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PERSONNEL OF NEVADA ASSEMBLY
Thirty-ninth Session, 1939

BERKELEY L. BUNKER, *Speaker*; PETER A. BURKE, *Speaker pro tem*.

<i>County</i>	<i>Name</i>	<i>P. O. Address</i>
Churchill.....	Drumm, Luella K.....	Fallon
	Smith, Claude.....	Fallon
Clark.....	Bunker, Berkeley L.....	608 S. Sixth Street, Las Vegas
	Carroll, Thomas.....	118 S. Third Street, Las Vegas
	Hazard, H. E.....	408 Bonneville Street, Las Vegas
	Sloan, C. H.....	110 N. Seventh Street, Las Vegas
Douglas.....	Hussman, George G.....	Gardnerville
Elko.....	McCustion, M. E. (Ted).....	Montello
	McElroy, J. F.....	Wells
	Murphy, Morley.....	Deeth
	Reinken, W. A.....	Elko
Esmeralda.....	Fee, M. E.....	Gold Point
Eureka.....	Conine, Howard L.....	Eureka
Humboldt.....	Case, Irvin.....	Paradise
	Sowers, Lewis L.....	Winnemucca
Lander.....	Caldwell, Charles L.....	Battle Mountain
Lincoln.....	Coleman, Henry S.....	Pioche
	Richard, Andy J.....	Alamo
Lyon.....	Bernard, Virgil.....	Yerington
	Williams, Charles V.....	Yerington
Mineral.....	Springer, H. E.....	Mina
Nye.....	David, LeRoy F.....	Tonopah
	Germain, R. R.....	Tonopah
	Kennett, William.....	Tonopah
Ormsby.....	Amodei, Peter A.....	Carson City
Pershing.....	Talcott, F. S.....	Unionville
Storey.....	Lynch, Thomas.....	Main Street, Gold Hill
Washoe.....	Brooks, Ernest.....	Rewana Farm, Reno
	Brown, Fred J.....	361 Sierra Street, Reno
	Burke, Peter A.....	400 E. Taylor Street, Reno
	Cahill, Robbins.....	1018 E Street, Sparks
	Curtis, John W.....	459 Lake Street, Reno
	Davidson, John.....	231 Cheney Street, Reno
	Loomis, E. Frandsen.....	Byington Building, Reno
	Sampson, Dewey E.....	Nixon
	Shelly, Carl B.....	530 Thirteenth Street, Sparks
White Pine.....	Barr, A. C.....	Ely
	Cooper, Joe S.....	Ruth
	Fisher, William.....	Ely
	Russell, Charles H.....	Ely

**JOURNAL OF THE
PROCEEDINGS OF THE ASSEMBLY**

JOURNAL
OF THE
Assembly of the State of Nevada

THIRTY-NINTH SESSION

THE FIRST DAY

CARSON CITY (Monday), January 16, 1939.

Pursuant to the provisions of the Constitution and Statutes, the Assembly was called to order by Secretary of State Malcolm McEachin at 12 o'clock noon.

Roll call showed all present: Mr. Amodei, Mr. Barr, Mr. Bernard, Mr. Brooks, Mr. Brown, Mr. Bunker, Mr. Burke, Mr. Cahill, Mr. Caldwell, Mr. Carroll, Mr. Case, Mr. Coleman, Mr. Conine, Mr. Cooper, Mr. Curtis, Mr. David, Mr. Davidson, Mrs. Drumm, Mr. Fee, Mr. Fisher, Mr. Germain, Mr. Hazard, Mr. Hussman, Mr. Kennett, Mr. Loomis, Mr. Lynch, Mr. McCuiston, Mr. McElroy, Mr. Murphy, Mr. Oldham, Mr. Richard, Mr. Russell, Mr. Sampson, Mr. Shelly, Mr. Sloan, Mr. Smith, Mr. Sowers, Mr. Springer, Mr. Talcott, and Mr. Williams.

Prayer by the Chaplain, Rev. J. L. Harvey.

Mr. McEachin announced nominations were in order for Speaker of the House.

Mr. Cahill moved that Mr. Bunker be nominated for Speaker of the House.

Mr. Kennett moved nominations be closed and that Mr. Bunker be elected by acclamation.

Carried.

Mr. Bunker was escorted to the Speaker's Chair by Messrs. Oldham and Hussman.

Mr. Speaker announced that there would be no temporary organization of the Assembly and that all nominations would be for permanent appointments.

Mr. Speaker announced nominations were in order for Chief Clerk.

Mr. Carroll nominated E. C. Muleahy for Chief Clerk.

Mr. Coleman moved that nominations be closed and the Chief Clerk elected by acclamation.

Carried.

Mr. Speaker appointed the following Committee on Credentials: Messrs. Germain, Shelly, and Sowers.

Mr. Speaker declared a recess for five minutes.

Recessed to 12:10 p. m.

HOUSE IN SESSION

At 12:15 p. m.

Mr. Speaker in the Chair.

Quorum present.

Mr. Germain announced that the Committee on Credentials was ready to report.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Credentials has had the credentials of the respective Assemblymen-elect under consideration, and begs leave to report thereon as follows:

We find that Mr. Amodei, Mr. Barr, Mr. Bernard, Mr. Brooks, Mr. Brown, Mr. Bunker, Mr. Burke, Mr. Cahill, Mr. Caldwell, Mr. Carroll, Mr. Case, Mr. Coleman, Mr. Conine, Mr. Cooper, Mr. Curtis, Mr. David, Mr. Davidson, Mrs. Drumm, Mr. Fee, Mr. Fisher, Mr. Germain, Mr. Hazard, Mr. Hussman, Mr. Kennett, Mr. Loomis, Mr. Lynch, Mr. McCuiston, Mr. McElroy, Mr. Murphy, Mr. Oldham, Mr. Richard, Mr. Russell, Mr. Sampson, Mr. Shelly, Mr. Sloan, Mr. Smith, Mr. Sowers, Mr. Springer, Mr. Talcott, and Mr. Williams are duly elected and qualified members of the Thirty-ninth Session of the Legislature of the State of Nevada.

R. R. GERMAIN, *Chairman.*

CARL SHELLY,

LEWIS L. SOWERS.

Mr. Speaker appointed the following committee to escort the Chief Justice of the Supreme Court to the rostrum for the purpose of administering the oath of office to the Assemblymen: Messrs. McElroy and Russell.

Chief Justice E. J. L. Taber administered the oath of office to the Speaker and members of the Assembly.

Mr. Speaker extended to the Chief Justice thanks on behalf of the Assembly.

Chief Justice Taber congratulated the Assemblymen and wished them a successful session.

Mr. Speaker appointed the following committee to inform the Senate that the Assembly is now organized and ready for business: Messrs. Kennett, Brown, and Mrs. Drumm.

Mr. Speaker appointed the following committee to inform the Governor that the Assembly was organized and ready for business: Messrs. Hazard, Germain, and Murphy.

Mr. Speaker appointed the following committee on mileage: Messrs. Smith, Coleman, and McElroy.

Mr. Speaker announced that the Assembly would recess for five minutes.

Recessed at 12:25 p. m.

HOUSE IN SESSION

At 12:30 p. m.

Mr. Speaker in the Chair.

Quorum present.

The committee from Senate was announced by the Sergeant-at-Arms, and said that the Senate was organized and ready for business.

Mr. Kennett reported that his committee had notified the Senate that the Assembly is organized.

The committee appointed to notify the Governor of the Assembly's organization reported that it had done so and had been advised by the Governor that he will deliver his message in person to a joint session of the Senate and Assembly on Tuesday afternoon.

Mr. Speaker announced nominations in order for Speaker pro tem.

Mr. Oldham nominated Peter Burke of Washoe County for Speaker pro tem.

Mr. Springer moved that the nomination be closed and Peter Burke be elected Speaker pro tem by acclamation.

Carried.

Mr. Speaker announced nominations in order for Sergeant-at-Arms.

Mr. Germain nominated Charles Leavitt for Sergeant-at-Arms.

Mr. Fisher moved that the nominations be closed and Mr. Leavitt be elected by acclamation.

Carried.

Mr. Speaker announced nominations were in order for Assistant Chief Clerk.

Mr. Case nominated Peter Breen for Assistant Chief Clerk.

Mr. Barr moved that the nominations be closed and Mr. Breen be elected by acclamation.

Carried.

Mr. Speaker announced nominations in order for Assistant Sergeant-at-Arms, and Mr. Carroll nominated Robert Moore for Assistant Sergeant-at-Arms.

Mr. Cooper moved that the nominations be closed and Mr. Moore be elected by acclamation.

Carried.

MOTIONS, RESOLUTIONS, AND NOTICES

By Mr. Talcott:

Assembly Resolution No. 1:

Resolved by the Assembly of the State of Nevada, That A. J. Maestretti, a competent and suitable person, be and is hereby employed as the official Bill Drafter of the Nevada Assembly for the Thirty-ninth Session of the Nevada Legislature, and that the said A. J. Maestretti 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.

Mr. Talcott moved the adoption of the resolution.

Carried.

Mr. Speaker appointed Messrs. Burke and Hussman to meet with Capitol officials and request additional rooms for Assembly use.

Mr. Speaker appointed Mr. Amodei to arrange for clergymen to serve during the present session.

Mr. Speaker assigned space to W. F. Helmick, Lloyd Lapham, E. T. Clyde, Denver Dickerson, and Amos Buckner at the press table.

Mr. Oldham moved that the rules of the 1937 Session be adopted as the rules of this session.

Carried.

Mr. Speaker requested that the committee assignment preferences be handed to him.

Assembly recessed at 12:45 until 2 p. m.

HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the Chair.

Quorum present.

MESSAGES FROM THE SECRETARY OF STATE

To the Honorable the Assembly:

I have the honor to transmit herewith this date, the following vetoed Assembly Bills: Nos. 102, 164, 215, 234, 240, 287, 310, and 319.

Said bills were passed at the 1937 Legislature and vetoed by Governor Kirman, and are herewith returned as required by law for sustainment of the veto or passage over the veto.

Letters of the Governor's veto are attached to each bill.

MALCOLM McEACHIN,
Secretary of State.

VETO MESSAGES OF THE GOVERNOR

STATE OF NEVADA

EXECUTIVE CHAMBER

CARSON CITY, March 30, 1937

HON. MALCOLM McEACHIN, *Secretary of State, Carson City, Nevada.*

DEAR SIR: Herewith there is deposited in your office for filing, within the constitutional time limit, and without my approval, Assembly Bill No. 102 entitled "An Act to amend an Act entitled 'An Act to authorize the County Commissioners in the several counties in this State to loan or transfer surplus money from one fund to another,' approved February 8, 1881, as amended."

The reenactment of this section with the proposed amendments would make it supersede the provisions of the existing budget law.

The Budget Act has proven to be such advisable legislation that I do not believe its provisions should thus be lightly set aside, and since this bill has no savings clause relative to the provisions of the Budget Law, I am depositing it without my approval.

Respectfully submitted,

RICHARD KIRMAN, Sr.,
Governor.

STATE OF NEVADA

EXECUTIVE CHAMBER

CARSON CITY, March 30, 1937

HON. MALCOLM McEACHIN, *Secretary of State, Carson City, Nevada.*

DEAR SIR: Herewith there is deposited in your office for filing, within the constitutional time limit, and without my approval, Assembly Bill No. 164,

introduced by the Washoe County Delegation, and providing for the establishment of civil service in the fire department of the city of Reno.

I am satisfied that the Reno Fire Department is at the present time well and efficiently conducted and governed, with the rights of the employees properly recognized, and with proper recognition being given to veterans of suitable age and physical ability.

There would appear to be no pressing need for the establishment of civil service in the department. The proposed bill has, what I believe to be, one very serious objectionable feature. It makes it mandatory upon the commission, if a vacancy occurs in the office of the chief of the department, to fill that vacancy from among the then members of the department.

While I feel that if the department has at such a time within its ranks a man of proper qualifications and executive ability to fill the office of chief, yet this is a situation which might not be present when a vacancy occurs, and it might be very advisable to go outside the department to find a suitable head.

I, therefore, believe it the wiser course to veto the present bill rather than to make it effective by my approval, with a suggestion that a suitable amendment be made at the succeeding Legislature.

For the foregoing reasons this Act is deposited without my approval thereon.

Respectfully submitted,

RICHARD KIRMAN, Sr.,

Governor.

STATE OF NEVADA

EXECUTIVE CHAMBER

CARSON CITY, March 30, 1937

HON. MALCOLM McEACHIN, *Secretary of State, Carson City, Nevada.*

DEAR SIR: Herewith there is deposited in your office for filing, within the constitutional time limit, and without my approval, Assembly Bill No. 215, introduced by the Clark County Delegation, and being an Act fixing the salaries of the county officers of Clark County.

The County Commissioners of Clark County have, in writing, advised me that their county is hard-put to keep their tax rate within legal limits, and that the raise in salaries included in this bill would add greatly to their difficulties. They are the persons responsible for the proper conduct of the county affairs, and I feel that I should yield to their judgment and accede to their request that this bill be vetoed.

For the foregoing reasons this Act is being deposited without my approval.

Respectfully submitted,

RICHARD KIRMAN, Sr.,

Governor.

STATE OF NEVADA

EXECUTIVE CHAMBER

CARSON CITY, March 30, 1937

HON. MALCOLM McEACHIN, *Secretary of State, Carson City, Nevada.*

DEAR SIR: Herewith there is deposited in your office for filing, without my approval, Assembly Bill No. 234, introduced by Mrs. Washburn, so entitled as to disclose that it is an Act to amend the 1933 Act which itself amends the Fish and Game Law enacted in 1929.

If, bearing this title in mind, we examine the bill itself, we see that it is worded as an amendment to section 67 of the original 1929 Act. Section 67 of the original Act was not amended by the amendatory Act of 1937. There is thus a distinct variance between the title of Assembly Bill No. 234 and the body of the bill, and it would not be effective to accomplish any purpose.

For the foregoing reasons this Act is deposited without my approval thereon.

Respectfully submitted,

RICHARD KIRMAN, Sr.,

Governor.

STATE OF NEVADA
EXECUTIVE CHAMBER
CARSON CITY, March 30, 1937

HON. MALCOLM McEACHIN, *Secretary of State, Carson City, Nevada.*

DEAR SIR: There is herewith deposited in your office for filing, within the constitutional time limit, and without my approval, Assembly Bill No. 240, by which it is sought to amend section 54 of the Fish and Game Law.

