain branch offices, but

the location of the principal office and the parent bank shall be within the State of Nevada, and the location of all branch offices shall be fixed in the articles of incorporation, and additional branches may be from time to time established by the board of directors with the written consent of the Superintendent of Banks. Banks which shall have branches in not more than two counties shall have a paid up capital of at least \$50,000, and a paid up surplus of at least \$25,000. Banks which shall have branches in more than two counties shall have a paid up capital and surplus of at least \$1,000,000, of which amount at least twenty per cent thereof shall be surplus.

Eleventh—Said articles of incorporation may also provide for the issuance and sale of preferred stock in such amount as shall be fixed by the articles or by amendments thereto, and the amount and number of shares thereof, and the terms and conditions thereof, not inconsistent with the later provisions of this Act.

Amend section 4 to read as follows: "A banking corporation organized under the provisions of this Act shall be permitted to receive money on deposit, to buy and sell exchange, gold, silver, coin, bullion, noncurrent money and bonds, to loan money on chattel and personal security, or on real estate secured by mortgage; to own a suitable building, furniture, and fixtures for the transaction of its business, the value of which may, upon organization, be carried on the books of the bank in an amount not exceeding sixty per cent of the capital and surplus of said bank, fully paid; *provided*, the asset value of the building shall be written down annually at the rate of five per cent per annum to not exceeding thirty-five per cent of said capital and surplus, and the asset value of furniture and fixtures shall be written down on the books of the bank at an annual rate of ten per cent until it does not exceed the assessed value of said furniture and fixtures; *and provided*, that nothing in this section shall prohibit such bank from holding or disposing of such real estate as it may acquire through the collection of debts due it."

Amend section 5, page 5, line 1, by placing a period after the word "company," and strike out balance of section.

Amend section 10, page 8, line 21, by substituting the word "any" for the word "every." Page 8, line 23, substitute the word "may" for the word "shall."

Section 10 (engrossed bill), strike Senate amendments on pages 8, 9, 10 and 11, and lines 15 and 16, page 12.

Page 8, line 28, insert a comma after the word "association" and insert the word "by" before the word "Statute."

Further amend section 10, page 9, line 3, before the word "within" insert the following: "If the articles of incorporation provide for depositor-directors," then substitute a small "w" for the capital letter in the word "within."

Page 9, line 24, insert a comma after the word "days."

Page 10, line 28, substitute the word "may" for the word "way."

Amend section 10, page 13, lines 3, 4, 5, 6 and 7, amend the sentence commencing with the words "the board" to read as follows: "The board of directors shall meet at least once each month in regular meeting, and at least quarterly a thorough examination of the books, records, funds and securities held by the bank or trust company, shall be made and recorded in detail upon its record book."

Page 13, line 10, add the following sentence: "All the provisions of this section relating to depositor-directors shall be applicable only if provided for in the articles of incorporation."

Amend section 16, page 16, lines 5, 6 and 7, to read as follows: "Provisions of this Act shall be liable for all damages which said bank, its stockholders, creditors, or depositors shall suffer in consequence thereof, and shall be subject to removal upon order of the Superintendent of Banks."

Amend section 21, page 19, line 31, by striking the words in parentheses and substitute the words "at actual value."

Page 20, line 1, strike the words in parentheses and substitute the words "at actual value."

Page 21, line 12, strike the word "rediscounts" and substitute the words "loans from banks—Amount secured; Amount unsecured."

Page 21, line 19, strike the words "Profit and loss account," and substitute the word "Rediscounts."

Page 21, line 20, insert the words "Loans to directors and officers—Secured; Unsecured; Actual cost of bonds."

Amend section 29, page 24, line 25, by striking the word "four" and substituting the word "three."

Amend section 35, page 26, by striking out all of line 33 except the first word "therefor," insert a semicolon and the following: "*and provided further,* with written consent of the Superintendent of Banks and the State Board of Finance in each instance, a bank may borrow to the amount of fifty per cent in excess of its paid up capital and surplus, and pledge assets of the bank as collateral security therefor. Any indebtedness, however, contracted in excess of the amount limited herein, shall be null and void in its entirety"; strike all of lines 1, 2, 3, 4, 5, 6 and 7 on page 27.

Section 50, page 32, amend by filling blanks in Senate amendment so that salary of Superintendent of Banks will be fixed at \$4,000 a year, and salary of deputy will be fixed at \$3,000 a year.

Amend section 51, page 34, lines 17 and 18, by striking out the Senate amendments.

After section 67, page 44, strike out lines 15, 16, 17, 18, 19, 20, 21, 22 and 23.

Amend the first paragraph of section 68 of the engrossed bill, as amended (see printed Senate amendments, page 6), to read as follows: "Whenever any bank shall have voluntarily suspended business or when the Superintendent of Banks shall have taken possession of the assets of any bank, depositors or creditors representing not less than fifteen per cent of the total amount of the outstanding indebtedness against said bank, exclusive of public deposits, may commence an action in the District Court of Ormsby County or the county in which the bank is located, against the bank, setting forth the facts that such bank is insolvent, and is unable to pay its depositors and creditors in the usual course of business, or has suspended payment of its obligations, and has refused or neglected to pay its obligations for a period of at least thirty days prior to the filing of the complaint, or either of said causes."

Amend section 70 of the engrossed bill, as amended (see printed Senate amendments, page 7), by striking out in the 3d, 4th, 5th, and 6th lines the clause: "and that the value of its assets at the time of the hearing is such that said bank is unable to pay more than eighty cents (80¢) on the dollar to all of its depositors and creditors," and preceding the words "five per cent" insert the words "not less than"; and following the word "indebtedness" (on 8th and 9th lines) insert the words "exclusive of public deposits."

Amend the first paragraph of section 74 of the engrossed bill, as amended (see page 9 of printed Senate amendments), to read as follows: "The court shall, by its judgment or other order, appoint five persons to sign and acknowledge the articles of incorporation, and to act as the first board of directors, who shall serve from the date of their appointment and until their successors are elected and qualified as hereinafter provided."

Amend section 75 of the engrossed bill, as amended, to read as follows: "Sec. 75. At any time after the filing of the complaint, as in this Act provided, persons representing not less than five per cent of the total number of depositors or creditors who hold fifty per cent or more of the outstanding indebtedness of the closed bank, exclusive of public deposits, may present to the court a plan or plans for the reopening of said closed bank or for the reopening of said closed bank in connection with other closed banks. Such plan or plans for reopening of said bank or banks may be by consolidation of banks, or by the organization of a new bank in conjunction with other corporations qualified as borrowers from the Reconstruction Finance Corporation or other Federal loan agencies or associations, the purpose of which shall be to take over, and which will take over, all or any part of the assets of the closed bank or banks. If the court shall find and determine that the bank, or banks, are insolvent, and if it shall appear that any such plan proposed is reasonable, just and equitable, and for the best interests of the depositors and creditors of the bank, and of each of the banks where more than one are joined or to be joined in any such plan,

the court may, by appropriate order and decree, accept and adopt said plan, and order the same carried out.

"Where more than one bank is joined in such plan, not less than five per cent of the total number of the depositors or creditors holding fifty per cent or more of the outstanding indebtedness of each of the respective banks, exclusive of public deposits, shall join in and consent to and request the adoption of such plan.

"Under such plan, the new bank must assume and pay all trust funds and preferred claims in full.

"In any such order and decree the court may direct that shares of stock in other corporations, whether of the bank or the mortgage company, may be issued and accepted in part payment of the value of the assets of the closed bank so sold and conveyed, and may permit the sale of the assets of said closed bank for cash, or for part cash and part stock, or for part cash and part shares of stock in the corporations to be organized, including the bank, and may permit all or any part of the credit in the new bank to be in the form of deferred deposits or time certificates of deposit, but such deposits, if deferred, must be payable in at least four equal yearly instalments, and the final installment must, in any event, be payable within four years from the date of the opening of the new bank.

The court shall, in its decree, order a distribution of the stock of said reopened bank or banks, and other corporations equitably to the unsecured creditors and depositors, and the secured creditors to the extent of the difference between the amount of their respective claims and the fair value of their security, and to the original stockholders of the closed bank or banks in the manner provided by section 73 of this Act; *provided*, if any secured creditor shall refuse to accept stock in said amount, then in lieu thereof, the directors may issue to said secured creditor a participation certificate or certificates in the assets of the reopened bank or banks, or the corporations, to the extent that such secured creditor would be entitled by law. The decree shall further provide that the stock in said corporations shall be nonassessable, and that the stock in the bank shall be assessable or nonassessable as the court may determine."

Amend the engrossed bill, as amended (see page 10 printed Senate amendments), by striking out section 77, and insert in lieu thereof the following: "Sec. 77. All provisions of an Act entitled "An Act providing a general corporation law," approved March 21, 1925, as amended, not in conflict with this Act, are hereby adopted as a part of this Act."

Amend section 79 of the engrossed bill, as amended (see printed Senate amendments, page 11), by inserting before the word "reorganization" in the seventh line of said section the words "reopening or," and in the fourth line from the bottom of said section, after the words "Ormsby County," insert "or the county in which the bank is located."

Amend section 81 (see printed Senate amendments, page 12) by inserting after the word "may" at the end of the fourth line of said section a comma and the words "only in order to take advantage of an Act or Acts of Congress."

Amend section 84 of the engrossed bill, as amended (see section 71 of printed bill), on page 45, lines 27 and 28, strike the Senate amendment and substitute the words "two years."

Amend the title by receding from the Senate amendment striking the clause "to incorporate herein the provisions of the general corporation law, as amended."

A. S. HENDERSON,  
A. L. SCOTT,  
N. H. GETCHELL,

G. J. KENNY,  
ERNEST S. BROWN,  
WM. D. HATTON,

*Senate Committee. Assembly Committee.*

Mr. Kenny moved adoption of the Free Conference Committee report.

Remarks by Messrs. Cobb and Brown.



Roll call asked for by Messrs. Brown, Cahlan and Moore.

Roll called:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Blundell, Brown, Bugbee, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Kenny, Lage, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—35.

NAYS—None.

Absent—Messrs. Butler, Cahill, Hussman, Johnson and McAuliffe—5.

Report adopted.

Without objection Mr. Speaker signed Assembly Bills Nos. 309, 312, 288 and 313, Senate Bill No. 134, and Senate Joint Resolution No. 18.

Mr. Brown moved that when the Conference Committee report is enrolled and engrossed that the Conference Committee be permitted to assist the Enrollment and Engrossment Committees in seeing that the enrollment of Assembly Bill No. 268 is as decided on by that body.

Carried.

Mr. Speaker thanked the Free Conference Committee for its efforts on Assembly Bill No. 268.

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to inform your honorable body that the Senate has adopted the Free Conference Committee report on Assembly Bill No. 268 by the following vote: Yeas, 16; nays, 1.

LENA GALE,

*Assistant Secretary of the Senate.*

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

The Committee on Engrossment hereby certifies that bound copy of Assembly Bill No. 268, as amended, and Free Conference Committee report with adopted amendments, hereto attached, are correct copy of the same.

DOUG. H. TANDY, *Chairman.*

#### MESSAGE FROM THE GOVERNOR

*To the Honorable the Senate and the Honorable the Assembly:*

Once again I deem it necessary to address you regarding pending legislation relating to the imposition of a percentage tax on premiums received by insurance companies.