The main purpose of the amendment being the making of certain reductions in licence fees which I do not believe are advisable to be made at this time.

For the foregoing reason this Act is being deposited without my approval at this time.

Respectfully submitted,

RICHARD KIRMAN, Sr.,
Governor.

STATE OF NEVADA
EXECUTIVE CHAMBER
CARSON CITY, March 30, 1937

HON. MALCOLM McEACHIN, *Secretary of State, Carson City, Nevada.*

DEAR SIR: Herewith there is deposited in your office for filing, within the constitutional time limit, and without my approval, Assembly Bill No. 287, being an Act to regulate licenses, etc., of itinerant merchants.

This bill contains penal provisions and depends for its effectiveness on the enforcibility of those provisions.

The title is fatally defective under the decision of the Supreme Court of the State of Nevada in the recent Narcotic Drugs Act as it contains penal provisions. If then, this bill be approved, the law-observing might respect its provisions while others could violate it with impunity.

For the foregoing reasons this Act is deposited without my approval thereon.

Respectfully submitted,

RICHARD KIRMAN, Sr.,
Governor.

STATE OF NEVADA
EXECUTIVE CHAMBER
CARSON CITY, March 30, 1937

HON. MALCOLM McEACHIN, *Secretary of State, Carson City, Nevada.*

DEAR SIR: Herewith there is deposited in your office for filing, within the constitutional time limit, and without my approval, Assembly Bill No. 310, introduced by Mr. Reynolds, March 5, 1937, and which is an Act to fix the fees of the County Clerk of Eureka County.

This Act, I am advised, does not meet the desires of the proponents of the Act, owing to a misunderstanding. The Act results in increasing the compensation of the County Clerk of Eureka County.

On account of this error, certain officials of Eureka County, including the County Clerk, have requested the veto of this bill.

For the foregoing reasons this Act is deposited without my approval thereon.

Respectfully submitted,

RICHARD KIRMAN, Sr.,
Governor.

STATE OF NEVADA
EXECUTIVE CHAMBER
CARSON CITY, March 30, 1937

HON. MALCOLM McEACHIN, *Secretary of State, Carson City, Nevada.*

DEAR SIR: Herewith there is deposited in your office for filing, within the constitutional time limit, and without my approval, Assembly Bill No. 319, which has for its purpose the amending of section 6 of the Act under which the State Hospital for the Insane is governed.

This Act would take away from the existing board which is in charge of the hospital the power of appointment of the Superintendent, and would lodge that power solely with the Governor.

The bill is worded to become effective immediately upon its passage and approval. If the Act were worded to become effective at a date corresponding with the expiration of the term of office of the members of the board, I would be more inclined to endorse it with my approval, but as the board is composed of State officers who were chosen by the people with knowledge of the fact that they would automatically become members of the board who are charged with the responsibility of appointing the Superintendent, I do not feel that that responsibility and that power should be thus taken from them during their term of office.

In the instant case this is particularly true, since the members of the board have so repeatedly shown me that they are entirely worthy of that confidence thus reposed in them by the people, and they have at all times cooperated with this office in every possible way.

For the foregoing reasons this Act is deposited without my approval.

Respectfully submitted,

RICHARD KIRMAN, Sr.,
Governor.

Mr. Oldham moved that the vetoed measures be made a special order of business for 2 p. m. on Wednesday, January 18.

Carried.

The Secretary of State also transmitted to the Assembly the following joint resolutions passed at the 1937 session: Nos. 17, 23, and 30.

To the Honorable the Assembly:

I have the honor to transmit herewith this date to your honorable body, Assembly Joint Resolution No. 30, proposing an amendment to article IX of the Constitution of the State of Nevada.

MALCOLM McEACHIN,
Secretary of State.

Assembly Joint Resolution No. 30 of the Thirty-eighth Session:

WHEREAS, The operation of motor cars and vehicles upon the public highways causes constant wear and deterioration of existing highways and makes necessary the construction of new highways as the number of such motor cars and vehicles increases year after year; and

WHEREAS, The construction, maintenance, and repair of the public highways for the purpose of preserving the present highways and of filling the expanding needs of the users of public roads makes necessary the expenditures of sums of money so large that the revenue from State sources are insufficient therefor and such State funds must be augmented by Federal funds under the Federal Aid Road Act, approved July 11, 1916, which Act was accepted and its provisions assented to by the Act of the Legislature of the State of Nevada entitled "An Act to provide a general highway law for the State of Nevada," approved March 23, 1917; and

WHEREAS, It is unfair and unjust to tax motor-vehicle transportation unless the proceeds of such taxation are applied to the construction, improvement, or maintenance of highways; and

WHEREAS, Under an amendment to said Federal Aid Road Act, approved June 18, 1934, Federal aid is denied to any State that diverts the proceeds from the imposition of registration fees, licenses, gasoline taxes, and other special taxes on motor vehicle owners and operators of all kinds to other uses than for the construction, improvement, and maintenance of highways and administrative expenses in connection therewith; now, therefore, be it

Resolved by the Assembly and Senate of the State of Nevada, That a section be added to article IX of the Constitution of the State of Nevada, to be known as section 5, which shall read as follows:

Section 5. The proceeds from the imposition of any license or registration

fee and other charge with respect to the operation of any motor vehicle upon any public highway in this State and the proceeds from the imposition of any excise tax on gasoline or other motor vehicle fuels shall, except costs of administration, be used exclusively for the construction, maintenance, and repair of the public highways of this State.

To the Honorable the Assembly:

I have the honor to transmit herewith this date to your honorable body, Assembly Joint Resolution No. 23, relative of amending section 4 of article V of the Constitution of the State of Nevada.

MALCOLM McEACHIN,
Secretary of State.

Assembly Joint Resolution No. 23 of the Thirty-eighth Session:

Resolved by the Assembly of the State of Nevada, the Senate concurring. That section 4 of article V of the Constitution of the State of Nevada be amended to read as follows:

Section 4. The returns of every election for United States Senator and Member of Congress, district and State officers, and for and against any question submitted to the electors of the State of Nevada, voted for at the general election, shall be sealed up and transmitted to the seat of government, directed to the Secretary of State, and the Chief Justice of the Supreme Court, and the Associate Justices, or a majority thereof, shall meet at the office of the Secretary of State, on a day to be fixed by law, and open and canvass the election returns for United States Senator and Member of Congress, district and State officers, and for and against any questions submitted to the electors of the State of Nevada, and forthwith declare the result and publish the names of the persons elected and the results of the vote cast upon any question submitted to the electors of the State of Nevada. The persons having the highest number of votes for the respective offices shall be declared elected, but in case any two or more have an equal and the highest number of votes for the same office, the Legislature shall, by joint vote of both houses, elect one of said persons to fill said office.

To the Honorable the Assembly:

I have the honor to transmit herewith this date to your honorable body, Assembly Joint Resolution No. 17, relative to amending article IV of the Constitution of the State of Nevada.

MALCOLM McEACHIN,
Secretary of State.

Assembly Joint Resolution No. 17 of the Thirty-eighth Session:

Resolved by the Assembly and the Senate, 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:

The Legislature shall not abolish any county unless the qualified voters of the county affected shall at a general or special election first approve such proposed abolishment by a majority of all voters voting at such election. The Legislature shall provide by law the method of initiating and conducting such election.

Mr. Oldham moved that the resolutions be made a special order of business for 2 p. m. on Wednesday, January 25.

Carried.

MOTIONS, RESOLUTIONS, AND NOTICES

By Mr. Oldham:

Assembly Resolution No. 2:

Resolved by the Assembly of the State of Nevada, That the following-named persons be and they are hereby elected as attachés of this Assembly for the Thirty-ninth Session, to wit: Mrs. Ruby Simonsan, Louise Graham, Thelma Vaughn, Agnes Crosby, Thomas Williams, Willette Bowers, Jess Campbell,

George Howard, Fritz Arlang, Fern Caffrey, Catherine Phillips, Philip York, H. W. Cooper, Blanche Brown, William D. Roberts, Margaret C. Lynch, Anita Harrington, Wesley Johnson, Ray Hepworth, Pearl Irvine, Gerald Stewart, Mrs. R. D. Eichelberger, Larrel A. Leavitt, Mrs. Gladys Zumwalt, Alice Elliott Nelson, Leon H. Wilson, Goldie Kellison, Kathryn Monohan, Grover Hilligas, Walter Baring, Mrs. Dora Bradshaw, Edith Toyn, James Lynd, Alfred Congdon, Elmo Tognoni, R. F. White, to be assigned by the Chief Clerk of the Assembly and the Speaker.

Mr. Oldham moved the adoption of the resolution.

Carried.

By Mr. Shelly:

Assembly Resolution No. 3:

Resolved by the Assembly of the State of Nevada, That there be added to the list of standing committees now in force in the Assembly, a committee to be known as the Social Welfare Committee, consisting of five members.

Mr. Shelly moved the adoption of the resolution.

Carried.

Mr. Speaker announced he would appoint the Social Welfare Committee Tuesday afternoon.

By Mr. Cahill:

Assembly Resolution No. 4:

Resolved by the Assembly of the State of Nevada, That the Board of Regents be and they are hereby requested to transmit to the Assembly, without delay, a report of the proceedings of the Alumni Committee heretofore appointed by the Board of Regents to consider the athletic situation of the University of the State of Nevada.

Mr. Cahill moved the adoption of the resolution.

Carried.

Chief Justice E. J. L. Taber administered the oath of office to the attachés and pages.

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. 1, which was this day declared an emergency measure under the Constitution and passed by the following vote: Yeas, 17; nays, none.

F. BUCKINGHAM,

Assistant Secretary of the Senate.

INTRODUCTION AND FIRST READING

Senate Bill No. 1.

On motion of Mr. Oldham, duly seconded, all rules were suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution, and placed on third reading and final passage.

GENERAL FILE AND THIRD READING

Senate Bill No. 1.

Roll call on Senate Bill No. 1:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee,

Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—39.

NAYS—None.

Not voting—Mr. Speaker.

Senate Bill No. 1 having received a constitutional majority, Mr. Speaker declared it passed.

MOTIONS, RESOLUTIONS, AND NOTICES

By Mr. Oldham :

Assembly Resolution No. 5 :

Resolved by the Assembly of the State of Nevada. That the sum 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. Oldham moved the adoption of the resolution.

Carried.

Mr. Hussman moved that a vote of thanks be extended to Chief Justice Taber for administering the oath of office to the Assemblymen and the attachés.

Carried.

Mr. Oldham moved that the Assembly adjourn until 11 a. m. Tuesday, January 17, 1939.

Carried.

Assembly adjourned at 3:05 p. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE SECOND DAY

CARSON CITY (Tuesday), January 17, 1939.

Assembly called to order at 11 a. m.

Mr. Speaker in the Chair.

Roll called.

All present.

Prayer by the Chaplain, Rev. J. L. Harvey.

The Journal of the preceding day was read by the Chief Clerk.

Mr. Oldham moved that the minutes be approved as read, and that the Speaker and Chief Clerk be authorized to make the necessary corrections.

Carried.

Mr. Speaker appointed the following committee to wait on the Senate for the purpose of inviting it to meet in joint session with the Assembly this afternoon at 2 o'clock to hear the Governor's message: Messrs. McCuistion, Davidson, and Barr.

House recessed for five minutes at 11:30 a. m.

HOUSE IN SESSION

At 11:35 a. m.

Mr. Speaker in the Chair.

Quorum present.

The committee appointed to wait on the Senate reported that the latter body would meet in joint session with the Assembly at 2 o'clock this afternoon, to hear the Governor's message.

Mr. Oldham moved the Assembly recess until 1:45 p. m.

Carried.

Assembly recessed at 11:37 a. m.

HOUSE IN SESSION

At 1:45 p. m.

Mr. Speaker in the Chair.

Roll called.

All present.

Mr. Speaker appointed the following to serve on the Social Welfare Committee: Messrs. Coleman, Shelly, McCuistion, Hussman, and Sloan.

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. 1, which was this day adopted.

NED A. TURNER,
Secretary of the Senate.

IN JOINT SESSION

At 2 p. m.

Sergeant-at-Arms announced that the President and members of the Senate were at the bar of the Assembly.

Messrs. Oldham and Davidson were instructed by the Speaker to escort the President of the Senate, Maurice J. Sullivan, to the rostrum.

Mr. Speaker instructed the Sergeant-at-Arms to seat the Senators with their respective delegations.

Mr. Speaker asked the President of the Senate to preside.

The President of the Senate appointed Senator Getchell, Mrs. Drumm, and Mr. Loomis to inform the Governor that the Assembly and the Senate in joint session were ready to receive his message.

Sergeant-at-Arms announced that his Excellency, Governor E. P. Carville, was at the bar. Governor Carville was escorted to the rostrum by the above committee.

The President of the Senate welcomed the Governor and asked him to read his message.

Message read.

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

Carried.

Senator Robbins moved that the Joint Session be dissolved at 2:40 p. m.

Carried.

HOUSE IN SESSION

At 3:10 p. m.

Mr. Speaker in the Chair.

Quorum present.

MOTIONS, RESOLUTIONS, AND NOTICES

Senate Concurrent Resolution No. 1.

Mr. Smith moved the adoption of the resolution.

Carried.

INTRODUCTION AND FIRST READING

By Elko County Delegation:

Assembly Bill No. 1—An Act approving and validating a special election held in Elko County, Nevada, to authorize the contracting of a bonded indebtedness for erecting a new gymnasium and additional schoolrooms to the present Elko County high school building and for the acquisition of fittings, furnishings, heating equipment, and fixtures, which said bonds were to aggregate \$165,000. But only such part thereof were to be issued and sold as might be necessary to produce said sum after applying an anticipated P. W. A. grant of part of the project costs; and approving and validating the bonds issued and sold pursuant to the affirmative majority vote cast in said election.

On motion of Mr. Oldham, duly seconded, all rules suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution, and placed on third reading for final passage.

GENERAL FILE AND THIRD READING

Assembly Bill No. 1.

Remarks by Mr. Oldham.

Roll called on Assembly Bill No. 1:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—39.

NAYS—None.

Not voting—Mr. Speaker.

Assembly Bill No. 1 having received a constitutional majority, Mr. Speaker declared it passed.

REPORTS OF COMMITTEES

Mr. Speaker:

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

We find the following members of the Assembly are entitled to receive the amount of money for mileage set opposite each of their respective names:

<i>Churchill County</i>		
Luella K. Drumm.....	186 miles	\$18.60
Claude Smith.....	186 miles	18.60
<i>Clark County</i>		
Berkeley L. Bunker.....	952 miles	95.20
Thomas Carroll.....	952 miles	95.20
H. E. Hazard.....	952 miles	95.20
C. H. Sloan.....	952 miles	95.20
<i>Douglas County</i>		
George Hussman.....	34 miles	3.40
<i>Elko County</i>		
N. E. McCuistion.....	870 miles	87.00
J. F. McElroy.....	744 miles	74.40
Morley Murphy.....	708 miles	70.80
John W. Oldham.....	644 miles	64.40
<i>Esmeralda County</i>		
M. E. Fee.....	650 miles	65.00
<i>Eureka County</i>		
Howard L. Conine.....	522 miles	55.20
<i>Humboldt County</i>		
Irvin Case.....	472 miles	47.20
Lewis L. Sowers.....	392 miles	39.20
<i>Lander County</i>		
Charles L. Caldwell.....	498 miles	49.80
<i>Lincoln County</i>		
Henry S. Coleman.....	926 miles	92.60
Andy J. Richard.....	1,088 miles	108.80
<i>Lyon County</i>		
Virgil Bernard.....	144 miles	14.40
Charles V. Williams.....	144 miles	14.40
<i>Mineral County</i>		
H. E. Springer.....	396 miles	39.60

<i>Nye County</i>		
LeRoy F. David.....	538 miles	53.80
R. R. Germain.....	538 miles	53.80
William Kennett.....	538 miles	53.80
<i>Ormsby County</i>		
Peter A. Amodei.....	2 miles	.20
<i>Pershing County</i>		
F. S. Talcott.....	374 miles	37.40
<i>Storey County</i>		
Thomas Lynch.....	30 miles	3.00
<i>Washoe County</i>		
Ernest Brooks.....	60 miles	6.00
Fred J. Brown.....	60 miles	6.00
Peter A. Burke.....	60 miles	6.00
Robbins Cahill.....	66 miles	6.60
John W. Curtis.....	60 miles	6.00
John Davidson.....	60 miles	6.00
Frandsen E. Loomis.....	60 miles	6.00
Dewey E. Sampson.....	162 miles	16.20
Carl B. Shelly.....	66 miles	6.60
<i>White Pine County</i>		
A. C. Barr.....	704 miles	70.40
Joe S. Cooper.....	720 miles	72.00
William Fisher.....	708 miles	70.80
Charles H. Russell.....	708 miles	70.80

CLAUDE SMITH,
J. F. McELROY,
HENRY S. COLEMAN,
Committee on Mileage.

Mr. Smith moved the adoption of the report as read.

Roll call on mileage report:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—40.

NAYS—None.

Mr. Speaker declared the report adopted as read.

Mr. Oldham moved that the Assembly adjourn until 11 a. m. Wednesday, January 18, 1939.

Carried.

Assembly adjourned at 3:40 p. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE THIRD DAY

CARSON CITY (Wednesday), January 18, 1939.

Assembly called to order at 11 a. m.

Mr. Speaker in the Chair.

Roll called.

All present.

Prayer by the Chaplain, Rev. J. L. Harvey.

Mr. Speaker announced that Mr. Frank A. Hogan, President of the American Bar Association, would address the members of the Legislature.

Mr. Case moved that Mr. Hogan be invited to address the legislative members in Joint Session, and that the Senate and the Governor be asked to meet with the Assembly to hear the address.

Carried.

Mr. Speaker appointed Messrs. Coleman, Hussman, and Lynch to call upon the Senate and invite it to meet in Joint Session with the Assembly.

The following committee was appointed to wait on Governor Carville to ask him to attend the Joint Session: Messrs. McCuiston, Amodei, and Burke.

IN JOINT SESSION

At 11:15 a. m.

Maurice J. Sullivan, President of the Senate, in the Chair.

The President of the Senate presented Governor E. P. Carville to the Joint Session, and Governor Carville, in well chosen words, introduced Mr. Frank A. Hogan, President of the American Bar Association, who spoke briefly.

Senator J. E. Robbins moved that the Senate and Assembly in Joint Session extend to Mr. Hogan a vote of thanks.

Carried.

On motion of Senator Robbins the Joint Session adjourned at 11:35 a. m.

HOUSE IN SESSION

At 11:40 a. m.

Mr. Speaker in the Chair.

Quorum present.

The Journal for the preceding day was read.

Mr. Oldham moved that the Journal be approved as read, and the Speaker and the Chief Clerk be authorized to make the necessary additions and corrections.

Carried.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Oldham moved that the Speaker be allowed to appoint a committee to either buy or rent chairs to be used during the rest of the session.

Remarks by Messrs. Kennett, Oldham, and Case.

Mr. Smith moved to amend the motion, and that the committee be delegated to seek chairs from the State Capitol Commissioners.

Mr. Oldham accepted the amendment.

Motion carried as amended.

Mr. Cooper gave notice at a later date he would introduce a bill relative to child welfare.

INTRODUCTION AND FIRST READING

By Mr. Shelly:

Assembly Bill No. 2—An Act relating to foster homes for children; providing a license therefor; providing a penalty for the violation thereof; and other matters properly relating thereto.

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

Carried.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Cahill moved that the report of the University of Nevada Alumni Association to the Board of Regents, which report is now in the hands of the Speaker, be submitted to the Committee on Education.

Carried.

Mr. Oldham moved that the Assembly recess until 1:55 p. m.

Carried.

Assembly recessed at 12 noon.

HOUSE IN SESSION

At 1:55 p. m.

Mr. Speaker in the Chair.

Roll called.

All present except Mr. Davidson, who was excused.

SPECIAL ORDER OF BUSINESS

Vetoed Assembly Bill No. 102 of the Thirty-eighth Session.

The question was put: "Shall the bill pass notwithstanding the objection of the Governor?"

The veto was sustained by the following vote:

YEAS—None.

NAYS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—38.

Absent—Davidson.

Not voting—Mr. Speaker.

Vetoed Assembly Bill No. 164 of the Thirty-eighth Session.

The question was put: "Shall the bill pass notwithstanding the objection of the Governor?"

The veto was sustained by the following vote:

YEAS—None.

NAYS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—38.

Absent—Davidson.

Not voting—Mr. Speaker.

Vetoed Assembly Bill No. 215 of the Thirty-eighth Session.

The question was put: "Shall the bill pass notwithstanding the objection of the Governor?"

The veto was sustained by the following vote:

YEAS—Fee.

NAYS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Drumm, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—37.

Absent—Davidson.

Not voting—Mr. Speaker.

Vetoed Assembly Bill No. 234 of the Thirty-eighth Session.

The question was put: "Shall the bill pass notwithstanding the objection of the Governor?"

The veto was sustained by the following vote:

YEAS—None.

NAYS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—38.

Absent—Davidson.

Not voting—Mr. Speaker.

Vetoed Assembly Bill No. 240 of the Thirty-eighth Session.

The question was put: "Shall the bill pass notwithstanding the objection of the Governor?"

The veto was sustained by the following vote:

YEAS—None.

NAYS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—38.

Absent—Davidson.

Not voting—Mr. Speaker.

Vetoed Assembly Bill No. 287 of the Thirty-eighth Session.

The question was put: "Shall the bill pass notwithstanding the objection of the Governor?"

The veto was sustained by the following vote :

YEAS—None.

NAYS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—38.

Absent—Davidson.

Not voting—Mr. Speaker.

Vetoed Assembly Bill No. 310 of the Thirty-eighth Session.

The question was put : “Shall the bill pass notwithstanding the objection of the Governor?”

The veto was sustained by the following vote :

YEAS—None.

NAYS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—38.

Absent—Davidson.

Not voting—Mr. Speaker.

Vetoed Assembly Bill No. 319 of the Thirty-eighth Session.

The question was put : “Shall the bill pass notwithstanding the objection of the Governor?”

The veto was sustained by the following vote :

YEAS—None.

NAYS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—38.

Absent—Davidson.

Not voting—Mr. Speaker.

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 was this day declared an emergency measure under the Constitution and passed by the following vote: Yeas, 17; nays, none.

NED A. TURNER,
Secretary of the Senate.

INTRODUCTION AND FIRST READING

By Mr. Cooper :

Assembly Bill No. 3—An Act to provide for the adoption of children.

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 Social Welfare.

Carried.

By Clark County Delegation :

Assembly Bill No. 4—An Act authorizing and empowering the Board of Directors of Overton Power District No. 5, a municipal corporation

in Clark County, Nevada, to transfer certain sums of money from the Purchase and Extension Plants Fund to the General Fund of the district.

On motion of Mr. Hazard, duly seconded, all rules were suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution, and placed on third reading and final passage.

By Mrs. Drumm :

Assembly Bill No. 5—An Act to amend an Act entitled "An Act to provide for the disposition of community property," approved March 26, 1937, and to repeal section 2 of said Act.

Mrs. Drumm moved that 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. 4.

Roll call on Assembly Bill No. 4:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—38.

NAYS—None.

Absent—Davidson.

Not voting—Mr. Speaker.

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

Mr. Oldham moved that the Assembly adjourn until Thursday, January 19, 1939, at 11 a. m.

Assembly adjourned at 3:40 p. m.

Approved :

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE FOURTH DAY

CARSON CITY (Thursday), January 19, 1939.

Assembly called to order at 11 a. m.

Mr. Speaker in the Chair.

Roll called.

All present.

Prayer by the Chaplain, Rev. J. L. Harvey.

Mr. Oldham moved that the minutes be approved as read, and the Speaker and the Chief Clerk be authorized to make the necessary corrections.

REPORTS OF COMMITTEES

Mr. Speaker:

Your committee appointed to secure additional space for use of the Assembly begs to report that the proper officials have been contacted and additional space has been allotted to the Assembly for the duration of the session.

PETER A. BURKE.
GEORGE HUSSMAN.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Oldham moved that the special order of business set for 2 p. m. on January 25 be vacated.

Carried.

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

AGRICULTURE

Messrs. Richard, Case, Murphy, Brooks, Williams, Talcott, and Mrs. Drumm.

BANKS AND BANKING

Messrs. Oldham, Davidson, Conine, Amodei, McElroy, Sowers, and Loomis.

BUILDING AND CONSTRUCTION

Messrs. Sowers, Sampson, Conine, Fee, and Bernard.

CLAIMS

Messrs. Barr, Sowers, Shelly, Springer, and Brown.

CONTINGENT EXPENSES

Messrs. Cooper, David, Caldwell, Curtis, and Loomis.

CORPORATIONS AND RAILROADS

Messrs. Conine, Shelly, and Amodei.

COUNTY AND COUNTY BOUNDARIES

Messrs. David, Williams, Barr, Hussman, and Fee.

CREDENTIALS

Messrs. Germain, Shelly, and Sowers.

EDUCATION

Messrs. Coleman, Germain, Russell, Sloan, Cahill, Shelly, and Smith.

ELECTIONS

Messrs. Burke, Kennett, Cooper, Davidson, and Hussman.

ENGROSSMENT

Mrs. Drumm, and Messrs. Germain and Brown.

ENROLLMENT

Messrs. Germain, Brown, and Cooper.

FEDERAL RELATIONS

Messrs. Fisher, Hazard, Amodei, Burke, Murphy, Caldwell, and Mrs. Drumm.

FISH AND GAME

Messrs. Sloan, McElroy, Davidson, Brown, Barr, Coleman, and Mrs. Drumm.

INSURANCE

Messrs. Carroll, McElroy, and Loomis.

INTERNAL IMPROVEMENTS

Messrs. Lynch, Sowers, Brown, Curtis, and Bernard.

IRRIGATION

Messrs. Case, McCuistion, Bernard, Smith, and Talcott.

JUDICIARY

Messrs. Kennett, Case, Davidson, McElroy, Burke, Loomis, and Barr.

LABOR

Messrs. Hazard, Cooper, Shelly, David, Richards, Lynch, Coleman, Amodei, and Fee.

LIVESTOCK

Messrs. McCuistion, Richard, Bernard, Case, Murphy, Sampson, and Hussman.

MAILING

Messrs. Germain, Cooper, and Lynch.

MILEAGE

Messrs. Smith, Coleman, and McElroy.

MILITARY AND INDIAN AFFAIRS

Messrs. Sampson, Hazard, Caldwell, Burke, and Loomis.

MINES AND MINING

Messrs. Springer, Coleman, Fisher, Talcott, Oldham, Lynch, David, Fee, and Williams.

NATURAL RESOURCES

Messrs. Conine, Brown, Fee, Fisher, and Sowers.

PUBLIC LANDS

Messrs. Curtis, Conine, Davidson, Talcott, and Sloan.

PUBLIC MORALS

Messrs. Carroll, Curtis, Murphy, Burke, and Bernard.

PUBLIC PARKS

Messrs. Hazard, Brooks, McCuiston, David, and Murphy.

PUBLIC PRINTING

Messrs. Germain, Smith, and Russell.

ROADS AND HIGHWAYS

Messrs. Smith, McCuiston, Hussman, Talcott, Hazard, Sampson, and Bernard.

RULES

Messrs. Kennett, Shelly, Cooper, Oldham, and Williams.

SOCIAL WELFARE

Messrs. Coleman, Shelly, Sloan, Hussman, and McCuiston.

STATE INSTITUTIONS

Messrs. McElroy, Curtis, Oldham, Caldwell, and Loomis.

STATE LIBRARY

Messrs. Oldham, Carroll, and Amodei.

STATE PUBLICITY

Messrs. Burke, Germain, Brooks, Hazard, Caldwell, Fisher, and Russell.

STATE PRISON

Messrs. Sloan, Curtis, Russell, Fisher, and Conine.

TAXATION

Messrs. Richard, Cahill, Brooks, Kennett, Barr, Murphy, and Talcott.

TRADE AND MANUFACTURES

Messrs. McElroy, Davidson, Smith, Oldham, and Fee.

WAYS AND MEANS

Messrs. Cahill, McCuiston, Hussman, Smith, Carroll, Russell, Case, Springer, and Williams.

INTRODUCTION AND FIRST READING

Assembly Joint Resolution No. 17 of the Thirty-eighth Session, relative to amending article IV of the Constitution of the State of Nevada.

Mr. Oldham 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 Counties and County Boundaries.