The original Act introduced by Assemblyman Hussman on February 2, 1933, as Assembly Bill No. 57, was found, on examination, to be defective, and I have heretofore suggested the passage of amendatory legislation.

Complying with this suggestion, Senate Bill No. 206 was introduced by the Senate Ways and Means Committee, and promptly passed.

In my message to your honorable bodies, it was pointed out that by the enactment of this legislation approximately \$40,000 of additional revenue would be brought into the State Treasury from a field hitherto untouched by taxation, and that similar laws are on the statutes of practically every State in the Union.

An examination of the bill introduced by the Senate Ways and Means Committee discloses that it likewise is defective, and in view of the action of your honorable bodies in twice passing a bill imposing a percentage tax upon premiums received by insurance companies, I again take the liberty of bringing

this matter to your attention, to the end that an entirely new Act be passed providing for the imposition of such tax, that this much needed revenue be made available for the support of the government of the State.

As heretofore stated, it is not the policy of the Executive to interfere or to attempt to influence the passage of legislation, but the vital importance of this Act imposing a tax upon insurance companies, and the fact that the principle involved has twice received the approval of your honorable bodies, impels me to once again bring the subject to your attention during the present session, in the hope that an Act free from errors may again be sanctioned and submitted to the Executive Department for approval.

Very truly yours,

F. B. BALZAR,  
*Governor.*

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to inform your honorable body that the Senate has this day concurred in the Assembly amendments to Senate Bill No. 134.

Also, to present Senate Bill No. 155, which passed, as amended: Yeas, 12; nays, none; absent, 5. Amend title as follows: Strike the figures "1907" in the fourth line of the title, and insert in lieu thereof the figures "1927."

Also, Senate Bill No. 208, which, under suspension of all rules, was considered an emergency measure under the Constitution, considered engrossed, bill read first time in full, second time by title, and placed on the general file for third reading and final passage, and passed by the following vote: Yeas, 17; nays, none.

Also, to return Assembly Concurrent Resolution No. 19, which was adopted by the Senate.

Also, Assembly Concurrent Resolution No. 20, which was adopted by the Senate.

Also, Assembly Bill No. 137, which passed: Yeas, 16; nays, none; absent, 1.

LENA GALE,  
*Assistant Secretary of the Senate.*

#### MOTIONS, RESOLUTIONS AND NOTICES

By Mr. Stewart:

Assembly Concurrent Resolution No. 22, requesting the return of Assembly Bill No. 224 from the Governor for correction:

*Resolved by the Assembly of the State of Nevada, the Senate concurring.* That the Governor of the State of Nevada be requested to return Assembly Bill No. 224 for correction.

Mr. Stewart moved adoption of resolution.

Carried.

By Mr. Cobb:

Assembly Concurrent Resolution No. 23, requesting the return of Assembly Bill No. 262 for correction:

*Resolved by the Assembly of the State of Nevada, the Senate concurring.* That the Governor be requested to return for correction Assembly Bill No. 262.

Mr. Cobb moved adoption of resolution.

#### INTRODUCTION AND FIRST READING

Senate Bill No. 208.

Mr. Tandy moved that all rules be suspended, bill read first time in full, rules further suspended, read second time by title, declared an emergency measure, considered engrossed, that bill be taken up without

consideration from the Committee of the Whole and placed on top of the file for immediate and final passage.

Carried.

By Mr. Hussman:

Assembly Bill No. 315—An Act to provide revenue for the support of the Government of the State of Nevada, repealing all Acts in conflict herewith, and other matters properly relating thereto.

Mr. Hussman moved that all rules be suspended, bill read first time in full, rules further suspended, read second time by title, and declared an emergency measure, considered engrossed, and placed on general file for third reading and final passage.

Carried.

By Mr. Hussman:

Assembly Bill No. 316—An Act to regulate the sale of intoxicating liquors outside of the corporate limits of any incorporated city or town; creating a liquor board in the several counties of this State; prescribing the duties and declaring the powers of such board.

Mr. Hussman moved that all rules be suspended, bill read first time in full, rules further suspended, read second time by title, declared an emergency measure, considered engrossed, and placed on general file for third reading and final passage.

Carried.

At this time the Assembly arose and paused briefly in silence in respect to the memory of the late Assemblyman Clyde Johnson.

#### GENERAL FILE AND THIRD READING

Senate Bill No. 208.

Remarks by Messrs. Brown, Hamlin and Dunseath.

Mr. Brown moved that Senate Bill No. 208 be laid on the table.

Carried.

Further discussion by Messrs. Dunseath, Brown and Tandy.

Senate Substitute for Senate Bill No. 78.

Roll call on Senate Substitute for Senate Bill No. 78:

YEAS—MESSRS. Anderson, Barnes, Beverly, Brown, Bugbee, Cahill, Carroll, Cahlan, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—33.

NAYS—None.

Absent—Messrs. Black, Butler, Johnson, Lage, McAuliffe and Wheelwright—7.

Senate Substitute for Senate Bill No. 78 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 101.

Remarks by Messrs. Cooper, Hussman, Noble, Tandy, Taber, O'Connor, Dunseath and Heward.

Roll call on Senate Bill No. 101:

YEAS—MESSRS. Anderson, Barnes, Beverly, Brown, Bugbee, Cahill, Cahlan,

Carroll, Cobb, Cooper, Dunseath, Heward, Hussman, Kenny, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Stro-  
snider, Taber and Tandy—27.

NAYS—Messrs. Ebert, Hamlin, Hatton and Reynolds—4.

Absent—Messrs. Black, Blundell, Butler, Goodin, Johnson, Lage, McAuliffe  
and Wheelwright—8.

Not voting—Mr. Speaker.

Senate Bill No. 101 having received a constitutional majority, Mr.  
Speaker declared it passed.

Assembly Bill No. 222.

Returned from Governor in pursuance of a concurrent resolution.

Read third time.

Mr. Tandy moved unanimous consent be given that the action of  
the Assembly on the vote on the passage of the bill be rescinded.

Carried.

Amendments proposed by Mr. Noble: Amend section 1 of Assembly  
Bill No. 222 by striking out in line 1, page 1, after the word "section"  
the figure "1," and insert in lieu thereof the figure "2."

Mr. Noble moved adoption of amendment.

Carried.

Amend section 1 of Assembly Bill No. 222 by striking out at the end  
of line 14, page 1 of the printed bill, the figures "988," and insert in  
lieu thereof the figure "4."

Mr. Noble moved adoption of amendment.

Carried.

Amend section 2 of Assembly Bill No. 222 by striking out in line 1,  
page 2 of the printed bill, the figure "2," and insert in lieu thereof  
the figure "3."

Mr. Noble moved adoption of amendment.

Carried.

Amendment proposed by Mr. Noble: Amend section 3 of Assembly  
Bill No. 222 by striking out in line 15, page 2 of the printed bill, the  
figure "3" and insert in lieu thereof the figure "4."

Mr. Noble moved adoption of amendment.

Carried.

Amendment proposed by Mr. Noble: Amend section 4 of Assembly  
Bill No. 222 by striking out in line 24, page 2 of the printed bill, the  
figure "4" and insert in lieu thereof the figure "5."

Mr. Noble moved adoption of amendment.

Carried.

Amendment proposed by Mr. Noble: Amend section 1 of Assembly  
Bill No. 222 as follows: SECTION 1. The title of the above-entitled  
Act is hereby amended to read as follows: An Act concerning mort-  
gages of personal property, providing for the filing thereof, providing  
for their recordation, and other matters relating thereto, and repeal-  
ing all Acts or parts of Acts in conflict herewith, approved March 8,  
1923.

Remarks by Mr. Noble.

Mr. Noble moved adoption of amendment.

Carried.

Roll call on Assembly Bill No. 222:

YEAS—Messrs. Anderson, Barnes, Beverly, Brown, Bugbee, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—33.

NAYS—None.

Absent—Messrs. Black, Blundell, Butler, Johnson, Lage, McAuliffe and Wheelwright—7.

Assembly Bill No. 222 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Amendment proposed by Mr. Noble to title.

Amend title of Assembly Bill No. 222 by striking out the words "providing for the filing thereof."

Mr. Noble moved adoption of amendment.

Carried.

#### INTRODUCTION AND FIRST READING

Senate Bill No. 155.

Mr. Tandy moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and placed on file for third reading and final passage.

#### GENERAL FILE AND THIRD READING

Senate Bill No. 155.

Returned from Governor in pursuance of concurrent resolution.

Read third time.

Mr. Tandy asked unanimous consent that the action of the Assembly in the passage of Senate Bill No. 155 be rescinded.

Carried.

Roll call on Senate Bill No. 155:

YEAS—Messrs. Anderson, Barnes, Black, Brown, Bugbee, Cahill, Cahlan, Carroll, Cobb, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, Malone, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Stewart, Strosnider, Tandy and Mr. Speaker—30.

NAYS—None.

Absent—Messrs. Beverly, Blundell, Butler, Cooper, Johnson, McAuliffe, Moore, Smith, Taber and Wheelwright—10.

Senate Bill No. 155 having received a constitutional majority, Mr. Speaker declared it passed.

#### MOTIONS, RESOLUTIONS AND NOTICES

By Mr. Goodin:

Assembly Concurrent Resolution No. 24, requesting the return from the Governor of Assembly Bill No. 255:

*Resolved by the Assembly of the State of Nevada, the Senate concurring,* That the Governor of the State of Nevada be requested to return Assembly Bill No. 255 for correction.

Mr. Goodin moved adoption of resolution.

Remarks by Mr. Dunseath.

Carried.

Mr. Tandy moved that the Assembly take action on all bills on the Speaker's desk, that we recess long enough for the Committee on Judiciary to pass on Mr. Hussman's measures, and that the Assembly do now recess for that purpose.

Carried.

House recessed.

#### HOUSE IN SESSION

Mr. Speaker in the chair.

Quorum present.

Without objection Mr. Speaker signed Assembly Bills Nos. 282 and 312, and Senate Bills Nos. 101 and 78.

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Moore moved that Senate Substitute for Assembly Bill No. 267 and Senate Bill No. 129 be removed from committee and placed on the Clerk's desk.

Carried.

Mr. Cahlan moved that Senate Substitute for Senate Bill No. 129 and Assembly Bill No. 267 be indefinitely postponed.

Remarks by Messrs. Dunseath, Hussman, Cahlan, Black, Brown, Noble and Hatton.

Carried.

Mr. Moore moved that Senate Bill No. 123 be placed on top of the file for third reading and final passage.

Carried.

Mr. Moore moved that Senate Bill No. 194 be put on general file for third reading and final passage.

Mr. Dunseath moved that Senate Bill No. 194 be indefinitely postponed.

Carried.

Mr. Moore moved that Senate Bill No. 60 be lifted from the table and placed on the Clerk's desk.

Carried.

Mr. Dunseath moved that Senate Bill No. 60 be indefinitely postponed.

Remarks by Messrs. Noble, Dunseath and Hussman.

Previous question asked for by Messrs. Dunseath, Anderson and Brown.

Carried.

Mr. Moore moved that Senate Bill No. 195 be lifted from the table.

Carried.

Mr. Cahlan moved that Senate Bill No. 195 be indefinitely postponed.

Carried.