Carried.

Assembly Joint Resolution No. 23 of the Thirty-eighth Session, proposing an amendment to article IX of the Constitution of the State of Nevada.

Mr. Oldham 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.

Assembly Joint Resolution No. 30 of the Thirty-eighth Session, proposing an amendment to article IX of the Constitution of the State of Nevada.

Mr. Oldham 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 Mr. Barr:

Assembly Bill No. 6—An Act to repeal an Act entitled “An Act to amend section 1 of an Act entitled ‘An Act relating to the sale, by the County Commissioners of the various counties of this State, of patented mining claims which have, or may hereafter, become the property of any county of this State through the operation of the revenue laws of this State,’ approved March 6, 1933,” as amended March 2, 1935.

Mr. Barr 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.

There being no objections, Mr. Speaker and the Chief Clerk signed Senate Bill No. 1.

MOTIONS, RESOLUTIONS, AND NOTICES

By Clark County Delegation:

Assembly Joint Resolution No. 1:

WHEREAS, Senator Key Pittman on the fourth day of January 1939, introduced in the United States Senate S. 2, 76th Congress, 1st Session, a bill authorizing the Secretary of the Interior to convey certain lands to the State of Nevada to be used for the purposes of a public park and recreational site and other public purposes; and

WHEREAS, The State of Nevada requires such area for the purpose of establishing and maintaining a public park and recreational site; and

WHEREAS, The State of Nevada, under the Boulder Canyon Project Act, and contracts relating thereto, is allotted 18 percent of the firm horsepower developed at the Federal powerhouse at Boulder Dam for the State of Nevada; and

WHEREAS, It will be essential for the State of Nevada to make available an ample water supply for industries desiring to contract for the use of such State power in the State of Nevada; and

WHEREAS, The subsurface and the artesian water in the vicinity where such power would be used is inadequate for such industries, and it will therefore be necessary to pump water from Lake Mead; and

WHEREAS, The only economical and suitable area on the margin of Lake Mead from which to pump said water from Las Vegas area is within the area described in said Senate Bill No. 2; and

WHEREAS, There is a wash extending from the Las Vegas area down to and into Lake Mead, formerly extending into the Colorado River; and

WHEREAS, The proposed pipe line for the supply of such water has been surveyed by this State down this wash to the waters of Lake Mead that are backed up into the Las Vegas Wash, the water backed up into the wash forming a narrow inlet extending several miles in a northerly direction from the main body of Lake Mead; and

WHEREAS, The State desires, at its own expense, to develop a park and recreational site on the banks of this inlet for the benefit and pleasure, in particular, of the citizens of the State of Nevada; and

WHEREAS, The National Park Service is now actively developing an area on the westerly end of said Lake Mead, some ten or fifteen miles distant from the Las Vegas inlet, for the general accommodation, benefit, and pleasure of tourists and all who may visit Boulder, adjacent to such development; and

WHEREAS, A general burden is thrown upon the National Park Service to

develop an enormous area surrounding Lake Mead, which services will require many years for even partial consummation; and

WHEREAS, The State of Nevada has surveyed a road down said wash to the proposed park and recreational site and is prepared and is desirous of undertaking the development of such area immediately; therefore, be it

Resolved by the Assembly and Senate of the State of Nevada, That the State of Nevada, acting through its Governor and its Legislature, unqualifiedly endorses said Senate Bill No. 2 herein referred to and respectfully petitions the Congress of the United States to enact such bill as expeditiously as possible, and be it further

Resolved, That the Secretary of State of the State of Nevada be directed to transmit duly certified copies of this resolution to the President of the United States Senate, the Speaker of the House of Representatives, to each of our Senators, and to our Congressman in Washington.

Mr. Hazard 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 Public Parks.

Carried.

Mr. Cooper moved that the Judiciary Committee be allowed to call on the Bill Drafter for advice.

Carried.

Mr. Oldham moved that the Assembly recess until 1:30 p. m.

HOUSE IN SESSION

At 1:30 p. m.

Mr. Speaker in the Chair.

Roll called.

All present except Mr. Murphy, who was excused.

A special committee consisting of Messrs. McElroy and Shelly was appointed by the Speaker to act with a similar committee from the Senate on the University of Nevada Investigation.

REPORTS OF COMMITTEES

Mr. Speaker:

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 2, 3, and 5, hereto attached, are correct copies of the triplicates thereof in its possession.

L. K. DRUMM, *Chairman.*

Mr. Speaker:

Your Select Committee to secure seats for the Assembly hall begs to report that members of the State Board of Control have agreed to purchase fifty (50) iron folding chairs for use in the Assembly hall. A resolution ordering that the chairs be kept for use in the Assembly hall has been drafted, and will be presented for action by the Assembly.

R. R. GERMAIN, *Chairman.*

MESSAGES FROM THE SENATE

To the Honorable the Assembly:

I have the honor herewith to inform your honorable body that the President of the Senate, pursuant to Senate Concurrent Resolution No. 1, has this day appointed Senators Lattin, Gibson, and Wadsworth to meet with a committee of the Assembly.

NED A. TURNER,
Secretary of the Senate.

INTRODUCTION AND FIRST READING

By Committee on Banks and Banking:

Assembly Bill No. 7—An Act to declare the necessity of creating public bodies corporate and politic to be known as housing authorities to undertake slum clearance and projects to provide dwelling accommodations for persons of low income; to create such housing authorities in cities having a population of more than 5,000; to define the powers and duties of housing authorities and to provide for the exercise of such powers, including acquiring property, borrowing money, issuing bonds and other obligations, and giving security therefor; to provide that housing authorities, their property and securities shall be exempt from taxation and assessment, but to authorize certain payments in lieu of taxes; to provide that bonds of housing authorities shall be legal investments; to provide that housing authorities may obtain the Attorney-General's opinion upon their bonds; to confer remedies on obligees of housing authorities; and other matters properly relating thereto.

Mr. Oldham moved that 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. 8—An Act to amend the title of and to amend an Act entitled "An Act to authorize banks, building and loan associations, insurance companies, the State of Nevada, and any city or county or instrumentality thereof, and other financial institutions to make and insure loans, advances of credit and purchases in accordance with the provisions of an Act of Congress entitled 'National Housing Act,' approved by the President on June twenty-seven, nineteen hundred thirty-four, and the amendments thereto, to exempt such loans, advances of credit and purchases from the applications of general statutes, articles of incorporation and bylaws, and to confirm and validate prior transactions, and permitting the use of such loans, advances of credit and purchases as security by any depositary of public funds and as other collateral," as amended and approved March 17, 1937.

Mr. Oldham moved that 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. 9—An Act to authorize cities, towns, counties, and other public bodies and subdivisions to aid housing projects of housing authorities or of the United States of America by conveying or dedicating property, by furnishing parks, playgrounds, streets, roads, water, sewer or drainage facilities and other improvements and facilities, by purchasing bonds of housing authorities, by exercising certain other powers, and by making agreements relating to such aid; to authorize cities, towns, counties and other public bodies and subdivisions to make agreements respecting the exercise of their powers

relating to the remedying or elimination of unfit dwellings; to authorize cities to make agreements relating to payments by housing authorities; to authorize certain cities and counties to pay moneys to housing authorities; and other matters properly relating thereto.

Mr. Oldham moved that 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. Sloan:

Assembly Bill No. 10—An Act to amend an Act entitled "An Act relating to the location, relocation, manner of recording lode and placer claims, millsites, tunnel rights, amount of work necessary to hold possession of mining claims and the right of coowners therein," approved March 16, 1897, together with the Acts amendatory thereof or supplemental thereto.

Mr. Sloan moved that 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.

MESSAGES FROM THE SENATE

To the Honorable the Assembly:

I have the honor herewith to return to your honorable body Assembly Bill No. 4, which was this day declared an emergency measure under the Constitution, and passed by the following vote: Yeas, 16; nays, none; absent, 1.

F. BUCKINGHAM,

Assistant Secretary of the Senate.

MOTIONS, RESOLUTIONS, AND NOTICES

By Mr. Germain:

Assembly Resolution No. 6:

Resolved by the Assembly of the State of Nevada, That the State Board of Control of Nevada be and it is hereby required to provide fifty (50) iron folding chairs for use in the Assembly room, State of Nevada, said chairs to remain in the legislative halls permanently.

Mr. Germain moved the adoption of the resolution.

Carried.

By Mr. Oldham:

Assembly Resolution No. 7:

Resolved by the Assembly, That the following-named persons, to wit, Carol Parsons, Alyce McFarlane, Joyce Roush, and Alice Welty be employed as clerks and typists at a salary of six (\$6) dollars per day in the Assembly of the Thirty-ninth Session of the Nevada Legislature.

Mr. Oldham moved the adoption of the resolution.

Carried.

By Mr. Sampson:

Assembly Joint Resolution No. 2, memorializing Congress to enact legislation authorizing the payment of all old-age assistance to Indians out of Federal funds:

WHEREAS, Approximately 500 Indians in Nevada are eligible for old-age assistance under the terms of the Social Security Act: and

WHEREAS, Relatively few of these Indians reside on property subject to local taxation; and

WHEREAS, A very considerable number of these aged Indians live in counties that are least able to finance their share of the old-age assistance grants; now, therefore, be it

Resolved by the Assembly and the Senate of the State of Nevada, That Congress be memorialized to enact legislation authorizing the payment of old-age assistance to Indians entirely out of Federal funds; and be it further

Resolved, That the Secretary of State of the State of Nevada be directed to transmit duly certified copies of this resolution to our Senators and our Representative in Congress.

Mr. Sampson 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.

NOTICE OF BILLS

Mr. Hussman gave notice that on some future legislative day he would introduce a bill to limit the speed of automobiles on public highways of this State.

Mr. Oldham moved that the Assembly adjourn until Friday morning, January 20, 1939, at 11 a. m.

Carried.

Assembly adjourned at 1:55 p. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE FIFTH DAY

CARSON CITY (Friday), January 20, 1939.

Assembly called to order at 11 a. m.

Mr. Speaker in the Chair.

Roll called.

All present.

Prayer by the Chaplain, Rev. J. L. Harvey.

The Journal of the preceding day was read.

Mr. Oldham moved that the Journal be approved as read, and Mr. Speaker and the Chief Clerk be authorized to make the necessary additions and corrections.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Education has had the Report of the Alumni Committee in its possession and begs leave to recommend that this report be referred to the Special Joint Committee of the Senate and Assembly appointed to investigate the different phases of the State University.

HENRY S. COLEMAN, *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. 2, which this day passed the Senate by the following vote: Yeas, 14; nays, 2; absent, 1.

F. BUCKINGHAM.

Assistant Secretary of the Senate.

NOTICE OF BILLS

Mrs. Drumm gave notice that on some future legislative day she would introduce a so-called usury bill, establishing a legal rate of interest.

INTRODUCTION AND FIRST READING

By Messrs. Carroll and Hazard:

Assembly Bill No. 11—An Act to amend an Act entitled "An Act to regulate the racing of horses in the State of Nevada, and to establish a State Racing Commission, and to define its powers and duties, and prescribing a penalty for violation thereof," approved February 20, 1915, as amended.

Mr. Hazard moved that 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. Hazard:

Assembly Bill No. 12—An Act to amend an Act entitled "An Act to amend sections 1 and 2 of an Act entitled 'An Act to fix the minimum

wage rate for unskilled labor on all public buildings and public highways constructed or erected by or for the State of Nevada, and on all other public works constructed by or for the State of Nevada, or by or for any county, district, municipality, or other subdivision of the State of Nevada, or any board or commission thereof, and also to provide for a penalty for the violation of the provisions of this Act, and to repeal all Acts and parts of Acts in conflict herewith,' approved March 6, 1933, being chapter 40, page 34, of the Statutes of Nevada 1933," approved February 16, 1935.

Mr. Hazard moved that 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. Hazard:

Assembly Bill No. 13—An Act to amend an Act entitled "An Act to limit the hours of labor of persons employed by the State, county, and municipal governments, and of persons employed by contractors, sub-contractors, or other persons in the performance of a public work; requiring a condition limiting the hours of labor in all contracts for public works; fixing penalties for the violations of this Act, and other matters properly relating thereto," approved March 29, 1919, together with the Acts amendatory thereof or supplemental thereto.

Mr. Hazard moved that 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. Kennett (by request):

Assembly Bill No. 14—An Act to repeal section 3 of "An Act to regulate the racing of horses in the State of Nevada, and to establish a State Racing Commission, and to define its powers and duties, and prescribing a penalty for violation thereof," approved February 20, 1915, together with the Acts amendatory thereof or supplementary thereto.

Mr. Kennett moved that 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. Talcott:

Assembly Bill No. 15—An Act to amend an Act entitled "An Act making it unlawful to sell the carcasses or part carcasses of neat cattle unless the hides thereof are inspected and such carcasses or part carcasses officially stamped as provided in this Act; making certain exceptions thereto; providing for such inspection, providing compensation therefor, providing for the adoption and use of official stamps and record books, providing penalties for the violation of this Act, repealing an Act entitled 'An Act to provide for the inspection of hides, providing compensation therefor, and other matters relating thereto,' approved March 19, 1929, and other matters relating thereto," approved March 9, 1931.

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

Carried.

By Mr. Shelly:

Assembly Bill No. 16—An Act relating to the sufficiency of evidence in civil actions for the recovery of damages in certain cases, and other matters relating thereto.

Mr. Shelly moved that 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. Davidson:

Assembly Bill No. 17—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, providing penalties for the violation hereof, and other matters properly relating thereto.

Mr. Davidson moved that 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. Barr:

Assembly Bill No. 18—An Act relating to assignments by employees to labor unions, defining the duties of employers in relation thereto, and other matters properly connected therewith.

Mr. Barr moved that 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. 2—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.

GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 2.

Roll call on Assembly Joint Resolution No. 2:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—40.

NAYS—None.

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

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Oldham moved that when the Assembly adjourns today it do so in respect to the memory of the late Senators Keenan and Marsh.

Carried.

Mr. Oldham moved that the Assembly adjourn until Monday, January 23, 1939, at 11 a. m.

Carried.

Assembly adjourned at 11:40 a. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE EIGHTH DAY

CARSON CITY (Monday), January 23, 1939.

Assembly called to order at 11 a. m.

Mr. Speaker in the Chair.

Roll called.

All present.

Prayer by Monsignor H. J. Wientjes.