Mr. Moore moved that Senate Bill No. 208 be placed on file for third reading and final passage.

Carried.

Mr. Moore moved that Senate Bill No. 90 be removed from committee and placed on the Clerk's desk.

Carried.

Mr. Moore moved that Senate Bill No. 186 be taken from the Committee on Ways and Means and placed on the Clerk's desk.

Carried.

Mr. Moore moved that Senate Bill No. 90 be put on the file for third reading and final passage.

Carried.

Mr. Cobb moved that Senate Bill No. 80 be taken from the committee and placed on the Clerk's desk.

Remarks by Messrs. Tandy, Moore, Hamlin and Brown.

Roll call asked for by Messrs. Hamlin, Hussman and Cobb.

Roll called :

YEAS—Messrs. Anderson, Barnes, Black, Brown, Cahill, Cobb, Cooper, Dunseath, Ebert, Hatton, Heward, Hussman, Kenny, Murphy, Noble, O'Connor, Reynolds, Roberts, Stewart, Strosnider, Taber—21.

NAYS—Messrs. Beverly, Bugbee, Cahlan, Carroll, Goodin, Hamlin, Lage, Malone, Moore, Persson, Raycraft, Smith and Tandy—13.

Absent—Messrs. Blundell, Butler, Johnson, McAuliffe and Wheelwright—5.  
Not voting—Mr. Speaker.

Motion carried.

Mr. Cahill moved that Senate Bill No. 186 be indefinitely postponed.

Remarks by Messrs. Hussman, Cahill, Hatton, Brown and Black.

Carried.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 315.

Roll call on Assembly Bill No. 315 :

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Brown, Bugbee, Cahill, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Heward, Hussman, Kenny, Lage, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—32.

NAYS—None.

Absent—Messrs. Blundell, Butler, Cahlan, Hamlin, Johnson, McAuliffe and Wheelwright—7.

Not voting—Mr. Hatton.

Assembly Bill No. 315 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 316.

Roll call on Assembly Bill No. 316 :

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Brown, Bugbee, Cahill, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Heward, Hussman, Kenny, Lage, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy and Mr. Speaker—32.

NAYS—None.

Absent—Messrs. Blundell, Butler, Cahlan, Hamlin, Johnson, McAuliffe and Wheelwright—7.

Not voting—Mr. Hatton.

Assembly Bill No. 316 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 208.

Mr. Brown moved that Senate Bill No. 208 be indefinitely postponed. Remarks by Messrs. Anderson, Dunseath, Cahill, O'Connor, Moore, Hamlin, Cahlan, Tandy, Heward and Lage.

Messrs. Moore and Cahlan moved to points of personal privilege.

Motion lost.

Mr. Dunseath moved that Senate Bill No. 208 be placed on the bottom of the file.

Carried.

Senate Bill No. 208.

Bill had been read.

Roll call on Senate Bill No. 208:

YEAS—Messrs. Anderson, Barnes, Beverly, Bugbee, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Kenny, Lage, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Strosnider, Wheelwright and Mr. Speaker—26.

NAYS—Messrs. Black, Brown, Hatton, Heward, Murphy, Stewart, Taber and Tandy—8.

Absent—Messrs. Blundell, Butler, Hamlin, Hussman, Johnson and McAuliffe—6.

Senate Bill No. 208 having received a constitutional majority, Mr. Speaker declared it passed.

#### MESSAGE FROM THE GOVERNOR

*To the Honorable the Assembly:*

Herewith there is returned, without my signature, Assembly Bill No. 113, introduced by Mr. Moore (by request), February 15, 1933, same being an Act to amend sections 1 and 4 of an Act entitled "An Act to prohibit the employment of any person except a native-born or naturalized citizen of the United States by any officer of the State of Nevada, or any political subdivision of the State, or by any person acting under or for such officer, or by any contractor with the State of Nevada, or with any political subdivision of the State, in the construction of public works, or in any office or department of the State or in any office or department of any political subdivision of the State; providing penalties for violations of this Act, and other matters relating thereto," approved March 28, 1919.

An inspection of the last proviso in section 1 of this Act discloses that "no contract, for the construction of public works shall be let to any person, firm or corporation, not a citizen of this State, unless the bid of such firm, person or corporation should be at least 10% less than a bid of a citizen of this State."

I learn that similar legislation pending in the Legislature of Montana was rejected because of their being advised by the Bureau of Public Roads of the Department of Agriculture that such legislation was discriminatory and in absolute conflict with regulations for the conduct of Federal aid road work, and would prevent letting of contracts involving Federal funds.

Inasmuch as Nevada is very largely dependent upon the Federal Government for funds with which to construct and reconstruct our Federal aid highways, such legislation, if enacted, would be a bar to the receipt of any further Federal aid.

The remaining provisions of this Act apparently are very meritorious, and I suggest that the clause referred to be stricken from the bill and, thereafter, I shall be glad to give the same my favorable consideration.

Yours very truly,

F. B. BALZAR,  
Governor.



Remarks by Messrs. Dunseath, Moore, Cahill, Bugbee, Hamlin and Tandy.

Roll call on whether bill shall pass notwithstanding the Governor's veto :

YEAS—None.

NAYS—Messrs. Anderson, Barnes, Beverly, Black, Brown, Bugbee, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Lage, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—36.

Absent—Messrs. Blundell, Butler, Johnson and McAuliffe—4.

Governor's veto sustained.

Without objection Mr. Speaker signed Senate Bill No. 155.

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to return to your honorable body Assembly Concurrent Resolution No. 21, which was this day adopted by the Senate.

Also, Assembly Concurrent Resolution No. 22, which was adopted by the Senate.

Also, Assembly Concurrent Resolution No. 23, which was adopted by the Senate.

Also, Assembly Bill No. 222, which passed, as amended: Yeas, 11; nays, none; absent, 6. Amend title as follows: After the word "amend" insert "the title and." In section 1, strike words "providing for the filing thereof" and insert after the word "recording" the words "or filing." Strike words "approved March 8, 1923," and place quotation marks and period after the word "herewith."

Also, Assembly Concurrent Resolution No. 24, which was adopted by the Senate.

Also, to present Senate Bill No. 209, which passed: Yeas, 12; nays, none; absent, 5.

LENA GALE,

*Assistant Secretary of the Senate.*

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 174.

Pursuant to a concurrent resolution, bill returned from Governor. Read third time.

Mr. Tandy asked unanimous consent that the vote of the Assembly on the passage of this bill be rescinded.

Carried.

Amendments proposed by Mr. Hussman: Amend section 1 of Assembly Bill No. 174 by placing a period after the word "year" in line 8, page 1 of the printed bill, and strike out the following: "and for the next following year."

Mr. Hussman moved adoption of amendment.

Carried.

Amend section 2 of Assembly Bill No. 174 by striking out all of section 2, beginning with line 31, page 3 of the printed bill, and continuing down to and including all of line 9, page 4.

Mr. Hussman moved adoption of amendment.

Carried.

Amend section 9 of Assembly Bill No. 174 by inserting a period after the word "year," page 8, line 1 of the printed bill, and striking out the words "and for the next following year."

Mr. Hussman moved adoption of amendment.

Carried.

Mr. Hussman moved that Assembly Bill No. 174 be indefinitely postponed.

Carried.

Assembly Bill No. 262.

Pursuant to a concurrent resolution Assembly Bill No. 262 was returned from the Governor.

Read third time.

Mr. Tandy asked unanimous consent that the vote of the Assembly on the passage of this bill be rescinded.

Carried.

Amendments proposed by Mr. Cobb: Amend section 1 of Assembly Bill No. 262 by striking out after the period following the figure "1" in line 1, page 1 of the printed bill, all of the remainder of section 1, and insert in lieu thereof the following: "the above-entitled Act, being that portion of section 6419 N. C. L. 1929, numbered section 6, as the same appears on page 1848 of volume 3, N. C. L. 1929, is hereby repealed."

Mr. Cobb moved adoption of amendment.

Carried.

Amend section 2 of Assembly Bill No. 262 by striking out lines 11 and 12, page 3 of the printed bill.

Mr. Cobb moved adoption of amendment.

Carried.

Roll call on Assembly Bill No. 262:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Brown, Bugbee, Cahill, Cahlan, Carroll, Cobb, Dunseath, Ebert, Goodin, Hamlin, Heward, Hussman, Kenny, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Wheelwright and Mr. Speaker—32.

NAYS—None.

Absent—Messrs. Blundell, Butler, Cooper, Hatton, Johnson, Lage and McAuliffe—7.

Not voting—Mr. Tandy.

Assembly Bill No. 262 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Mr. Cobb moved that Assembly Bill No. 262 be indefinitely postponed.

Carried.

Assembly Bill No. 224.

Pursuant to a concurrent resolution, Assembly Bill No. 224 was returned from the Governor.

Read third time.

Mr. Tandy moved, under suspension of all rules, that unanimous

consent be granted and that all action of the house on the passage of Assembly Bill No. 224 be rescinded.

Carried.

Roll call on Assembly Bill No. 224:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Brown, Bugbee, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—34.

NAYS—Mr. Murphy.

Absent—Messrs. Blundell, Butler, Johnson, Lage and McAuliffe—5.

Assembly Bill No. 224 having received a constitutional majority, Mr. Speaker declared it passed.

Amendment to title proposed by Mr. Stewart: Amend title of Assembly Bill No. 224 by inserting in line 1 of the title, page 1, the words "to provide" after the words "An Act" and before the word "for."

Mr. Stewart moved adoption of amendment.

Carried.

Assembly Bill No. 217.

Mr. Tandy moved that Assembly Bill No. 217 be indefinitely postponed.

Carried.

Assembly Bill No. 281.

Mr. Hatton moved that Assembly Bill No. 281 be ordered printed, together with amendments.

Carried.

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Cahlan moved that under the suspension of all rules the Assembly rescind the action by which it defeated Assembly Bill No. 314.

Remarks by Messrs. Hatton, Tandy and Noble.

Carried.

Roll call on Assembly Bill No. 314:

YEAS—Messrs. Anderson, Barnes, Beverly, Bugbee, Cahlan, Carroll, Cobb, Cooper, Goodin, Hamlin, Hatton, Malone, Moore, Murphy, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith and Wheelwright—21.

NAYS—Messrs. Black, Brown, Cahill, Dunseath, Ebert, Heward, Kenny, Noble, Strosnider, Taber and Tandy—11.

Absent—Messrs. Blundell, Butler, Hussman, Johnson, Lage and McAuliffe—6.

Not voting—Mr. Stewart and Mr. Speaker—2.

Assembly Bill No. 314 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Dunseath moved that Senate Bill No. 204 be placed on file for third reading and final passage.

Remarks by Messrs. Black and Brown.

Carried.

Mr. Noble moved that the Assembly concur in the Senate amendments to Assembly Bill No. 222.

Carried.

## GENERAL FILE AND THIRD READING

Senate Bill No. 204.

Remarks by Messrs. Dunseath, Brown, Cahill and Hamlin.

Without objection the Assembly resolved itself into a Committee of the Whole to consider Senate Bill No. 204.

Mr. Speaker appointed Mr. Black Chairman of the Committee of the Whole.

## HOUSE IN SESSION

Mr. Speaker in the chair.

Quorum present.