Mr. Oldham moved that the Journal be approved as read and Mr. Speaker and the Chief Clerk be allowed to make the necessary additions and corrections.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

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

L. K. DRUMM, *Chairman.*

Mr. Speaker:

Your Committee on Ways and Means has had Senate Bill No. 2 under consideration, and begs leave to report on the same without recommendation.

R. E. CAHILL, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

By Mr. Oldham:

Assembly Resolution No. 8:

Resolved by the Assembly, That Yvonne Petre, a competent stenographer and typist, be employed as a stenographer and typist for the Assembly at its Thirty-ninth Session in place of Joyce Roush, who is not available for employment.

Mr. Oldham moved the adoption of the resolution.

Carried.

Mr. Shelly moved that all bills and joint resolutions referred back to the Chief Clerk's desk by committees be laid over until the next legislative day, and be placed on general file for third reading and final passage.

Carried.

INTRODUCTION AND FIRST READING

By Mr. Hussman:

Assembly Bill No. 19—An Act to amend section 242 of an Act of the Legislature entitled "An Act concerning crimes and punishments, and repealing certain Acts relating thereto," approved March 17, 1911.

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. Davidson :

Assembly Bill No. 20—An Act to regulate the practice of pharmacy and the use and sale of poisons and drugs in the State of Nevada; providing for a State Board of Pharmacy, defining its duties, providing penalties for the violation thereof, and other matters properly relating thereto.

Mr. Davidson moved that 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. Davidson :

Assembly Bill No. 21—An Act to amend an Act entitled "An Act concerning mortgages of personal property, providing for their recordation or filing, and other matters relating thereto, and repealing all Acts or parts of Acts in conflict herewith," approved March 25, 1933.

Mr. Davidson moved that 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.

There being no objections Mr. Speaker and the Chief Clerk signed Assembly Bills Nos. 1 and 4.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Oldham moved the Assembly recess until 1:30 p. m.

Carried.

Assembly recessed at 11:25 a. m.

HOUSE IN SESSION

At 1:30 p. m.

Mr. Speaker in the Chair.

Roll called.

All present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Public Parks 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.

H. E. HAZARD, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

Mrs. Drumm moved that Assembly Bill No. 5 be withdrawn from the Judiciary Committee and rereferred to the Churchill County Delegation.

Carried.

Mr. Hussman moved that payment of Federal moneys to beneficiaries under the Social Security Act be investigated by the Social Welfare Committee, and the findings of the committee reported to this body.

INTRODUCTION AND FIRST READING

By Mr. Russell :

Assembly Bill No. 22—An Act to promote the health and safety of

the public by regulating, licensing, and taxing itinerant merchants, as defined in this Act, and the business conducted by them, and to appropriate the revenues derived therefrom; to provide, in the public interest, for insurance protection against damage sustained by reason of the negligent operation of motor vehicles by itinerant merchants; to require fidelity bonds; to provide for the administration and enforcement of this Act; providing a penalty for the violation hereof; to declare an emergency, and other matters properly connected herewith.

Mr. Russell moved that 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. Russell:

Assembly Bill No. 23—An Act to amend an Act entitled "An Act concerning public schools, and repealing certain Acts relating thereto," approved March 20, 1911, together with the Acts amendatory thereof or supplemental thereto.

Mr. Russell moved that 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. Fisher (by request):

Assembly Bill No. 24—An Act creating a committee to provide police protection at the State Capitol, designating the membership of said committee, defining their duties, providing a fund to carry out the provisions of this Act, and other matters properly relating thereto.

Mr. Fisher moved that 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.

MOTIONS, RESOLUTIONS, AND NOTICES

By Mr. Sampson:

Assembly Joint Resolution No. 3, memorializing Congress to oppose Senate Bill No. 92, introduced by Senator McCarran, January 4, 1939, authorizing the Secretary of the Interior to issue patents for certain lands to certain settlers in the Pyramid Lake Indian Reservation, Nevada.

WHEREAS, The Pyramid Lake Indians, by a large majority, voted on December 15, 1934, to accept the Indian Reorganization Act, thereby obtaining for their tribe certain rights long denied them, among these being the legal right to prevent the sale of their lands without their consent; and

WHEREAS, Acting under the rights conferred upon them by said Act, the Pyramid Lake Paiute tribe did, on December 14, 1935, ratify a constitution which specifically prohibits the sale of tribal lands, said constitution having been subsequently (on January 15, 1936) approved by the Secretary of the Interior, thus acquiring the full force and effect of law; and

WHEREAS, On May 13, 1936, the General Land Office, with the approval of the Secretary of the Interior, canceled Pyramid Lake Indian Reservation land entries 015159 (J. A. Ceresola), 015160 (W. J. Ceresola), 015161 (Domenico Ceresola), 015162 (M. P. Depaoli), and 015163 (Garaventa Land and Livestock Company); and

WHEREAS, This cancelation was made only after these five entrymen had been given repeated opportunities, extending over a period of eleven years, to pay the amounts due (as was done by seven other entrymen who kept faith), and after these five had failed to make any payments of either principal or interest due; and

WHEREAS, During this period of complete nonpayment of their debt to the Indian tribe whose lands these five entrymen were continuing to use profitably, without cost to themselves, said entrymen were able to obtain and record in the Washoe County Recorder's office mortgages totaling approximately \$144,000; and

WHEREAS, A grave need exists on Pyramid Lake Reservation for productive land for the maintenance and support of young Indian families who are now without land; and

WHEREAS, U. S. Senate Bill No. 92 would sell Pyramid Lake Indian lands without the consent of the tribe; and

WHEREAS, This action would be in violation of the congressional statute known as the Indian Reorganization Act; and

WHEREAS, This action would perpetuate a great injustice from which the Indians have been suffering for scores of years, and would serve to destroy the Indians awakening confidence in the promises made them by Congress and the Federal Government; now, therefore, be it

Resolved by the Assembly and the Senate of the State of Nevada, That Congress be memorialized to vote no on Senate Bill No. 92; and be it further

Resolved, That the Secretary of State be instructed to forward copies of this resolution to the United States Senate, to the House of Representatives, to the President of the United States, and to the Secretary of the Interior; and be it further

Resolved, That the Secretary of State of the State of Nevada be and he is hereby authorized and directed to transmit to our Senators and our Representative at Washington, D. C., duly certified copies of this resolution.

Mr. Sampson 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.

Mr. Hussman moved to amend the motion and to refer the resolution to a Joint Committee of Military and Indian Affairs and Taxation.

Mr. Sampson accepted the amendment.

Motion carried as amended.

Assembly at ease for 10 minutes at 1:50 p. m.

HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the Chair.

Quorum present.

INTRODUCTION AND FIRST READING

By Washoe County Delegation:

Assembly Bill No. 25—An Act to amend an Act entitled "An Act to regulate the practice of chiropody, and provide for the requirements for a certificate to practice same," approved March 14, 1917.

Mr. Shelly moved that 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 Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 13, 16, 17, 14, 18, 15, 12, and 11, and Assembly Joint Resolution No. 1, hereto attached, are correct copies of the triplicates thereof in its possession.

L. K. DRUMM, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Curtis moved that when the Assembly adjourns today it does so in the memory of Dr. Donald Maclean, a former State official.

Carried.

Mr. Oldham moved that the Assembly adjourn until 11 a. m. Tuesday morning, January 24, 1939.

Carried.

Assembly adjourned in memory of Dr. Donald Maclean at 2:10 p. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE NINTH DAY

CARSON CITY (Tuesday), January 24, 1939.

Assembly called to order at 11 a. m.

Mr. Speaker in the Chair.

Roll called.

All present.

Prayer by Monsignor H. J. Wientjes.

Mr. Oldham moved the reading of the Journal be dispensed with and Mr. Speaker and the Chief Clerk be authorized to make the necessary corrections and additions.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

The Committee on Engrossment hereby certifies that bound copies of Assembly Bill No. 7 and Assembly Joint Resolution No. 2, hereto attached, are correct copies of the triplicates thereof in its possession.

L. K. DRUMM, *Chairman.*

Mr. Speaker:

Your Committee on Judiciary has had Assembly Joint Resolution No. 23 of the Thirty-eighth Session under consideration, and begs leave to report favorably on the same, with the recommendation that it be adopted.

WM. KENNETT, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

By Committee on Claims:

Assembly Concurrent Resolution No. 1, providing for the payment of certain sums for supplies purchased for the Thirty-ninth Session of the Nevada Legislature.

Resolved by the Assembly of the State of Nevada, the Senate concurring. That the State Controller be and he is hereby authorized and directed to issue his warrants, and the State Treasurer is directed to pay the same, for the companies or persons in the amounts set opposite their names, for supplies furnished to the Secretary of State for the Thirty-ninth Session of the Nevada Legislature, and all of said sums are hereby designated to be paid out of the Legislative Fund of the State of Nevada for said session:

A. Carlisle & Company of Nevada, Reno, Nevada.....	\$466.93
A. Carlisle & Company of Nevada, Reno, Nevada.....	2.26
Armarko Office Supply Company, Reno, Nevada.....	133.66
Elmer Paper Co., 1021 Front Street, Sacramento, Calif.....	192.80
Blake, Moffit & Towne, 1115 Front Street, Sacramento, Calif...	108.17
Reno Printing Company, Reno, Nevada.....	271.25
Nevada Sales Agency, Reno, Nevada.....	16.00
Armarko Office Supply Company, Reno, Nevada.....	21.14
Nevada Sales Agency, Reno, Nevada.....	8.00
Total	\$1,220.21

Mr. Barr 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 Claims and Contingent Expenses.

Carried.

INTRODUCTION AND FIRST READING

By Mr. Coleman :

Assembly Bill No. 26—An Act to amend an Act entitled "An Act relating to the equipping of machinery used for boring or drilling holes in stopes and raises with water-jets or sprays or other means to prevent the escape of dust, compelling the use of same, and providing a penalty for violations thereof," approved March 17, 1913.

Mr. Coleman moved that 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. Coleman :

Assembly Bill No. 27—An Act to repeal section 12 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.

Mr. Coleman moved that 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. Case :

Assembly Bill No. 28—An Act to amend 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. 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 Joint Committee on Roads and Highways and Taxation.

Carried.

GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 1.

Remarks by Messrs. Hazard, Kennett, and Cooper.

Roll call on Assembly Joint Resolution No. 1 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—39.

NAYS—None.

Absent—Fisher.

Assembly Joint Resolution No. 1 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 2.

Remarks by Messrs. Kennett, Case, Shelly, Germain, Smith, Brooks, Hazard, Lynch, Carroll, Cooper, Curtis, Hussman, and Bernard.

Roll call on Senate Bill No. 2:

YEAS—Barr, Bernard, Burke, Caldwell, Carroll, Coleman, Cooper, Curtis, David, Fee, Fisher, Hazard, Lynch, Richard, Sampson, Sloan—16.

NAYS—Amodèi, Brooks, Brown, Cahill, Case, Conine, Davidson, Drumm, Germain, Hussman, Kennett, Loomis, McCuiston, McElroy, Murphy, Oldham, Russell, Shelly, Smith, Sowers, Springer, Talcott, and Williams—23.

Not voting—Mr. Speaker.

Senate Bill No. 2 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

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. 3 of the Thirty-eighth Session, which was this day passed by the following vote: Yeas, 13; nays, 3; absent, 1.

Also, Senate Concurrent Resolution No. 2, which was this day adopted.

NED A. TURNER,
Secretary of the Senate.

INTRODUCTION AND FIRST READING

Senate Joint Resolution No. 3.

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

Carried.

Senate Concurrent Resolution No. 2.

Mr. Oldham moved that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to a Joint Committee on Education and State Institutions.

Carried.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Oldham moved the Assembly recess until 2 p. m.

Carried.

Assembly recessed at 11:55 a. m.

HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the Chair.

Roll called.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Enrollment has carefully compared Assembly Bills Nos. 1 and 4 with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Governor. R. R. GERMAIN, *Chairman.*

Mr. Speaker:

Your Committee on Judiciary has had Assembly Bill No. 16 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it be not adopted.

WM. KENNETT, *Chairman.*

Mr. Speaker:

Your Committee on County and County Boundaries has had Assembly Joint Resolution No. 17 of the Thirty-eighth Session under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

LEROY DAVID, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

By a Joint Committee of Washoe, Elko, Lincoln, and Clark County Delegations:

Assembly Concurrent Resolution No. 2, prohibiting soliciting from members and officers of the Legislature in and about the legislative rooms and the State Capitol.

WHEREAS, It has been the conduct of many persons representing institutions and agencies of charity and other affairs to solicit from officers and members of the Legislature; and

WHEREAS, We fully realize that these people are acting in good faith and in the furthering of commendable objects, still we feel that inasmuch as we are subject to the same solicitation and charity contributions in our own community, that we should not be the subject of solicitation while performing our duties at the State Capitol, having the effect of doubling our obligations in this respect; now, therefore, be it

Resolved by the Assembly and the Senate of the State of Nevada, That no person or persons for any purpose whatever shall be permitted to solicit from the officers and members of the Legislature in or about the legislative rooms or the State Capitol.

Mr. Shelly moved the adoption of the resolution.

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 Resolution No. 7, which was this day adopted.

NED A. TURNER,
Secretary of the Senate.

MOTIONS, RESOLUTIONS, AND NOTICES

Senate Resolution No. 7, asking for the return of Senate Concurrent Resolution No. 2, was read.

Mr. Oldham moved the resolution be withdrawn from the Joint Committee on Education and Taxation and returned to the Senate.

Carried.

Mr. Barr moved that Assembly Concurrent Resolution No. 1 be withdrawn from the Joint Committee on Claims and Contingent Expenses and rereferred to the Committee on Contingent Expenses.

Carried.

The Assembly at ease for 30 minutes at 2:10 p. m.

HOUSE IN SESSION

At 2:40 p. m.

Mr. Speaker in the Chair.

Quorum present.

Mr. Kennett moved the Assembly adjourn until Wednesday morning, January 25, 1939, at 11 a. m.

Carried.

Assembly adjourned at 2:45 p. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE TENTH DAY

CARSON CITY (Wednesday), January 25, 1939.

Assembly called to order at 11 a. m.

Mr. Speaker in the Chair.

Roll called.

All present.

Prayer by Monsignor H. J. Wientjes.