## REPORT OF COMMITTEE OF THE WHOLE

*Mr. Speaker:*

Your Committee of the Whole House has had under consideration Senate Bill No. 204, and begs leave to report favorably on the same, with the recommendation that it do pass.

F. D. BLACK, *Chairman.*

Mr. Black moved adoption of report.

Carried.

Remarks by Messrs. Brown, Tandy, Dunseath, Hamlin and Black.

Without objection Senate Bill No. 204 was referred to the Committee on Claims for immediate investigation and report.

## GENERAL FILE AND THIRD READING

Senate Bill No. 123.

Roll call on Senate Bill No. 123:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Brown, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Kenny, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Roberts, Smith, Stewart, Taber, Tandy, Wheelwright and Mr. Speaker—30.

NAYS—None.

Absent—Messrs. Blundell, Bugbee, Butler, Hussman, Johnson, Lage, McAuliffe, Malone, Reynolds and Strosnider—10.

Senate Bill No. 123 having received a constitutional majority, Mr. Speaker declared it passed.

## INTRODUCTION AND FIRST READING

Senate Bill No. 209.

Mr. Brown moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and referred to Committee on Mines and Mining.

Carried.

## REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Mines and Mining has had Senate Bill No. 209 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

FRANK BUGBEE, *Chairman.*

*Mr. Speaker:*

Your Committee on Claims has had Senate Bill No. 204 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

TOM P. EBERT, *Chairman.*

## GENERAL FILE AND THIRD READING

Senate Bill No. 204 (continued).

Remarks by Messrs. Hussman and Dunseath.

Mr. Brown moved that Senate Bill No. 204 be indefinitely postponed.

Motion lost.

Roll call on Senate Bill No. 204:

YEAS—Messrs. Black, Bugbee, Cahill, Cahlan, Carroll, Cooper, Dunseath, Goodin, Hamlin, Heward, Malone, Moore, Noble, Persson, Raycraft, Reynolds, Roberts, Smith and Taber—19.

NAYS—Messrs. Barnes, Beverly, Brown, Cobb, Ebert, Hussman, Murphy, Strosnider, Tandy and Wheelwright—10.

Absent—Messrs. Blundell, Butler, Hatton, Johnson, Kenny, Lage and McAuliffe—7.

Not voting—Messrs. Anderson, O'Connor, Stewart and Mr. Speaker—4.

Senate Bill No. 204 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Mr. O'Connor moved that Senate Bill No. 209 be placed on file for third reading and final passage.

Carried.

Senate Bill No. 209.

Remarks by Mr. O'Connor.

Roll call on Senate Bill No. 209:

YEAS—Messrs. Anderson, Barnes, Beverly, Black, Brown, Bugbee, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Hatton, Heward, Hussman, Kenny, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Stewart, Strosnider, Taber, Tandy, Wheelwright and Mr. Speaker—35.

NAYS—None.

Absent—Messrs. Blundell, Butler, Johnson, Lage and McAuliffe—5.

Senate Bill No. 209 having received a constitutional majority, Mr. Speaker declared it passed.

Without objection Mr. Speaker signed Assembly Bills Nos. 137 and 255.

United States Marshal Jake Fulmer, former Assemblyman from White Pine County, was escorted to Speaker's desk by Messrs. Wheelwright and Beverly.

## MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 211, which has this day passed the Senate by the following vote: Yeas, 14; nays, 2; absent, 1.

Also, Senate Bill No. 212, under the suspension of all rules, bill considered an emergency measure under the Constitution, considered engrossed, placed on general file for third reading and final passage, and passed, as amended, by the following vote: Yeas, 16; nays, none; absent, 1. Amend as follows: Section 6, after the word "Finance" insert the words "at not less than par." In section 7, after the word "purpose" strike the semicolon and insert in lieu thereof a period, and strike the balance of the sentence.

Also, to return Senate Substitute for Assembly Bill No. 83, which passed, as amended: Yeas, 15; nays, 1; absent, 1. Amend as follows: Page 10, section 23, lines 18 and 19, strike the words "Bank Examiner," and insert in lieu thereof the words "Superintendent of Banks." Page 10, lines 21 and 22,

strike the words "State Bank Examiner," and insert in lieu thereof the words "Superintendent of Banks." Page 10, lines 25 and 27, strike the words "Bank Examiner," and insert in lieu thereof the words "Superintendent of Banks."

Also, Assembly Bill No. 151, which lost: Yeas, 4; nays, 11; absent, 1; not voting, 1.

Also, Assembly Bill No. 224, which passed: Yeas, 16; nays, none; absent, 1.

Also, Assembly Bill No. 266, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Amend title of Assembly Bill No. 266 to read as follows: An Act to authorize the deposit of public moneys in banks in this State, and other matters relating thereto."

Amend section 1 to read as follows: SECTION 1. The respective officers, agencies, departments, commissions of the State of Nevada, and of all political subdivisions thereof, are hereby authorized and empowered to deposit any and all public moneys in a bank or banks, but only in strict compliance with the provisions of this Act. Such deposits shall be entitled to no preference as public deposits, beyond the preference given by the security therefor, and shall draw no interest, except as hereinafter provided. All such funds shall be kept in accounts carried in the name of the State or county, as the case may be, in such manner as the State Board of Finance may prescribe for State funds, and as the Board of County Commissioners may prescribe for county funds; and the balances, as certified and sworn to by the president or cashier of the depository, and by the public official depositor, may be counted as cash.

Amend section 2 to read as follows: SEC. 2. Every officer, agency, department, or commission of the State of Nevada, and all political subdivisions thereof, shall deposit all cash within three days after the receipt thereof, and all payments made otherwise than in cash shall be deposited forthwith: *provided*, the State Treasurer may carry cash in an amount authorized in writing by the State Board of Finance, and the County Treasurers may carry cash in an amount authorized by the respective Boards of County Commissioners, for such length of time as the written order may specify.

Amend section 3 to read as follows: SEC. 3. All funds deposited in the name of the State of Nevada may be deposited on open account, subject to check without notice, in any State or National bank or banks within the State which shall have been selected and approved in writing by the State Board of Finance, the written approval specifying in each instance the maximum amount which may be deposited in each selected and approved bank, which amount shall, in no event, exceed the capital and surplus of said depository. The bank or banks so selected and approved shall, when the account is opened, cause to be delivered to the State Treasurer as security for said deposit: Negotiable or properly assigned bonds or other obligations of the United States of America or issued under its authority, bonds of any State of the Union, bonds or other obligations of the State of Nevada or of any county, school district, municipality, or any political subdivision within this State, exclusive of irrigation districts, in an amount to be fixed in writing by the State Board of Finance, which shall in no event be less than seventy-five per cent of the maximum balance permitted to be carried. In computing the value of security, interest shall not be included; and, except in case of conversion, as hereinafter in this Act required, interest, whenever due, shall be payable to the owner of the security. Any security given under the provisions of this Act may, with the written approval of the Treasurer and the State Board of Finance, be withdrawn, and other securities of sufficient value and of the kind herein specified be deposited in lieu thereof. Substitution may at any time be required by the State Treasurer and the State Board of Finance and additional security may likewise be required whenever such action becomes necessary to adequately secure the funds deposited.

Amend section 4 to read as follows: SEC. 4. Funds deposited in the name of any county in the State of Nevada may be deposited on open account, subject to check without notice, in any State or National bank or banks within the county, and if there be no bank within the county, then within one or more banks within the State of Nevada. Said bank or banks must, however,

first be selected and approved in writing as depositaries by the County Treasurer and Board of County Commissioners of the county whose funds are to be deposited, and the said board shall by resolution duly adopted and spread upon its minutes direct the County Treasurer to deposit the county funds in the bank or banks selected and approved; the said resolution in each instance shall specify the maximum balance which may be carried in each and all depositaries and the amount of security which shall be required of each and all depositaries. In fixing the amount of security the board shall determine the average daily balance for the previous fiscal year which was deposited or might have been deposited in bank. The resolution shall then specify the amount of the security which shall be required of each bank, said amount to be not less than sixty per cent of the average daily balance estimated to be carried in each depositary. The bank or banks so selected and approved shall, when the account is opened, cause to be delivered to the County Treasurer as security for said deposit: Negotiable and properly assigned bonds or other obligations of the United States of America or issued under its authority, bonds of any State of the Union, bonds or other obligations of the State of Nevada or of any county, school district, or municipality within this State, exclusive of irrigation districts, notes secured by first mortgages on real estate situate wholly or in part within the county whose funds are to be secured, each mortgage to be in an amount not in excess of fifty per cent of the clear market value of the security or other securities which are now acceptable for discount or as collateral by the Federal Reserve Bank within the district in which Nevada is included; said security and each item thereof to be first approved in writing by the Treasurer and the Board of County Commissioners. In computing the value of securities, interest shall not be included; and, except in case of conversion, as hereinafter in this Act required, interest, whenever due, shall be payable to the owner of the security. Any security given under the provisions of this Act may, with the written approval of the County Treasurer and Board of County Commissioners, be withdrawn, and other securities of sufficient value and of the kind herein specified be deposited in lieu thereof. Substitution may at any time be required by the County Treasurer and Board of County Commissioners, and additional security may likewise be required, whenever such action becomes necessary to adequately secure the funds deposited. Any security given under the provisions of this section may, with the written approval of the Treasurer and the Board of County Commissioners, be placed for safe-keeping with any third party mutually agreed upon. Each order, check, or draft drawn by any County Treasurer or any county depositary shall be countersigned by the County Auditor, and shall bear on its face the number of the county warrant for which the order, check, or draft is issued.

Add a new section to be known as section 5 to read as follows: Sec. 5. The State Treasurer may, upon written authority of the State Board of Finance, and each County Treasurer may, with the written approval of the Board of County Commissioners, deposit an amount to be fixed in the written authorization in a bank or banks selected and approved and with security as hereinbefore provided, on time deposit, which will bear interest at the rate of not less than two per cent per annum. Whenever any depositary shall fail to pay on written demand the entire balance due in said deposit, within forty-eight hours after demand is made, the State Treasurer or the County Treasurer, as the case may be, shall within thirty days thereafter convert into cash so much of the deposit security, including interest, as may be necessary to pay the amount then due, including costs, and disburse the proceeds according to law, returning any surplus to the depositary or its legal representatives; and, if there be a deficiency, reserving right to file claim for same as an unsecured creditor. At any sale under the provisions of this section the State Treasurer, or the County Treasurer, making the sale, may bid for and purchase the securities offered for sale whenever such securities continue to be approved securities or whenever it may be necessary to purchase same to protect the best interests of the seller.

Add a new section to be known as section 6 to read as follows: Sec. 6.

All moneys accruing and to accrue to the State of Nevada from the several counties of the State for the regular annual tax levy for State purposes, commonly known as the State-county settlement, may be deposited by the County Treasurers of the several counties of the State to the credit of the State of Nevada on open account, and money so deposited shall, for auditing purposes be deemed to be in the State Treasury; *provided*, each County Treasurer upon making any such deposit shall immediately after the quota of money due from his county to the State shall have been collected, notify the State Treasurer of the amount so collected and deposited, and furnish evidence of deposit in the depository bank or banks; *provided*, such deposits shall be made in strict compliance with the provisions of this Act relative to deposit of State funds.

Amend by adding a new section to be known as section 7, to read as follows: SEC. 7. Every depository shall at the close of business at the end of each month, and at any other time upon demand, furnish a statement of the public fund account or accounts, duly verified by some officer of the bank, and shall at the same time return to the treasurer or treasurers, all canceled checks and vouchers. Each depository shall also, at the same time, mail a copy of said statement of account or accounts in duplicate to the State Superintendent of Banks and said Superintendent of Banks shall immediately mail a copy thereof to the president of the bank. The State Treasurer shall, on or before the fifth day of each month, cause to be published in a newspaper of general circulation at the capital, a statement showing the amount of funds deposited in the name of the State of Nevada held by each and every State depository on the first day of said month. A copy of said statement shall on or before the fifth day of each month be filed with the Superintendent of Banks. The State Treasurer shall make no withdrawal of any public funds deposited in the name of the State of Nevada except by Controller's warrant in the manner hereinafter set forth, without the written consent of the State Board of Finance. A warrant of the State Controller shall be a check of the State Treasurer, and shall be paid by the depository designated thereon when registered, countersigned, and the bank designated for payment thereof, as hereafter provided. The State Treasurer shall keep a check register which shall separately show the amount of State money on deposit with every depository bank, and shall list separately each and every check drawn upon the respective depositories, numbering the checks against each depository consecutively. A transcript of said check register listing each check and the number thereof, the amount for which the same is drawn, and the depository upon which drawn, for the previous calendar month, shall be filed with the State Board of Finance, not later than the third day in each calendar month, and so much thereof as relates to each depository shall be forthwith transmitted by mail to the president of each interested bank. Whenever any warrant of the State Controller is presented to the State Treasurer for payment, such warrant shall become a check of the State Treasurer if the State Treasurer shall indorse thereon the name of the depository where payable, and a number to correspond with a registered check, and countersign his name thereto as such State Treasurer. Such warrant checks shall be drawn, as nearly as may be, upon the depository nearest the residence of the payee named in the warrant, if the residence be known to the State Treasurer.

Add a new section to be known as section 8 to read as follows: SEC. 8. Upon written request from any officer, agency, department, or commission of the State of Nevada, the State Board of Finance may, in writing, designate a bank or banks as collection depositories, and authorize deposit therewith for collection of evidences of indebtedness of the nature specifically described in said written approval. Such collection depositories shall be required to furnish security as in this Act provided, and all proceeds of collections shall be transferred from such depository to the State Treasurer periodically as may be required in the written approval.

Add a new section to be known as section 9 to read as follows: "This Act shall not be construed as affecting any revolving funds heretofore authorized by statute; and the State Board of Finance is hereby authorized and empowered, upon written application and good cause shown, to enter an order or



orders in writing permitting any officer, agency, department, or commission of the State of Nevada to carry cash on hand in an amount sufficient to defray petty cash and necessary expenses; *provided*, said order shall require full written accounting of any and all such cash in the manner and at the times to be specified in the order of said board.

Add a new section to be known as section 10 to read as follows: SEC. 10. Nothing herein contained shall exonerate any person or surety on any bond heretofore given.

Add a new section to be known as section 11 to read as follows: SEC. 11. Any person, corporation, copartnership, or association willfully violating any of the terms or provisions of this Act shall be deemed guilty of a gross misdemeanor. Any person, firm, corporation, copartnership, or association violating any of the terms or provisions of this Act shall be held civilly liable for any losses thereby suffered by the State of Nevada or any county thereof, and, if a public official, shall in addition to any criminal or civil liability be subject to removal from office.

Add a new section to be known as section 12 to read as follows: SEC. 12. An Act to authorize the deposit of State moneys in banks in this State, and to repeal all Acts and parts of Acts in conflict with this Act, approved February 6, 1928, and all amendments thereof, and An Act authorizing County Treasurers to place county funds in bank, on open account, under certain restrictions, approved March 12, 1885, and any and all Acts and part of Acts in conflict with the provisions of this Act, are hereby repealed.

Add a new section to be known as section 13 to read as follows: SEC. 13. This Act shall take effect May 1, 1933.

Also, Assembly Bill No. 314, which, under suspension of all rules, was considered an emergency measure under the Constitution, considered engrossed, and placed on the general file for third reading and final passage, and passed by the following vote: Yeas, 12; nays, 4; absent, 1.

Also, Assembly Bill No. 316, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Section 1, after the word "females" insert the words "or minors." Add a new section to be known as section 2: Sec. 2. This Act shall take effect upon its approval.

LENA GALE,

*Assistant Secretary of the Senate.*

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. Tandy moved that the Assembly proceed to the consideration of Assembly Bill No. 83, and that no other business be transacted by this house until Assembly Bill No. 83 is passed by both houses.

Remarks by Messrs. Hussman, Tandy and Hamlin.

Carried.

Upon motion of Mr. Tandy, the Assembly resolved itself into the Committee of the Whole to consider Assembly Bill No. 83.

Mr. Speaker appointed Mr. Tandy Chairman of the Committee of the Whole.

#### HOUSE IN SESSION

Mr. Speaker in the chair.

Quorum present.

Without objection Mr. Speaker signed Assembly Bill No. 314.

#### REPORT OF COMMITTEE OF THE WHOLE

*Mr. Speaker:*

Your Committee of the Whole House has had Assembly Bill No. 83 under consideration, together with Senate Substitute for Assembly Bill No. 83, and recommend as follows: That the substitute be adopted. That prior to its

passage the proposed attached amendments be adopted to the appropriate sections and other amendments be adopted to sections 14, 16, 19, 23, 31 and 45, and that the remainder of said bill be adopted without amendment.

DOUG. H. TANDY, *Chairman*.

Mr. Tandy moved that the report of the Committee of the Whole be received.

Carried.

#### INTRODUCTION AND FIRST READING

Senate Substitute for Assembly Bill No. 83.

Mr. Tandy moved that rules be suspended, reading so far had considered first reading, rules further suspended, substitute read second time by title, and placed on top of the file for third reading and final passage.

#### GENERAL FILE AND THIRD READING

Senate Substitute for Assembly Bill No. 83.

Amendment proposed by Mr. Malone: Amend section 14 of Senate Substitute for Assembly Bill No. 83 by striking out in line 28, page 7, the figures "\$2,500" and inserting the figures "\$4,000."

Mr. Malone moved adoption of amendment.

Roll call asked for by Messrs. Dunseath, Heward and Cahill.

Roll called:

YEAS—Messrs. Barnes, Beverly, Brown, Bugbee, Cahlan, Carroll, Cobb, Goodin, Hamlin, Hatton, Kenny, Lage, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts and Smith—21.

NAYS—Messrs. Cahill, Cooper, Dunseath, Ebert, Heward, Hussman, Murphy, Stewart, Strosnider and Tandy—10.

Absent—Messrs. Anderson, Black, Blundell, Butler, Johnson, McAuliffe, Taber and Wheelwright—8.

Not voting—Mr. Speaker.

Amendment adopted.

Amendment proposed by Mr. Malone: Amend section 14 of Senate Substitute for Assembly Bill No. 83 by inserting between lines 28 and 29 the following: "For printing of briefs, opinions and orders, \$550."

Mr. Malone moved adoption of amendment.

Roll call asked for by Messrs. Cahill, Dunseath and Heward.

Roll called:

YEAS—Messrs. Barnes, Beverly, Brown, Bugbee, Cahlan, Carroll, Goodin, Hamlin, Hatton, Kenny, Lage, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts and Smith—20.

NAYS—Messrs. Black, Cahill, Cobb, Cooper, Dunseath, Ebert, Heward, Hussman, Murphy, Stewart, Strosnider and Tandy—12.

Absent—Messrs. Anderson, Blundell, Butler, Johnson, McAuliffe, Taber and Wheelwright—7.

Not voting—Mr. Speaker.

Amendment adopted.

Amendment proposed by Mr. Malone: Amend section 14 of Senate Substitute for Assembly Bill No. 83 by inserting between lines 1 and 2, page 8, the following: "For engineering, accounting, clerical, consulting and expert witness services in utility rate cases, \$15,000."

Mr. Malone moved adoption of amendment.

Roll call asked for by Messrs. Dunseath, Cahill and Cooper.

Roll called :

YEAS—Messrs. Barnes, Bugbee, Cahlan, Carroll, Goodin, Hamlin, Kenny, Lage, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts and Smith—17.

NAYS—Messrs. Black, Cahill, Cobb, Cooper, Dunseath, Ebert, Heward, Hussman, Murphy, Strosnider and Tandy—11.

Absent—Messrs. Anderson, Beverly, Blundell, Brown, Butler, Hatton, Johnson, McAuliffe, Stewart, Taber and Wheelwright—11.

Not voting—Mr. Speaker.

Amendment adopted.

Amendments proposed by Mr. Raycraft: Amend section 10 of Senate Substitute for Assembly Bill No. 83, in line 22, page 4, change the figures to \$51,910; in line 27, page 4, change the figures to \$33,240; in line 5, page 5, change the figures to \$13,100.

Mr. Raycraft moved adoption of amendment.

Roll call asked for by Messrs. Dunseath, Cahill and Heward.

Roll called :

YEAS—Messrs. Barnes, Bugbee, Cahlan, Carroll, Cobb, Goodin, Hamlin, Kenny, Lage, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Strosnider and Tandy—21.

NAYS—Messrs. Black, Cahill, Cooper, Dunseath, Ebert, Heward, Hussman and Stewart—8.

Absent—Messrs. Anderson, Beverly, Blundell, Brown, Butler, Hatton, Johnson, McAuliffe, Taber and Wheelwright—10.

Not voting—Mr. Speaker.

Amendment adopted.

Amendment proposed by Mr. Smith: Amend section 16 of Senate Substitute for Assembly Bill No. 83 by striking out in page 8 all of lines 20, 21, 22, 23, 24, 25, 26, 27 and 28, and insert in lieu thereof: "for support of the office of State Engineer, \$33,800."

Mr. Smith moved adoption of amendment.

Roll call asked for by Messrs. Dunseath, Cahill and Goodin.

Roll called :

YEAS—Messrs. Barnes, Beverly, Bugbee, Cahlan, Carroll, Cobb, Ebert, Goodin, Hamlin, Heward, Kenny, Lage, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts and Smith—22.

NAYS—Messrs. Black, Cahill, Cooper, Dunseath, Hussman, Stewart, Strosnider and Tandy—8.

Absent—Messrs. Anderson, Blundell, Brown, Butler, Hatton, Johnson, McAuliffe, Taber and Wheelwright—9.

Not voting—Mr. Speaker.

Amendment adopted.

Amendment proposed by Mr. Smith: Amend section 16 of Senate Substitute for Assembly Bill No. 83 by striking out on page 8, line 15, the figures "\$45,700," and insert in lieu thereof the figures "\$55,000."

Mr. Smith moved adoption of amendment.

Roll call asked for by Messrs. Dunseath, Heward and Cahill.

Roll called :

YEAS—Messrs. Barnes, Beverly, Bugbee, Cahlan, Carroll, Cobb, Ebert,

Goodin, Hamlin, Heward, Kenny, Lage, Malone, Moore, Murphy, Noble, O'Connor, Persson, Raycraft, Reynolds, Smith and Stewart—23.

YAYS—Messrs. Black, Cahill, Cooper, Dunseath, Hussman, Strosnider and Tandy—7.