Mr. Oldham moved that the reading of the Journal be dispensed with, and Mr. Speaker and Chief Clerk be authorized to make all necessary corrections.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 24, 23, 21, 19, and 25, hereto attached, are correct copies of the triplicates thereof in its possession.

L. K. DRUMM, *Chairman.*

INTRODUCTION AND FIRST READING

By Mr. Fee:

Assembly Bill No. 29—An Act to amend an Act entitled "An Act fixing the compensation of certain county officers of Esmeralda County in the State of Nevada; authorizing and empowering the Board of County Commissioners of said county to regulate the appointment, number and compensation of their deputies and attachés, and requiring said officers to make reports to the Board of County Commissioners of Esmeralda County; and repealing all Acts and parts of Acts in conflict therewith," approved February 21, 1929.

Mr. Fee 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.

By Mr. Barr:

Assembly Bill No. 30—An Act to repeal an Act entitled "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," approved March 25, 1933.

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

Carried.

By Mr. Cooper:

Assembly Bill No. 31—An Act to amend section 2 of chapter 88 entitled "An Act to provide for the cooperation of State officers and

agencies and stockmen's associations with the Federal Government in relation to grazing lands, and for the disposition of money received from the Federal Government in relation thereto," approved March 27, 1935.

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 Livestock.

Carried.

By Mr. David (by request):

Assembly Bill No. 32—An Act concerning the liquidation, rehabilitation, reorganization, or conservation of insurers doing business in more than the State of Nevada.

Mr. David moved that 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 Judiciary:

Assembly Bill No. 33—An Act for the determination of the termination of the interests of a deceased person in real property.

Mr. Kennett moved that 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 Judiciary:

Assembly Bill No. 34—An Act to repeal sections 186-190, inclusive, of an Act entitled "An Act concerning crimes and punishments, and repealing certain Acts relating thereto," approved March 17, 1911.

Mr. Kennett moved that 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 Judiciary:

Assembly Bill No. 35—An Act to repeal sections 32, 33, and 34 of an Act entitled "An Act defining the rights of husband and wife," approved March 10, 1873.

Mr. Kennett moved that 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 Judiciary:

Assembly Bill No. 36—An Act to amend sections 55 and 706 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. Kennett moved that 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 Judiciary:

Assembly Bill No. 37—An Act to amend section 177 of an Act entitled "An Act concerning crimes and punishments, and repealing certain Acts relating thereto," approved March 17, 1911.

Mr. Kennett moved that 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 Judiciary:

Assembly Bill No. 38—An Act to define the manner in which joint tenancy may be created.

Mr. Kennett moved that 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 Judiciary:

Assembly Bill No. 39—An Act to amend section 57 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. Kennett moved that 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. Shelly:

Assembly Bill No. 40—An Act to amend an Act entitled "An Act providing free fishing, hunting, and deer tag licenses to citizens sixty years of age and upwards, and repealing all Acts and parts of Acts in conflict herewith," approved March 30, 1935.

Mr. Shelly moved that 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 Committee on Judiciary:

Assembly Bill No. 41—An Act to repeal an Act entitled "An Act to prohibit advertisements or manufacture and sale of cures or medicine relating to venereal disease and certain sexual disorders," approved March 22, 1921.

Mr. Kennett moved that 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 Judiciary:

Assembly Bill No. 42—An Act to amend section 323 of an Act entitled "An Act to regulate proceedings in civil cases in this State, and to repeal all other Acts in relation thereto."

Mr. Kennett moved that 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 Joint Resolution No. 23 of the Thirty-eighth Session.

Remarks by Messrs. Kennett and Cooper.

Roll call on Assembly Joint Resolution No. 38 of the Thirty-eighth Session :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—40.

NAYS—None.

Assembly Joint Resolution No. 23 of the Thirty-eighth Session, having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 16.

Remarks by Messrs. Shelly, Loomis, and Kennett.

Roll call on Assembly Bill No. 16 :

YEAS—Amodei, Cahill, Caldwell, Carroll, Conine, Fee, Hazard, Hussman, Russell, Shelly, and Sloan—11.

NAYS—Barr, Bernard, Brooks, Brown, Burke, Case, Coleman, Cooper, Curtis, David, Davidson, Drumm, Fisher, Germain, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Sampson, Smith, Sowers, Springer, and Williams—27.

Not voting—Talcott and Mr. Speaker—2.

Assembly Bill No. 16 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Assembly Joint Resolution No. 17 of the Thirty-eighth Session :

Remarks by Messrs. Oldham, Kennett, Lynch, and Hazard.

Roll call on Assembly Joint Resolution No. 17 of the Thirty-eighth Session :

YEAS—Barr, Bernard, Brooks, Brown, Caldwell, Carroll, Case, Coleman, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Kennett, Loomis, Lynch, Murphy, Russell, Sloan, Smith, Springer, Talcott, and Williams—27.

NAYS—Amodei, Burke, Cahill, Conine, Hussman, McCuiston, McElroy, Oldham, and Shelly—9.

Not voting—Richard, Sampson, Sowers, and Mr. Speaker—4.

Assembly Joint Resolution No. 17 of the Thirty-eighth Session having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Speaker :

REPORTS OF COMMITTEES

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 20, 22, 26, 27, and 28, and Assembly Joint Resolution No. 3, hereto attached, are correct copies of the triplicates thereof in its possession.

L. K. DRUMM, *Chairman.*

INTRODUCTION AND FIRST READING

By Committee on Judiciary :

Assembly Bill No. 43—An Act relating to subsistence and traveling expenses of District Judges.

Mr. Kennett moved that 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 Judiciary:

Assembly Bill No. 44—An Act to amend section 6 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.

Mr. Kennett moved that 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 Judiciary:

Assembly Bill No. 45—An Act to amend section 295 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 8793 N. C. L. 1929.

Mr. Kennett moved that 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. Oldham moved that the Assembly recess until 2 p. m.

Carried.

Assembly in recess at 12 m.

HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the Chair.

Roll called.

All 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. 5, which this day passed the Senate by the following vote: Yeas, 17; nays, none.

Also, Senate Concurrent Resolution No. 3, which was this day adopted.

Also, to return Assembly Concurrent Resolution No. 2, which was this day adopted.

Also, Assembly Joint Resolution No. 1, which was declared an emergency measure under the Constitution, and passed by the following vote: Yeas, 10; nays, 7.

F. BUCKINGHAM,

Assistant Secretary of the Senate.

MOTIONS, RESOLUTIONS, AND NOTICES

Senate Concurrent Resolution No. 1, asking that another member be appointed on the University of Nevada Investigation Committee.

Mr. Shelly moved that the Assembly concur with the Senate on the resolution.

Remarks by Messrs. Kennett, Cooper, Hazard, and Shelly.

Motion carried.

Mr. Speaker announced that Ray Germain would act as a member on the committee.

INTRODUCTION AND FIRST READING

Senate Bill No. 5.

Mr. Oldham moved that 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 Judiciary:

Assembly Bill No. 47—An Act to amend section 332 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. Kennett moved that 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 Judiciary:

Assembly Bill No. 48—An Act to amend an Act entitled "An Act creating and providing an additional cause for divorce," approved March 23, 1931.

Mr. Kennett moved that 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

Mr. Shelly moved that all notices of committee meetings be listed on the Assembly bulletin board immediately after announcement, unless otherwise ordered.

Remarks by Messrs. Shelly and Kennett.

Motion carried.

Mr. Oldham moved that the Assembly adjourn until Thursday morning, January 26, 1939, at 11 a. m.

Carried.

Assembly adjourned at 2:17 p. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE ELEVENTH DAY

CARSON CITY (Thursday), January 26, 1939.

The Assembly called to order at 11 a. m.

Mr. Speaker in the Chair.

Roll called.

All present except Mr. Fee, who was excused.

Prayer by Monsignor H. J. Wientjes.

Mr. Oldham moved that the reading of the Journal be dispensed with, and Mr. Speaker and the Chief Clerk be authorized to make all necessary corrections.

REPORTS OF COMMITTEES

Mr. Speaker:

The Committee on Engrossment hereby certifies that bound copy of Assembly Bill No. 32, hereto attached, is a correct copy of the triplicate thereof in its possession.

L. K. DRUMM, *Chairman.*

INTRODUCTION AND FIRST READING

By Committee on Judiciary:

Assembly Bill No. 49—An Act to amend sections 25, 27, 28, and 29 of an Act entitled "An Act relating to marriage and divorce," approved November 28, 1861, as amended by Statutes of 1915, chapter 211, and to repeal all Acts and parts of Acts in conflict herewith.

Mr. Davidson moved that 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 Judiciary:

Assembly Bill No. 50—An Act to amend sections 358, 359, and 360 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, as amended, being sections 8856, 8857, and 8858 N. C. L. 1929.

Mr. Davidson moved that 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. Bunker:

Assembly Bill No. 51—An Act pertaining to the pleading of extreme cruelty in actions for divorce.

Mr. Kennett moved that 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. 52—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 a Joint Committee on Ways and Means and Insurance.

Carried.

By Committee on Judiciary :

Assembly Bill No. 53—An Act to amend sections 122 and 447 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 to repeal all Acts and parts of Acts in conflict herewith.

Mr. Kennett moved that 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.

There being no objections, Mr. Speaker and the Chief Clerk signed Senate Concurrent Resolution No. 1.

Mr. Oldham moved that the Assembly recess until 1:30 p. m.

Assembly in recess at 11:13 a. m.

HOUSE IN SESSION

At 1:30 p. m.

Mr. Speaker in the Chair.

Roll called.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 35, 34, 38, 33, 45, 41, 47, 37, and 30, hereto attached, are correct copies of the triplicates thereof in its possession.

L. K. DRUMM, *Chairman.*

Mr. Speaker:

Your Committee on Judiciary has had Assembly Bills Nos. 19 and 25 under consideration, and begs leave to report unfavorably on the same, with the recommendation that they do not pass.

WM. KENNETT, *Chairman.*

Mr. Speaker:

Your Committee on Ways and Means has had Assembly Joint Resolution No. 30 of the Thirty-eighth Session under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

R. E. CAHILL, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Kennett moved that Assembly Bill No. 32 be withdrawn from the Committee on Judiciary, placed on the Speaker's desk and rereferred to the Committee on Insurance.

Carried.

INTRODUCTION AND FIRST READING

By Mr. Richard :

Assembly Bill No. 54—An Act to amend 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 of their precincts 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. Richard moved that 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. Kennett:

Assembly Bill No. 55—An Act to amend an Act entitled "An Act to amend 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," as approved March 30, 1935.

Mr. Kennett moved that 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.

Assembly at ease at 1:40 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 Bills Nos. 42, 31, 44, 48, 43, 46, 40, 39, and 36, hereto attached, are correct copies of the triplicates thereof in its possession.

L. K. DRUMM, *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 Bills Nos. 10 and 11, which this day passed the Senate by the following vote: Yes, 17; nays, none.

F. BUCKINGHAM,

Assistant Secretary of the Senate.

MOTIONS, RESOLUTIONS, AND NOTICES

Assembly Resolution No. 9, expressing sympathy for Mr. R. C. Stitser:

WHEREAS, It has come to the knowledge of the Assembly that one of Nevada's foremost and dearly beloved citizens is critically ill in San Francisco; and

WHEREAS, By reason of Mr. Stitser's fine citizenship and gracious friendliness to his fellow-men, he has become endeared to us all; and

WHEREAS, The members of this Assembly feel that it should express its sympathy for Mr. Stitser and his family at this time; now, therefore, be it

Resolved, That the Assembly of the State of Nevada deeply sympathizes with Mr. R. C. Stitser and his family in this hour of untimely illness and

trouble, expressing the hope that he may soon recover, and that we may soon be able to have him among us as in the past; and be it further

Resolved, That a copy of this resolution duly certified by the Speaker of the Assembly and the Chief Clerk be addressed to Mr. Stitser's family.

Mr. Germain moved the adoption of the resolution.

Carried.

INTRODUCTION AND FIRST READING

Senate Bill No. 2.

Mr. Germain 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. 11.

Mr. Germain 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.

By Committee on Judiciary:

Assembly Bill No. 56—An Act to amend 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,' together with the Acts amendatory thereof and supplemental thereto," approved March 23, 1937.

Mr. Loomis moved that 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. Shelly moved that the members of the Special University Investigation Committee, *i. e.*, Messrs. Shelly, McElroy, and Germain, be excused from tomorrow's session.

Carried.

Mr. Germain moved that the Assembly adjourn until Friday morning January 27, 1939, at 11 a. m.

Carried.

Assembly adjourned at 2:12 p. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE TWELFTH DAY

CARSON CITY (Friday), January 27, 1939.

The Assembly called to order at 11 a. m.

Mr. Speaker in the Chair.

Roll called.

All present except Messrs. Bernard, Case, Germain, McElroy, and Shelly.

Prayer by Monsignor H. J. Wientjes.

Mr. Oldham moved that the reading of the Journal be dispensed with and that the Speaker and the Chief Clerk be authorized to make the necessary corrections.

Carried.

Mr. Joseph P. Gilmore, a member of the California Legislature, was presented to the Assembly by the Speaker.

REPORTS OF COMMITTEES

Mr. Speaker:

The Committee on Engrossment hereby certifies that bound copy of Assembly Bill No. 29, hereto attached, is a correct copy of the triplicate thereof in its possession.

L. K. DRUMM, *Chairman.*

Mr. Speaker:

Your Committee on Mines and Mining has had Assembly Bill No. 26 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

Also, Assembly Bill No. 10, and reports unfavorably on the same, with the recommendation that it do not pass.

H. E. SPRINGER, *Chairman.*

Mr. Speaker:

Your Select Committee of Nye County Delegation has had Senate Bills Nos. 10 and 11 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

WM. KENNETT, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Hussman moved that Assembly Bill No. 19 be removed from the general file and rereferred to the Committee on State Prison.

Carried.

INTRODUCTION AND FIRST READING

By Mr. Amodei.

Assembly Bill No. 57—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, together with the Acts amendatory thereof and supplemental thereto.

Mr. Amodei moved that 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. David:

Assembly Bill No. 58—An Act to repeal chapter XXXVII, approved February 23, 1881, entitled "An Act to license and regulate insurance business in this State."

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

Carried.

By Mr. Brown:

Assembly Bill No. 59—An Act to provide for the reimbursement of certain persons for the payment of licenses that were reduced after the payment thereof.

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.