Absent—Messrs. Anderson, Blundell, Brown, Butler, Hatton, Johnson, McAuliffe, Taber and Wheelwright—9.

Not voting—Mr. Speaker.

Amendment adopted.

Amendment proposed by Mr. Smith: Amend section 19 of Senate Substitute for Assembly Bill No. 83 by striking out on page 9, lines 12 and 21, the figures "\$1,000," and insert in lieu thereof the figures "\$5,000."

Mr. Smith moved adoption of amendment.

Roll call asked for by Messrs. Dunseath, Heward and Cahill.

Roll called:

YAYS—Messrs. Barnes, Beverly, Bugbee, Cahlan, Carroll, Goodin, Hamlin, Heward, Kenny, Lage, Malone, Moore, Murphy, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith and Stewart—20.

NAYS—Messrs. Black, Cahill, Cobb, Cooper, Dunseath, Ebert, Hussman, Noble, Strosnider and Tandy—10.

Absent—Messrs. Anderson, Blundell, Brown, Butler, Hatton, Johnson, McAuliffe, Taber and Wheelwright—9.

Not voting—Mr. Speaker.

Amendment carried.

Amendment proposed by Mr. Malone: Amend section 23 of Senate Substitute for Assembly Bill No. 83 by inserting between lines 32 and 33, page 10, the following: "For expenses to be incurred in railroad and utility tax suits, \$20,000."

Mr. Malone moved adoption of amendment.

Roll call asked for by Messrs. Dunseath, Cahill and Cobb.

Roll called:

YAYS—Messrs. Barnes, Beverly, Bugbee, Cahlan, Carroll, Goodin, Hamlin, Kenny, Lage, Malone, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts and Smith—17.

NAYS—Messrs. Black, Cahill, Cobb, Cooper, Dunseath, Ebert, Heward, Hussman, Murphy, Stewart, Strosnider and Tandy—12.

Absent—Messrs. Anderson, Blundell, Brown, Butler, Hatton, Johnson, McAuliffe, Moore, Taber and Wheelwright—10.

Not voting—Mr. Speaker.

Amendment adopted.

Amendment proposed by Mr. Malone: Amend section 23 of Senate Substitute for Assembly Bill No. 83 by striking out in line 23, page 10, the figures "\$43,893," and insert the figures "\$63,893."

Mr. Malone moved adoption of amendment.

Roll call asked for by Messrs. Tandy, Dunseath and Hamlin.

Roll called:

YAYS—Messrs. Barnes, Bugbee, Cahlan, Carroll, Goodin, Hamlin, Kenny, Lage, Malone, Moore, Noble, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith and Stewart—18.

NAYS—Messrs. Beverly, Black, Cahill, Cobb, Cooper, Dunseath, Ebert, Heward, Hussman, Murphy, Strosnider and Tandy—12.

Absent—Messrs. Anderson, Blundell, Brown, Butler, Hatton, Johnson, McAuliffe, Taber and Wheelwright—9.

Not voting—Mr. Speaker.

Amendment adopted.

Amendment proposed by Mr. Raycraft: Amend section 31 of Senate Substitute for Assembly Bill No. 83 by striking out in line 6, page 13 of the printed bill, the figures "\$2,813," and insert in lieu thereof the figures "\$3,125."

Mr. Raycraft moved adoption of amendment.

Remarks by Messrs. Kenny and Hamlin.

Amendment adopted.

Amendment proposed by Mr. Raycraft: Amend section 31 of Senate Substitute for Assembly Bill No. 83 by changing figures in line 3, page 13, to "\$13,025."

Mr. Raycraft moved adoption of amendment.

Amendment adopted.

Amendment proposed by Mr. Smith: Amend section 45 of Senate Substitute for Assembly Bill No. 83 by striking out in line 8, page 17, the figures and words "10% (ten per centum)," and insert in lieu thereof "25% (twenty-five per centum)."

Mr. Smith moved adoption of amendment.

Amendment adopted.

Amendment proposed by Mr. Malone: Amend section 13 of Senate Substitute for Assembly Bill No. 83 by striking out in line 20, page 7, the figures "\$36,250," and insert in lieu thereof the figures "\$53,300."

Mr. Malone moved adoption of amendment.

Amendment adopted.

Remarks on Senate Substitute for Assembly Bill No. 83 by Messrs. Cahill, Smith, Tandy, Hussman, Dunseath, Hamlin, Anderson, Black, Malone, Cahlan, Hatton, Noble, Cobb and Taber.

Roll call on Senate Substitute for Assembly Bill No. 83, as amended:

YEAS—Messrs. Barnes, Bugbee, Cahlan, Carroll, Hatton, Lage, Malone, Moore, O'Connor, Persson, Raycraft, Reynolds, Roberts and Smith—14.

NAYS—Messrs. Anderson, Beverly, Black, Brown, Cahill, Cobb, Cooper, Dunseath, Ebert, Goodin, Hamlin, Heward, Hussman, Kenny, Murphy, Noble, Stewart, Strosnider, Taber, Tandy and Wheelwright—21.

Absent—Messrs. Blundell, Butler, Johnson and McAuliffe—4.

Not voting—Mr. Speaker.

Senate Substitute for Assembly Bill No. 83 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Mr. Hamlin asked that his vote be changed from yea to nay, and it be shown in the record.

Mr. Cahlan moved that the Assembly do now adjourn *sine die*.

Remarks by Messrs. Taber, Goodin, Hussman and Dunseath.

Mr. Tandy amended motion to read that the house take a recess for one hour.

Carried.

Motion carried.

Without objection Mr. Speaker signed Senate Bills Nos. 208, 123 and 209.

House recessed.

## HOUSE IN SESSION

Mr. Speaker in the chair.

Quorum present.

## MOTIONS, RESOLUTIONS AND NOTICES

Mr. Tandy moved that unanimous consent be given at this time that all action taken on the Senate Substitute for Assembly Bill No. 83, as amended, be rescinded.

Unanimously carried.

Mr. Tandy moved that relative to Senate Substitute for Assembly Bill No. 83, as amended, that the Assembly concur in sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 15, 17, 18, 20, 21, 22, 24, 25, 26, 27, 28, 29, 30, 33, 34, 35, 36, 37, 37½, 38, 39, 40, 41, 42, 43, 44 and 46, and that the Assembly do not concur in sections 10, 14, 16, 19, 23, 31 and 45.

Remarks by Messrs. Cahill, Smith and Dunseath.

Carried.

By Mr. O'Connor:

Assembly Resolution No. 40:

*Resolved by the Assembly of the State of Nevada, That the following-named persons, for extra services by them rendered during the Thirty-sixth Session of the Nevada Legislature, shall receive the amounts set opposite their respective names in addition to any other sums or allowances that have been made to them or may be due them on account of their regular employment, to wit:*

George Brodigan .....	\$28
Julian Thruston .....	24
L. K. Gregory .....	24
J. H. Malloy .....	24
Doris Cavanaugh .....	24
Kathryn Monahan .....	24
Charles Hicks .....	24
Ned A. Turner .....	24
Roy Meffley .....	24
Evelyn Wallace .....	24
Julia Meade .....	24
Oleta McGinness .....	24
Myra Harrington .....	24
Lucille Tobin .....	24
Clara Shields .....	24
Susan Petersen .....	24
Jane Ward .....	24
Doris Hillman .....	24
C. D. Baker .....	24
William J. Wallace .....	24
Paul Carney .....	24
Martin Petersen .....	24
Jack Fogliani .....	24
Howard Harney .....	24
Ruth Brown .....	24
Harriet Roberts .....	24
George Smilanick .....	24
Stewart McKenzie .....	12
Chester Newnham .....	12
Maurice Adams .....	8
John W. Oldham .....	8

The State Controller and State Treasurer are hereby directed to allow and

pay each of the persons above named the sums set opposite their respective names out of the Legislative Fund of Nevada.

Mr. O'Connor moved adoption of resolution.

Carried.

Mr. Hussman asked unanimous consent to concur in the Senate amendments to Assembly Bill No. 316.

Carried.

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith, to present for the consideration of your honorable body Senate Bill No. 213 which has this day passed the Senate by the following vote: Yeas, 9; nays, 4; absent, 4.

Also, to inform you that the Senate refuse to recede from its amendments to Senate Substitute for Assembly Bill No. 83 in which the Assembly refuse to concur, and the President of the Senate has this day appointed a conference committee consisting of Senators Coryell, Molini and Tobin to meet with a like committee appointed by the Speaker of the Assembly.

LENA GALE,

*Assistant Secretary of the Senate.*

Mr. Speaker appointed Messrs. Smith, Persson and Hamlin as a conference committee to meet with a like Senate committee.

House recessed.

#### HOUSE IN SESSION

Mr. Speaker in the chair.

Quorum present.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Conference Committee has had Senate Substitute for Assembly Bill No. 83 under consideration, and begs leave to report that the Conference Committee is unable to agree.

WILLARD W. SMITH,	P. R. CORYELL,
ROY PERSSON,	J. A. MOLINI,
M. C. HAMLIN,	PHIL M. TOBIN.

Mr. Smith moved adoption of the Conference Committee report.

Carried.

Mr. Smith moved that a Free Conference Committee be appointed to consider Senate Substitute for Assembly Bill No. 83, as amended.

Carried.

Mr. Speaker appointed Messrs. Smith, Malone and Hamlin as members of the Free Conference Committee to meet with a like committee to be appointed by the Senate.

Without objection Mr. Speaker signed Assembly Bills Nos. 268, 222, 224, 137 and 316.

House recessed.

#### HOUSE IN SESSION

Mr. Speaker in the chair.

Quorum present.

#### MESSAGE FROM THE GOVERNOR

HONORABLE FRED S. ALWARD, *Speaker Nevada State Assembly, Assembly Chamber, Carson City, Nevada.*

DEAR SIR: This is to call your attention to a law of this State entitled

"An Act to provide for the compromise, adjustment or release of indebtedness, liability or obligation of any corporation, association, or person to the State of Nevada," approved February 1, 1928, 1928 Statutes of Nevada, page 22, being sections 6901 to 6912, both inclusive, Nevada Compiled Laws 1929, which Act provides for a Board of Compromise and Adjustment, said board to be composed of nine members, four of whom are to be members of the Assembly and "elected" by the Assembly, and four of whom are to be Senators and "elected" by the Senate, and the ninth member to be a citizen and resident of the State of Nevada who shall be "selected" by the other eight members of the board.

This law also provides that "no more than two members of either house so selected shall be of the same political party." This board is given power and authority to hear, consider, and determine all claims of indebtedness, liability, or obligation owing to the State of Nevada.

This law has never been repealed; and it has been suggested that, if the Legislature desires to have such a board, the election and selection of the members of it might very well be done under this law. Since it is unrepealed, we suggest that it either be repealed or complied with.

Very respectfully yours,

F. B. BALZAR,  
*Governor.*

GRAY MASHBURN,  
*Attorney-General.*

Upon motion of Mr. Brown the message was received and filed for future reference.

Mr. Noble moved that the Free Conference Committee appointed to concur on Assembly Bill No. 83 be discharged.

Remarks by Mr. Tandy.

Mr. Noble amended motion to read that the papers be withdrawn from the Free Conference Committee and that the said committee be discharged.

Remarks by Messrs. Cahlan, Black, Cahill and Tandy.

Mr. Tandy moved to amend motion to read: "providing that the report of the Conference Committee has not arrived here at 3 o'clock."

Remarks by Mr. Noble, Cahlan, Moore, Taber, Tandy and Cahill.

Amendment lost.

Roll call asked for by Messrs. Noble, Cahill and Black.

Roll called:

YEAS—Messrs. Black, Brown, Cahill, Carroll, Cobb, Cooper, Dunseath, Hatton, Heward, Kenny, Murphy, Noble, O'Connor, Roberts, Stewart, Taber, Tandy and Wheelwright—18.

NAYS—Messrs. Cahlan, Moore, Persson, Raycraft and Strosnider—5.

Absent—Messrs. Anderson, Beverly, Blundell, Bugbee, Butler, Ebert, Hamlin, Hussman, Johnson, Lage, McAuliffe and Smith—12.

Not voting—Messrs. Barnes, Goodin, Malone, Reynolds and Mr. Speaker—5.

Motion carried.

#### FREE CONFERENCE COMMITTEE REPORT

*To the Honorable the Assembly:*

We, your Free Conference Committee, appointed to consider Assembly Bill No. 83, and amendments, beg leave to report that we are unable to agree, and ask that you appoint a new committee.

WILLARD W. SMITH,  
HOWARD E. MALONE,  
M. C. HAMLIN,

T. T. FAIRCHILD,  
GEO. W. FRIEDHOFF,  
J. H. MILLER.



Mr. Smith moved that the Free Conference Committee report be adopted.

Mr. Kenny amended motion to read that the report be received and laid on the Clerk's desk.

Carried.

Mr. Noble moved that the Assembly recede from all previous action on Assembly Bill No. 83, together with amendments.

Remarks by Messrs. Cahlan and Tandy.

Roll call asked for by Messrs. Cahlan, Smith and Moore.

Roll called :

YEAS—Messrs. Black, Brown, Cahill, Cobb, Cooper, Dunseath, Goodin, Hamlin, Hatton, Heward, Kenny, Murphy, Noble, Reynolds, Stewart, Strosnider, Taber, Tandy and Wheelwright—19.

NAYS—Messrs. Barnes, Cahlan, Carroll, Malone, Moore, O'Connor, Persson, Raycraft, Roberts and Smith—10.

Absent—Messrs. Anderson, Beverly, Blundell, Bugbee, Butler, Ebert, Hussman, Johnson, Lage and McAuliffe—10.

Not voting—Mr. Speaker.

Carried.

Mr. Noble moved that the Assembly do now concur in the Senate amendments to Assembly Bill No. 83 as contained in their substitute bill.

Mr. Noble moved to amend motion that the Assembly strike out everything in the original bill No. 83 following the enacting clause, and insert in lieu thereof the Senate Substitute for Assembly Bill No. 83.

Mr. Tandy moved that the Senate Substitute be adopted as an amendment to the original Assembly Bill No. 83.

Carried.

Roll call on Assembly Bill No. 83, as amended :

YEAS — Messrs. Barnes, Black, Brown, Cahill, Cobb, Cooper, Dunseath, Goodin, Hamlin, Heward, Kenny, Malone, Murphy, Noble, Raycraft, Reynolds, Roberts, Stewart, Strosnider, Taber, Tandy and Wheelwright—22.

NAYS—Messrs. Cahlan, Carroll, Hatton, Moore, O'Connor and Smith—6.

Absent—Messrs. Anderson, Beverly, Blundell, Bugbee, Butler, Ebert, Hussman, Johnson, Lage and McAuliffe—10.

Not voting—Mr. Persson and Mr. Speaker—2.

Assembly Bill No. 83 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Mr. Noble moved that the Assembly consider no other bills except Senate Bills Nos. 210, 212, 213, Assembly Bill No. 266, and the tax bill.

Mr. Brown moved to amend motion by striking out all of the bills save and except the tax levy bill, Senate Bill No. 210 and Senate Bill No. 211.

Remarks by Messrs. Dunseath, Hamlin, Goodin, Brown, Kenny, Cahlan and Noble.

Amendment carried.

Mr. Kenny moved that Senate Bill No. 211 be placed on the general file for third reading and final passage.

Carried.

Mr. Goodin moved that Senate Bill No. 211 be indefinitely postponed. Remarks by Messrs. Malone and Tandy.  
Previous question moved by Messrs. Black, Goodin and Malone.  
Motion lost.

#### INTRODUCTION AND FIRST READING

Senate Bill No. 211.

Mr. Tandy moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, and placed on file for third reading and final passage.

Carried.

Mrs. Rich, Assemblywoman of Utah, was escorted to the Speaker's desk by Lieutenant Governor Griswold.

#### GENERAL FILE AND THIRD READING

Senate Bill No. 211.

Remarks by Messrs. Goodin, Black and Dunseath.

Mr. Malone asked for a call of the house.

Roll call on Senate Bill No. 211:

YEAS—Messrs. Barnes, Beverly, Black, Brown, Cahill, Cobb, Cooper, Dunseath, Hamlin, Hatton, Heward, Kenny, Malone, Noble, O'Connor, Raycraft, Reynolds, Stewart, Strosnider, Taber, Tandy and Wheelwright—22.

NAYS—Messrs. Cahlan, Carroll, Goodin and Roberts—4.

Absent—Messrs. Anderson, Blundell, Bugbee, Butler, Ebert, Hussman, Johnson, Lage and McAuliffe—9.

Not voting—Messrs. Moore, Murphy, Persson, Smith and Mr. Speaker—5.

Senate Bill No. 211 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Malone moved that a committee be appointed to wait on the Senate and request that they transmit to this body Senate Bill No. 210, which was passed there yesterday.

Carried.

Mr. Speaker appointed Messrs. Brown, Cahlan and Reynolds as the committee.

House at ease.

#### HOUSE IN SESSION

Mr. Speaker in the chair.

Quorum present.

Mr. Brown reported for the committee appointed to ascertain the whereabouts and status of Assembly Bill No. 210 that about two seconds before the committee reached the Senate the latter had rescinded their previous action and had tabled the bill.

Mr. Speaker discharged the committee.

#### MOTIONS, RESOLUTIONS AND NOTICES

By Mr. Lage:

Resolution No. 41:

*Resolved by the Assembly of the State of Nevada, That the following-named persons, for extra services by them rendered during the Thirty-sixth Session of*

the Nevada Legislature, shall received the amounts set opposite their respective names, in addition to any other sums or allowances that have been made to them or may be due them on account of their regular employment, to wit:

George Brodigan .....	\$7.00
Julian Thruston .....	6.00
L. K. Gregory .....	6.00
Doris Cavanaugh .....	6.00
Kathryn Mobahan .....	6.00
Charles Hicks .....	6.00
Ned A. Turner .....	6.00
Evelyn Wallace .....	6.00
Julia Meade .....	6.00
Harriet Roberts .....	6.00
Myra Harrington .....	6.00
Clara Shields .....	6.00
Susan Petersen .....	6.00
Jane Ward .....	6.00
Doris Hillman .....	6.00
Ruth Brown .....	6.00
Jack Fogliani .....	6.00
Howard Harney .....	6.00
C. D. Baker .....	6.00
Paul Carney .....	6.00
Martin Petersen .....	6.00
Stewart McKenzie .....	3.00
Chester Newnham .....	3.00
Maurice Adams .....	2.00
John Oldham .....	2.00

The State Controller and State Treasurer are hereby directed to allow and pay each of the persons above named the sums set opposite their respective names out of the Legislature Fund of Nevada.

Mr. Lage moved adoption of resolution.

Carried.

Mr. O'Connor moved that the Assembly rescind its action on Mr. Brown's motion, to consider only two bills at this time, for the purpose of considering Senate Bill No. 213.

Remarks by Messrs. Hamlin, O'Connor, Brown, Tandy and Dunseath.

Mr. Speaker ruled that a two-thirds vote was necessary to temporarily suspend any rule of order of this house.

Remarks by Messrs. Tandy, Hamlin, Heward, Brown, Smith, Taber, Murphy, O'Connor and Dunseath.

Mr. Brown arose to a point of order: Can Senate Bill No. 213 ever be considered, as it contains the same subject matter as Senate Bill No. 195, which was indefinitely postponed by this house sometime ago?

Remarks by Messrs. Dunseath and Brown.

Mr. Brown withdrew his question.

Roll call on Mr. O'Connor's motion asked for by Messrs. Hamlin, Heward and Cahill.

Roll called:

YEAS—Messrs. Cobb, Dunseath, Moore, O'Connor, Raycraft and Taber—6.

NAYS—Messrs. Barnes, Beverly, Black, Brown, Cahill, Cahlan, Carroll,

Cooper, Goodin, Hamlin, Hatton, Heward, Lage, Malone, Murphy, Persson, Reynolds, Roberts, Smith, Tandy and Wheelwright—21.

Absent—Messrs. Anderson, Blundell, Bugbee, Butler, Ebert, Hussman, Johnson, Kenny, McAuliffe, Noble, Stewart and Strosnider—12.

Not voting—Mr. Speaker.

Motion lost.

Mr. Moore moved that Assembly do now adjourn.

Remarks by Mr. Dunseath.

Motion lost.

Without objection Mr. Speaker signed Senate Bill No. 211.

#### INTRODUCTION AND FIRST READING

By Committee on Ways and Means:

Assembly Bill No. 317—An Act to fix the State tax levy for the years 1933 and 1934, and to distribute the said levy to the proper fund.

Mr. Cahlan moved that under suspension of all rules, reading so far had considered first reading, rules further suspended, bill read second time by title, declared an emergency measure, considered engrossed, and placed on file for third reading and final passage.

Carried.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 317.

Roll call on Assembly Bill No. 317:

YEAS—Messrs. Barnes, Beverly, Black, Brown, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Goodin, Hatton, Heward, Lage, Malone, Moore, Murphy, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Taber, Tandy, Wheelwright and Mr. Speaker—27.

NAYS—None.

Absent—Messrs. Anderson, Blundell, Bugbee, Butler, Ebert, Hamlin, Hussman, Johnson, Kenny, McAuliffe, Noble, Stewart and Strosnider—13.

Assembly Bill No. 317 having received a constitutional majority, Mr. Speaker declared it passed.

#### MESSAGES FROM THE SENATE

*To the Honorable the Assembly:*

I have the honor herewith to present for the consideration of your honorable body Senate Bill No. 214, under the suspension of all rules, bill declared an emergency measure under the Constitution, considered engrossed, placed on general file for third reading and final passage, and passed, as amended, by the following vote: Yeas, 11; nays, none; absent, 6. Amend as follows: Add a new section to be known as section 3: SEC. 3. This Act shall take effect upon its approval.

Also, to inform you that the Senate has this day adopted the Conference Committee report on Senate Substitute for Assembly Bill No. 83, and the President of the Senate has appointed a Free Conference Committee consisting of Senators Fairchild, Friedhoff and Miller to meet with a like committee appointed by the Speaker of the Assembly.

Also, to communicate to your honorable body that a motion was unanimously carried that the President appoint a committee of three Senators to confer with a like committee from the Honorable the Assembly for the purpose of determining the best method of securing the representative members of the Senate and Assembly to comply with the communication received from his Excellency the Governor, Fred B. Balzar, and the Honorable Gray Mashburn, as Attorney-General of the State of Nevada, the Joint Committee to formulate

and present to the Senate and the Honorable the Assembly recommendation as to a disposal of this matter for the best interests of the State of Nevada.