By Mr. Springer:

Assembly Bill No. 60—An Act authorizing the County Treasurer and the County Auditor of Mineral County, of the State of Nevada, to transfer certain funds now in the treasury of said county.

On motion of Mr. Springer, duly seconded, all rules were suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution, and placed on third reading and final passage.

By Mr. Oldham:

Assembly Bill No. 61—An Act to create the office of State Engineer in the State of Nevada, designating the Surveyor General as ex officio State Engineer, defining the powers and duties of the State Engineer; providing for the salary of the State Engineer and other matters properly relating thereto.

Mr. Oldham moved that 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.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Cahill moved that Assembly Bill No. 25 be removed from the general file for today and placed on the bottom of the file for Wednesday, February 1, 1939.

Carried.

GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 30 of the Thirty-eighth Session.

Roll call on Assembly Joint Resolution No. 30:

YEAS—Amodei, Barr, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, Murphy, Oldham, Richard.

Russell, Sampson, Sloan, Smith, Sowers, Springer, Talcott, and Williams—34.

NAYS—None.

Absent—Bernard, Case, Germain, McElroy, and Shelly—5.

Not voting—Mr. Speaker.

Assembly Joint Resolution No. 30 of the Thirty-eighth Session having received a constitutional majority, Mr. Speaker declared it adopted.

Assembly Bill No. 60.

Roll call on Assembly Bill No. 60:

YEAS—Amodei, Barr, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, Murphy, Oldham, Richard, Russell, Sampson, Sloan, Smith, Sowers, Talcott, and Williams—33.

NAYS—None.

Absent—Bernard, Case, Germain, McElroy, and Shelly—5.

Not voting—Springer and Mr. Speaker—2.

Assembly Bill No. 60 having received a constitutional majority, Mr. Speaker declared it passed.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Russell moved that when the Assembly adjourns today it do so in memory of J. C. Wheeler, a former member of the Legislature from White Pine County, who died this morning.

Carried.

Assembly in recess at 11:30 a. m.

HOUSE IN SESSION

At 12:12 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. 51, 53, 50, 55, 54, 49, and 56, hereto attached, are correct copies of the triplicates thereof in its possession.

L. K. DRUMM, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

By White Pine County Delegation:

Assembly Resolution No. 10, expressing esteem for Hon. J. C. Wheeler.

WHEREAS, It has just come to the knowledge of this Assembly that the Honorable J. C. Wheeler, a member of this body at the Thirty-eighth Session of the Legislature, has this day passed away at his home in White Pine County, Nevada; and

WHEREAS, Mr. Wheeler was known to his colleagues in the Legislature as an ardent supporter of the Government of the United States and of the State of Nevada, always industrious in the welfare of the people of the State, and mindful of their best interests; and

WHEREAS, By his sterling qualities of citizenship and manhood he had endeared himself to all those who were fortunate to know and work with him; and

WHEREAS, We feel that his demise is a blow to the State of Nevada; now, therefore, be it

Resolved by the Assembly of the State of Nevada duly assembled in session

at its Thirty-ninth Session. That we deeply deplore the death of our former associate and friend, for the loss that we have incurred, personally, and for the loss of a good citizen to the State of Nevada; and be it further

Resolved, That we deeply sympathize with the beloved ones who are deprived of one who can never be replaced; and be it further

Resolved, That this resolution be spread upon the Journal of the Assembly, and that the Speaker of the Assembly and Chief Clerk thereof be required to transmit to the family of deceased duly certified copies of this resolution.

Mr. Russell moved the adoption of the resolution.

Carried.

Mr. Oldham moved that the Assembly adjourn until Monday morning, January 30, at 11 a. m.

Carried.

Assembly adjourned at 12:20 p. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE FIFTEENTH DAY

CARSON CITY (Monday), January 30, 1939.

Assembly called to order at 11 a. m.

Mr. Speaker in the Chair.

Roll called.

All present.

Prayer by the Chaplain, Rev. A. S. Kean.

Mr. Oldham moved that the reading of the Journal be dispensed with, and Mr. Speaker and the Chief Clerk be authorized to make the necessary corrections and alterations.

Carried.

Mr. Cahill moved that a letter received from Mrs. Eva Kapp of Halleck, Nevada, relative to schools, be referred to the Committee on Education.

Carried.

MOTIONS, RESOLUTIONS, AND NOTICES

By Mr. Kennett:

Assembly Joint Resolution No. 4, proposing an amendment to article 4 of the Constitution of the State of Nevada.

SECTION 1. Section 2 of article 4 of the Constitution of the State of Nevada is hereby amended to read as follows:

Section 2. The sessions of the Legislature shall be quadrennial, and shall commence on the third Monday of January next ensuing the election of members of the Assembly, unless the Governor of the State shall, in the interim, convene the Legislature by proclamation.

SEC. 2. Section 3 of article 4 of the Constitution of the State of Nevada is hereby amended to read as follows:

Section 3. The members of the Assembly shall be chosen quadrennially by the qualified electors of their respective districts on the Tuesday next after the first Monday in November, and their term of office shall be four years from the day next after their election.

Mr. Kennett 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Select Committee on Esmeralda County Delegation has had Assembly Bill No. 29 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

M. E. FEE, *Chairman.*

INTRODUCTION AND FIRST READING

By Mr. Germain:

Assembly Bill No. 62—To amend an Act entitled "An Act relating to agents, providing for licensing the same, describing certain qualifications, providing penalties for violation therefor, and other matters

relating thereto," being chapter 69, Statutes 1935, approved March 19, 1935.

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

Carried.

By Mr. Kennett:

Assembly Bill No. 63—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, together with the Acts amendatory thereof or supplemental thereto.

Mr. Kennett moved that 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.

There being no objections, Mr. Speaker and the Chief Clerk signed Senate Concurrent Resolution No. 3.

GENERAL FILE AND THIRD READING

Assembly Bill No. 26.

Remarks by Messrs. Springer, Loomis, and Richard.

Roll call on Assembly Bill No. 26:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Coleman, Conine, Cooper, David, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—34.

NAYS—None.

Not voting—Case, Curtis, Davidson, Loomis, Sampson, and Mr. Speaker—6.

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

Assembly Bill No. 10.

Remarks by Messrs. Kennett, Sloan, Hazard, Springer, Case, and Loomis.

Roll call on Assembly Bill No. 10.

YEAS—Barr, Hazard, and Sloan—3.

NAYS—Amodei, Bernard, Brooks, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Smith, Sowers, Springer, Talcott, and Williams—35.

Not voting—Brown and Mr. Speaker—2.

Assembly Bill No. 10 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Senate Bill No. 10.

Remarks by Mr. Germain.

Roll call on Senate Bill No. 10:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee,

Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—39.

NAYS—None.

Not voting—Mr. Speaker.

Senate Bill No. 10 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 11.

Remarks by Mr. Germain.

Roll call on Senate Bill No. 11:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—39.

NAYS—None.

Not voting—Mr. Speaker.

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

There being no objections Mr. Speaker and the Chief Clerk signed Assembly Joint Resolution No. 1 and Assembly Concurrent Resolution No. 2.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 58, 59, 61, and 57, hereto attached, are correct copies of the triplicates thereof in its possession.

Also, that in line 16, bracket should be inserted after the word "paid" and omitted before word "provided" to make the bound copy of Assembly Bill No. 52, hereto attached, a correct copy of the triplicate thereof in its possession.

L. K. DRUMM, *Chairman.*

Mrs. Drumm moved that the Chief Clerk be authorized to make the necessary corrections on Assembly Bill No. 52.

Carried.

Mr. Oldham moved the Assembly recess until 2 p. m.

Carried.

Assembly recessed at 11:45 a. m.

HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the Chair.

Roll called.

All present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Enrollment has carefully compared Assembly Joint Resolution No. 1, and Assembly Concurrent Resolution No. 2, with the engrossed copies, finds the same correctly enrolled, and has this day delivered Assembly Joint Resolution No. 1 to the Governor and Assembly Concurrent Resolution No. 2 to the Secretary of State.

R. R. GERMAIN, *Chairman.*

Mr. Speaker:

Your Committee on Public Morals has had Assembly Bill No. 11 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 Elections has had Assembly Bill No. 54 under consideration and begs leave to report favorably on the same, with the recommendation that it do pass.

PETER A. BURKE, *Chairman.*

Mr. Speaker:

Your Committee on Public Morals has had Assembly Bill No. 14 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

THOMAS M. CARROLL, *Chairman.*

Mr. Speaker:

The majority Committee on Labor has had Assembly Bill No. 18 under consideration, and begs leave to report favorably on the same without recommendation.

HENRY S. COLEMAN,	CARL SHELLY,
A. J. RICHARD,	PETER A. AMODEL,
LEROY DAVID,	

Mr. Speaker:

The minority of your Committee on Labor has had Assembly Bill No. 18 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

H. E. HAZARD,	JOE S. COOPER,
THOMAS LYNCH,	M. E. FEE.

Mr. Speaker:

Your Committee on Claims has had Assembly Bill No. 59 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

A. C. BARR, *Chairman.*

MESSAGES FROM THE SENATE

To the Honorable the Assembly:

I have the honor herewith to return to your honorable body Assembly Bill No. 60, which this day was declared an emergency measure under the Constitution and passed by the following vote: Yeas, 16; nays, none; absent, 1; also Assembly Joint Resolution No. 2, which passed by the following vote: Yeas, 16; nays, none; absent, 1.

Also, 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, 16; nays, none; absent, 1.

Also, Senate Joint Resolution No. 3, which was this day declared an emergency measure under the Constitution and passed by the following vote: Yeas, 16; nays, none; absent, 1.

Also, Senate Bill No. 4, which passed the Senate, as amended, by the following vote: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 2, line 16, strike the words "twelve thousand nine hundred" and insert in lieu thereof "twelve thousand two hundred fifty-five"; page 2, line 17, strike the figures (\$12,900) and insert in lieu thereof the figures (\$12,255).

F. BUCKINGHAM,
Assistant Secretary of the Senate.

INTRODUCTION AND FIRST READING

By Clark County Delegation:

Assembly Bill No. 64—An Act authorizing and directing the County Treasurer of Clark County, Nevada, to transfer certain moneys from

the Las Vegas High School Bond Fund to the Clark County Educational District No. 2 Bond Fund, and other matters relating thereto.

Mr. Sloan 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 Clark County Delegation.
Carried.

By Committee on Elections:

Assembly Bill No. 65—An Act to amend section 1 of an Act entitled "An Act prescribing the procedure to be followed in the presentation and adoption of Acts initiated by the people," approved March 8, 1921, being section 2570 N. C. L. 1929.

Mr. Burke moved that 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 Committee on Elections:

Assembly Bill No. 66—An Act to amend section 1 of an Act entitled "An Act regulating the registration of electors for general, special, and primary elections," approved March 27, 1917, and to repeal all Acts and parts of Acts in conflict herewith.

Mr. Burke moved that 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 Committee on Elections:

Assembly Bill No. 67—An Act to provide for the proposal of amendments to the Constitution of the State of Nevada by the people and the enacting or rejecting of the same at the polls pursuant to section 3 of article XIX of the Constitution of the State of Nevada.

Mr. Burke moved that 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 Clark County Delegation:

Assembly Bill No. 68—An Act to amend an Act entitled "An Act relating to the incorporation of cities and towns and providing for the automatic disincorporation thereof in certain cases, and other matters relating thereto," approved March 10, 1919.

Mr. Hazard moved that 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 White Pine County Delegation:

Assembly Bill No. 69—An Act entitled "An Act to enable the United States to acquire by purchase, or otherwise, land within the Nevada and Toiyabe National Forests in the State of Nevada to facilitate the

control of soil erosion or flood damage, and to promote the efficiency and economy of administration of said national forests."

Mr. Russell moved that 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. Russell:

Assembly Bill No. 70—An Act providing for the registration of resold automobiles, providing a penalty for violation of this Act and other matters properly relating thereto.

Mr. Russell moved that 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 Committee on Elections:

Assembly Bill No. 71—An Act to amend section 22 of an Act entitled "An Act regulating the nominations of candidates for public office in the State of Nevada," approved March 23, 1917, as amended by Statutes of 1933, chapter 69, and to repeal all Acts and parts of Acts in conflict herewith.

Mr. Burke moved that 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. 2.

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 Livestock.

Carried.

Senate Bill No. 4.

Mr. Oldham moved that 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 Joint Resolution No. 3.

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 Agriculture.

Carried.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Oldham moved that when the Assembly adjourns today it do so in respect to the memory of Rollin C. Stitser.

Mr. Shelly moved that Assembly Bill No. 25 be taken from the bottom of the file for Wednesday, February 1, 1939, and be referred to the Committee on Education.

Carried.

Mr. Oldham moved that the Assembly adjourn until Tuesday, January 31, 1939, at 11 a. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE SIXTEENTH DAY

CARSON CITY (Tuesday), January 31, 1939.

Assembly called to order at 11 a. m.

Mr. Speaker in the Chair.

Roll called.

All present.

Prayer by the Chaplain, Rev. A. S. Kean.

Mr. Oldham moved that reading of the minutes be dispensed with, and that the Speaker and the Chief Clerk be authorized to make all necessary corrections and additions.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

The majority of your Joint Committee on Public Morals and Judiciary has had Senate Joint Resolution No. 3, 38th Session, under consideration, and begs leave to report as follows: The majority of your committee reports the same favorably, reporting in detail as follows: Your committee reports favorably on this resolution believing that the people of the State should have the right to decide this important question by ballot. Your committee makes this favorable report in the firm belief that the lottery should be State owned, and State conducted, and with the integrity of the State of Nevada ever governing the lottery; that the lottery should never be concessioned nor transferred to private parties or private interests of any kind; that the only lottery allowed or permitted in the State shall be the State lottery; that at the proper time legislative action be taken accordingly. That among the beneficiaries of the lottery will be the public schools, and other State institutions; also to permit a substantial increase in the sums of money for old-age pensions. It is the belief of your committee that the lottery revenue will decidedly reduce the real and personal property taxes of the taxpayers of the State, and that this is one of the principal purposes of the lottery. The apparent benefits which will accrue to the State are substantial reasons for establishing the State lottery, and that at this stage of the measure, the proper thing for the Legislature to do is to submit the matter to the people for their decision on this very important issue.

A. C. BARR,
MORLEY MURPHY,
PETER A. BURKE,
JOHN DAVIDSON,
J. F. McELROY,

VIRGIL BERNARD,
WM. KENNETT,
JOHN W. CURTIS,
THOMAS M. CARROLL,
Majority of Committee.