LENA GALE,

*Assistant Secretary of the Senate.*

Mr. Tandy moved that the communication from the Senate regarding the Governor's message be put on the file for future reference.

Carried.

#### INTRODUCTION AND FIRST READING

Senate Bill No. 214.

Mr. Tandy moved that rules be suspended, reading so far had considered first reading, rules further suspended, bill read second time by title, declared an emergency measure, considered engrossed, and placed on top of the file for third reading and final passage.

Carried.

#### GENERAL FILE AND THIRD READING

Senate Bill No. 214.

Roll call on Senate Bill No. 214:

YEAS—Messrs. Barnes, Beverly, Black, Brown, Cahill, Cahlan, Carroll, Cobb, Cooper, Dunseath, Goodin, Hamlin, Hatton, Heward, Lage, Malone, Moore, Murphy, O'Connor, Persson, Raycraft, Reynolds, Roberts, Smith, Taber, Tandy, Wheelwright and Mr. Speaker—28.

NAYS—None.

Absent—Messrs. Anderson, Blundell, Bugbee, Butler, Ebert, Hussman, Johnson, Kenny, McAuliffe, Noble, Stewart and Strosnider—12.

Senate Bill No. 214 having received a constitutional majority, Mr. Speaker declared it passed.

Without objection Mr. Speaker signed Senate Bill No. 214 and Assembly Bill No. 83, as amended.

#### MESSAGE FROM THE GOVERNOR

*To the Honorable the Assembly:*

For the information of the members of your body, the following list shows the number of the bill or joint resolution, the date of receipt in this office, and the action of the Executive thereon to the moment of transmission of this message:

- A. B. No. 1—Received January 27, 1933; Approved January 27, 1933.
- A. B. No. 31—Received February 3, 1933; Approved February 6, 1933.
- A. B. No. 35—Received February 3, 1933; Approved February 6, 1933.
- A. B. No. 23—Received February 7, 1933; Approved February 11, 1933.
- A. B. No. 41—Received February 7, 1933; Approved February 11, 1933.
- A. B. No. 22—Received February 7, 1933; Vetoed February 10, 1933.
- A. B. No. 5—Received February 10, 1933; Vetoed February 11, 1933.
- A. B. No. 20—Received February 14, 1933; Approved February 20, 1933.
- A. B. No. 13—Received February 17, 1933; Approved February 20, 1933.
- A. B. No. 14—Received February 17, 1933; Approved February 20, 1933.
- A. B. No. 42—Received February 17, 1933; Approved February 20, 1933.
- A. B. No. 63—Received February 17, 1933; Approved February 20, 1933.
- A. B. No. 48—Received February 21, 1933; Approved February 24, 1933.
- A. B. No. 37—Received February 23, 1933; Approved February 24, 1933.
- A. B. No. 80—Received February 23, 1933; Approved February 24, 1933.
- A. B. No. 45—Received February 23, 1933; Approved February 24, 1933.
- A. B. No. 92—Received February 23, 1933; Approved February 24, 1933.
- A. B. No. 72—Received February 23, 1933; Approved February 24, 1933.

- A. B. No. 3—Received February 24, 1933; Returned to Assembly February 24, 1933.
- A. B. No. 99—Received February 24, 1933; Approved February 24, 1933.
- A. B. No. 26—Received February 24, 1933; Approved February 24, 1933.
- A. B. No. 2—Received March 2, 1933; Approved March 6, 1933.
- A. B. No. 69—Received March 2, 1933; Approved March 8, 1933.
- A. B. No. 86—Received March 2, 1933; Approved March 6, 1933.
- A. B. No. 244—Received March 3, 1933; Approved March 6, 1933.
- A. B. No. 140—Received March 3, 1933; Approved March 6, 1933.
- A. B. No. 197—Received March 3, 1933; Approved March 6, 1933.
- A. B. No. 242—Received March 4, 1933; Recalled to Assembly by Concurrent Resolution No. 10, March 8, 1933.
- A. B. No. 94—Received March 6, 1933; Vetoed March 11, 1933.
- A. B. No. 81—Received March 7, 1933; Approved March 8, 1933.
- A. B. No. 100—Received March 9, 1933; Approved March 10, 1933.
- A. B. No. 143—Received March 9, 1933; Approved March 10, 1933.
- A. B. No. 136—Received March 9, 1933; Approved March 10, 1933.
- A. B. No. 3—Received March 9, 1933; Approved March 10, 1933.
- A. B. No. 119—Received March 9, 1933; Approved March 10, 1933.
- A. B. No. 24—Received March 13, 1933; Approved March 16, 1933.
- A. B. No. 142—Received March 13, 1933; Approved March 15, 1933.
- A. B. No. 141—Received March 13, 1933; Approved March 15, 1933.
- A. B. No. 87—Received March 13, 1933; Approved March 16, 1933.
- A. B. No. 242—Received March 13, 1933; Approved March 15, 1933.
- A. B. No. 239—Received March 13, 1933; Approved March 16, 1933.
- A. B. No. 105—Received March 13, 1933; Approved March 16, 1933.
- A. B. No. 15—Received March 13, 1933; Approved March 16, 1933.
- A. B. No. 247—Received March 13, 1933; Approved March 16, 1933.
- A. B. No. 146—Received March 15, 1933; Approved March 16, 1933.
- A. B. No. 121—Received March 15, 1933.
- A. B. No. 133—Received March 15, 1933; Approved March 16, 1933.
- A. B. No. 234—Received March 15, 1933; Approved March 16, 1933.
- A. B. No. 235—Received March 15, 1933; Approved March 16, 1933.
- A. B. No. 275—Received March 16, 1933.
- A. B. No. 193—Received March 16, 1933; Approved March 16, 1933.
- A. B. No. 77—Received March 16, 1933; Approved March 16, 1933.
- A. B. No. 28—Received March 16, 1933; Approved March 16, 1933.
- A. B. No. 137—Received March 16, 1933; Recalled to Assembly by Concurrent Resolution No. 17.
- A. B. No. 130—Received March 16, 1933.
- A. B. No. 117—Received March 16, 1933.
- A. B. No. 122—Received March 16, 1933.
- A. B. No. 225—Received March 16, 1933.
- A. B. No. 148—Received March 16, 1933.
- A. B. No. 187—Received March 16, 1933.
- A. B. No. 125—Received March 16, 1933.
- A. B. No. 107—Received March 16, 1933.
- A. B. No. 270—Received March 16, 1933.
- A. B. No. 264—Received March 16, 1933.
- A. B. No. 300—Received March 16, 1933.
- A. B. No. 138—Received March 16, 1933.
- A. B. No. 222—Received March 16, 1933; Recalled to Assembly by Concurrent Resolution No. 18.
- A. B. No. 144—Received March 16, 1933.
- A. B. No. 307—Received March 16, 1933.
- A. B. No. 57—Received March 16, 1933.
- A. B. No. 190—Received March 16, 1933.
- A. B. No. 289—Received March 16, 1933.
- A. B. No. 67—Received March 16, 1933.
- A. B. No. 111—Received March 16, 1933.
- A. B. No. 249—Received March 16, 1933.

- A. B. No. 178—Received March 16, 1933.  
A. B. No. 215—Received March 16, 1933.  
A. B. No. 196—Received March 16, 1933.  
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A. B. No. 220—Received March 16, 1933.  
A. B. No. 174—Received March 16, 1933.  
A. B. No. 153—Received March 16, 1933.  
A. B. No. 202—Received March 16, 1933.  
A. B. No. 254—Received March 16, 1933.  
A. B. No. 113—Received March 16, 1933.  
A. B. No. 206—Received March 16, 1933.  
A. B. No. 167—Received March 16, 1933.  
A. B. No. 262—Received March 16, 1933.  
A. B. No. 159—Received March 16, 1933.  
A. B. No. 255—Received March 16, 1933.  
A. B. No. 207—Received March 16, 1933.  
A. B. No. 299—Received March 16, 1933.  
A. B. No. 218—Received March 16, 1933.  
A. B. No. 168—Received March 16, 1933.  
A. B. No. 217—Received March 16, 1933.  
A. B. No. 180—Received March 16, 1933.  
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A. B. No. 150—Received March 16, 1933.  
A. B. No. 310—Received March 16, 1933.  
A. B. No. 302—Received March 16, 1933.  
A. B. No. 173—Received March 16, 1933.  
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A. B. No. 282—Received March 16, 1933.  
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A. B. No. 316—Received March 16, 1933.  
A. B. No. 83—Received March 16, 1933.  
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January 28, 1933.  
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February 2, 1933.  
Assembly Joint Resolution No. 10—Received February 14, 1933; Approved  
February 16, 1933.  
Assembly Joint Resolution No. 16—Received February 23, 1933; Approved  
February 24, 1933.  
Assembly Joint Resolution No. 34—Received March 4, 1933; Approved  
March 6, 1933.  
Assembly Joint Resolution No. 32—Received March 6, 1933; Approved  
March 8, 1933.  
Assembly Joint Resolution No. 19—Received March 13, 1933; Approved  
March 16, 1933.  
Assembly Joint Resolution No. 6—Received March 16, 1933; Approved  
March 16, 1933.  
Assembly Joint Resolution No. 24—Received March 16, 1933.  
Assembly Joint Resolution No. 22—Received March 16, 1933.

F. B. BALZAR,  
*Governor.*

Mr. Malone moved that the report be received and placed on file for future reference.

Carried.

Mr. Malone moved that a committee of three be appointed to wait upon the Governor and inform him that the Assembly of the Thirty-sixth Nevada Legislature has completed its work and is ready to adjourn, and inquire if the Governor has any further business to bring before the Assembly.

Carried.

Mr. Malone moved that a committee of three be appointed to inform the Senate that the Assembly had completed its business and was ready to adjourn.

Carried.

Mr. Speaker appointed Messrs. Malone, Moore and Taber as the committee to wait on the Governor; Messrs. Raycraft, Cobb and Black as the committee to wait on the Senate.

#### REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Enrollment has carefully compared Assembly Enrolled Bills Nos. 83, 224, 314, 255, 222, 137, 312, 288, 309, 313, 282, 173, 310, 302, 243, 150, 316 and 268 with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. H. BARNES, *Chairman.*

Mr. Black reported the Senate had been duly notified that the Assembly had completed its work and was ready to adjourn.

Mr. Malone reported that the Governor had been notified, and informed the Assembly that he had no further business to bring before the Assembly.

Secretary of State Greathouse was escorted to the Speaker's desk by Mr. Hatton.

Senators Friedhoff, Miller and Fairchild, the committee from the Senate to the Honorable Assembly, notified the Assembly that the Senate had finished its business and was ready to adjourn *sine die*.

Mr. Tandy moved that at 11:55 p. m. on the sixtieth legislative day the Assembly do now adjourn *sine die*.

Carried.

Mr. Speaker declared that the Thirty-sixth Session of the Assembly of the State of Nevada is now adjourned *sine die*.

Approved:

FRED S. ALWARD,

*Speaker of the Assembly.*

Attest: GEORGE BRODIGAN,

*Chief Clerk of the Assembly.*



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