Mr. Speaker:

The minority of your Joint Committee on Public Morals and Judiciary has had Senate Joint Resolution No. 3, 38th Session, under consideration, and begs leave to report as follows: The minority of your committee reports the same unfavorably, with the recommendation that it be not passed.

E. FRANSDEN LOOMIS,
IRVIN CASE,
Minority of Committee.

INTRODUCTION AND FIRST READING

By Committee on Labor:

Assembly Bill No. 72—An Act requiring persons who take from their

employees all or any portion of any tips or gratuities, to post in a conspicuous place on their premises a notice of the terms of the contract whereby the employer or other person is to have the benefit of any such tips or gratuities, prescribing penalties for the violation thereof, and other matters relating hereto.

Mr. Hazard moved that 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. Conine:

Assembly Bill No. 73—An Act to amend an Act entitled "An Act concerning slot machines, gambling games, and gambling devices; providing for the operation thereof under license; providing for certain license fees and the use of the money obtained therefrom, prohibiting minors from playing and loitering about such games; designating the penalties for violations of the provisions thereof, and other matters properly relating thereto," approved March 19, 1931.

Mr. Conine moved that 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. Amodei:

Assembly Bill No. 74—An Act providing that the 31st day of October shall be known as "Nevada Day," designating the same as a holiday, and repealing an Act in conflict herewith.

Mr. Amodei moved that 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.

There being no objections, the Speaker and the Chief Clerk signed Senate Bills Nos. 10 and 11.

GENERAL FILE AND THIRD READING

Assembly Bill No. 29.

Roll call on Assembly Bill No. 29:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—39.

NAYS—None.

Not voting—Mr. Speaker.

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

Assembly Bill No. 11.

Remarks by Messrs. Kennett and Hazard.

Roll call on Assembly Bill No. 11:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee,

Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Smith, Sowers, Springer, Talcott, and Williams—38.

NAYS—None.

Not voting—Sloan and Mr. Speaker—2.

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

Assembly Bill No. 54.

Remarks by Messrs. Shelly, Richard, Kennett, and Cooper.

Mr. Shelly moved that Assembly Bill No. 54 be rereferred to the Committee on Elections.

Carried.

Assembly Bill No. 14.

Remarks by Messrs. Kennett, Murphy, and Case.

Roll call on Assembly Bill No. 14:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Case, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Smith, Sowers, Springer, Talcott, and Williams—35.

NAYS—Sloan.

Absent—Burke.

Not voting—Coleman, Conine, and Mr. Speaker—3.

Assembly Bill No. 14 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 18.

Remarks by Messrs. Barr, Kennett, Smith, Williams, Russell, Coleman, Cooper, Germain, Hazard, Shelly, Loomis, David, and Case.

Roll call on Assembly Bill No. 18:

YEAS—Barr, Burke, Cahill, Cooper, Fee, Fisher, Hazard, Lynch, Richard, Russell, Sampson, Sloan, Smith, Springer, and Talcott—15.

NAYS—Amodei, Brooks, Brown, Coleman, Conine, Curtis, David, Davidson, Hussman, Kennett, Loomis, McCuistion, McElroy, Murphy, Oldham, Shelly, and Williams—17.

Not voting—Bernard, Caldwell, Carroll, Case, Drumm, Germain, Sowers, and Mr. Speaker—8.

Assembly Bill No. 18 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Mr. Oldham moved that the Assembly recess until 2 p. m.

Carried.

Assembly recessed at 12:15 p. m.

HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the Chair.

Roll called.

All present.

There being no objections the Speaker and Chief Clerk signed Assembly Joint Resolution No. 2 and Assembly Bill No. 60.

REPORTS OF COMMITTEES

Mr. Speaker:

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 64, 66, 68, 63, 62, 71, 72, 70, 69, 65, 67, and Assembly Joint Resolution No. 4, hereto attached, are correct copies of the triplicates thereof in its possession.

L. K. DRUMM, *Chairman.*

Mr. Speaker:

Your Committee on Enrollment has carefully compared Assembly Enrolled Bill No. 60 authorizing the County Treasurer and the County Auditor of Mineral County, of the State of Nevada, to transfer certain funds now in the treasury of said county, and Assembly Joint Resolution No. 2, memorializing Congress to enact legislation authorizing the payment of all old-age assistance to Indians out of Federal funds, with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. R. GERMAIN, *Chairman.*

INTRODUCTION AND FIRST READING

By Committee on Judiciary:

Assembly Bill No. 75—An Act to amend section 433 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 to repeal all Acts and parts of Acts in conflict herewith.

Mr. Kennett moved that 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. 59.

Remarks by Mr. Brown.

Roll call on Assembly Bill No. 59:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Cooper, Curtis, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—37.

NAYS—Conine.

Not voting—David and Mr. Speaker—2.

Assembly Bill No. 59 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Oldham moved the Assembly adjourn until Wednesday, February 1, 1939, at 11 a. m.

Carried.

Assembly adjourned at 2:13 p. m.

Approved:

BERKELEY L. BUNKER,
Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE SEVENTEENTH DAY

CARSON CITY (Wednesday), February 1, 1939.

Assembly called to order at 11 a. m.

Mr. Speaker in the Chair.

Roll called.

All present.

Prayer by the Chaplain, Rev. A. S. Kean.

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

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary has had Assembly Bill No. 33 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

Also, has had Assembly Bill No. 34 under consideration, and begs leave to submit two reports thereon. The majority members of said committee report favorably, with the recommendation that the bill do pass.

IRVIN CASE,
A. C. BARR,
J. F. McELROY,

JOHN DAVIDSON,
E. FRANSDEN LOOMIS,
Majority of Committee.

The minority members of said committee report unfavorably, with the recommendation that the bill do not pass.

WM. KENNETT,
PETER A. BURKE,
Minority of Committee.

Also, has had Assembly Bills Nos. 35, 36, 37, 38, 39, 42, 44, 45, 46, 48, 49, 50, 53, and 56 under consideration, and reports favorably on the same with the recommendation that they do pass.

Also, Assembly Bill No. 47, and reports unfavorably on the same, with the recommendation that it do not pass.

WM. KENNETT, *Chairman.*

Mr. Speaker:

Your Committee on Agriculture has had Senate Joint Resolution No. 3 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

ANDY J. RICHARD, *Chairman.*

Mr. Speaker:

Your Select Committee composed of Clark County Delegation has had Assembly Bill No. 64 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

H. E. HAZARD, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Carroll moved that Senate Joint Resolution No. 3 of the Thirty-eighth Session be made a special order of business for Monday, February 6, 1939.

Remarks by Mr. Cahill.

Motion lost.

Mr. Kennett moved that Assembly Bill No. 34 be made a special order of business for Thursday, February 2, at 2 p. m.

Carried.

INTRODUCTION AND FIRST READING

By Lincoln County Delegation:

Assembly Bill No. 76—An Act authorizing and directing the County Commissioners of Lincoln County, State of Nevada, to transfer certain funds from the old courthouse bond refunding fund to a special fund in said county to be used for purchasing equipment and furniture for the new courthouse in said county.

On motion of Mr. Coleman, duly seconded, all rules were suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution, and placed on third reading and final passage.

By Lincoln County Delegation:

Assembly Bill No. 77—An Act authorizing and directing the County Commissioners of Lincoln County, State of Nevada, to transfer certain funds, raised by subscription and local taxation, for developing water in Cathedral Gorge, in said county, to the General Fund of said county to be used by the County Commissioners thereof for the repair and improvement of that certain project in said county designated as the Panaca Flood Control Project.

On motion of Mr. Coleman, duly seconded, all rules were suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution, and placed on third reading and final passage.

By Mr. Springer:

Assembly Bill No. 78—An Act regulating the removal or transportation of used mining or industrial machinery or equipment, defining the duties of certain officers and persons relating thereto, providing a penalty for the violation hereof, and other matters properly relating thereto.

Mr. Springer moved that 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. Springer:

Assembly Bill No. 79—An Act to amend an Act entitled "An Act to amend section 2 of an Act entitled 'An Act to regulate fees and compensations for county and township officers for official and other services in the county of Mineral, State of Nevada, and to repeal an Act entitled "An Act to regulate fees and compensation for official and other services in the county of Mineral, State of Nevada," approved March 15, 1915, and all other Acts or parts of Acts in conflict herewith,' approved March 26, 1919," approved March 25, 1931.

Mr. Springer 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 Mineral County Delegation.

Carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 77.

Remarks by Messrs. Coleman and Kennett.

Roll call on Assembly Bill No. 77 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—39.

NAYS—None.

Not voting—Mr. Speaker.

Assembly Bill No. 77 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 76.

Remarks by Mr. Coleman.

Roll call on Assembly Bill No. 76 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—39.

NAYS—None.

Not voting—Mr. Speaker.

Assembly Bill No. 76 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Joint Resolution No. 3 of the Thirty-eighth Session.

Mr. Cahill moved that Senate Joint Resolution No. 3 of the Thirty-eighth Session be indefinitely postponed.

Mr. Shelly moved the previous question.

Roll call requested by Messrs. Cooper, Carroll, and Lynch.

Roll call on previous question :

YEAS—Amodei, Brooks, Brown, Burke, Cahill, Case, Coleman, Curtis, Davidson, Drumm, Germain, Hazard, Hussman, Loomis, McCuiston, Oldham, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—25.

NAYS—Barr, Bernard, Caldwell, Carroll, Conine, Cooper, David, Fee, Fisher, Kennett, Lynch, McElroy, Murphy, and Richard—14.

Not voting—Mr. Speaker.

Senate Joint Resolution No. 3 of the Thirty-eighth Session was declared indefinitely postponed by Mr. Speaker.

REPORTS OF COMMITTEES

Mr. Speaker:

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 75, 74, 72, 73, hereto attached, are correct copies of the triplicates thereof in its possession.

L. K. DRUMM, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Oldham moved that all who wish to attend the Farm Bureau meeting in Reno this afternoon be excused.

Carried.

Mr. Oldham moved that the Assembly recess until the hour of 2 p. m.

Carried.

House in recess at 11:45 a. m.

HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the Chair.

Roll called.

Present—Cahill, Carroll, Conine, Cooper, Curtis, David, Davidson, Fisher, Hazard, Kennett, Lynch, Shelly, Sloan, Smith, and Mr. Speaker—15.

Absent—Amodei, Barr, Bernard, Brooks, Brown, Burke, Caldwell, Case, Coleman, Drumm, Fee, Germain, Hussman, Loomis, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Sowers, Springer, Talcott, and Williams—25.

Mr. Smith moved that since there was not a quorum present the Assembly adjourn until Thursday, February 2, 1939, at 11 a. m.

Carried.

Assembly adjourned at 2:02 p. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE EIGHTEENTH DAY

CARSON CITY (Thursday), February 2, 1939.

Assembly called to order at 11 a. m.

Mr. Speaker in the Chair.

Roll called.

All present.

Prayer by the Chaplain, Rev. A. S. Kean.

Mr. Oldham moved that the reading of the Journal be dispensed with and that the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Carried.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Kennett moved that Assembly Bill No. 56, now on general file, be rereferred to the Committee on Judiciary for further study.

Carried.

Mr. Kennett moved that the special order of business set for 2 p. m. today be vacated, and Assembly Bill No. 34 be rereferred to the Judiciary Committee.

Carried.

By Mr. Amodei:

Assembly Joint Resolution No. 5, memorializing Congress to use all honorable means to enact Senate Bill 1030, introduced by Senator Pittman of Nevada, or Senate Bill 1049, introduced by Senator McCarran.

WHEREAS, Senator Pittman has had introduced to the United States Senate a measure designated as Senate Bill 1030, providing for the transfer of that certain building, situated in the city of Carson, State of Nevada, commonly known and designated as the old United States Mint, from the United States to the State of Nevada, to be used for the purposes designated in said bill; and

WHEREAS, Senator McCarran has introduced a bill of similar import, designated Senate Bill 1049; and

WHEREAS, The said building and the site upon which it is situated are of no future use or consequence to the United States; and

WHEREAS, The said building and site upon which it is situated would be of inestimable value to the people of the State of Nevada, for the uses and purposes designated in said bill; now, therefore, be it

Resolved by the Assembly and the Senate of the State of Nevada, That the Congress of the United States, and the members thereof, be and they are hereby memorialized to use every legitimate means for the passage of one of said bills; and be it further

Resolved, That the Secretary of State of the State of Nevada be and he is hereby authorized and directed to transmit properly certified copies of this resolution to the President of the United States Senate, to the Speaker of the House of Representatives, to each of our Senators in the United States Senate and to our Representative in Congress.

On motion of Mr. Oldham, duly seconded, all rules were suspended, reading so far had considered first reading, rules further suspended,

bill considered engrossed, declared an emergency measure under the Constitution, and placed on third reading and final passage.

GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 5.

Remarks by Mr. Amodei.

Roll call on Assembly Joint Resolution No. 5:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—37.

NAYS—Hussman.

Absent—Richard.

Not voting—Mr. Speaker.

Assembly Joint Resolution No. 5 having received a constitutional majority, the Speaker declared it passed.

Assembly Bill No. 33.

Remarks by Messrs. Loomis, Cooper, and Case.

Roll call on Assembly Bill No. 33:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Curtis, David, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—36.

NAYS—Cooper.

Absent—Davidson and Richard—2.

Not voting—Mr. Speaker.

Assembly Bill No. 33 having received a constitutional majority, the Speaker declared it passed.

INTRODUCTION AND FIRST READING

By Clark County Delegation:

Assembly Bill No. 80—An Act authorizing and directing the County Commissioners, County Auditor and County Treasurer of Clark County, Nevada, to transfer funds from the "Lincoln County Bonds Fund" to the "Publicity Fund," and the "Experimental Farm Sale Fund" to the "County Road Fund" of said county.

On motion of Mr. Hazard, duly seconded, all rules were suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution, and placed on third reading and final passage.

By Humboldt County Delegation:

Assembly Bill No. 81—An Act fixing and regulating the appointment and salary of a deputy to the County Clerk of Humboldt County.

On motion of Mr. Sowers, duly seconded, all rules were suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution, and placed on third reading and final passage.

By Social Welfare Committee:

Assembly Bill No. 82—An Act to amend an Act entitled "An Act

relating to unemployment compensation, creating unemployment compensation and administration funds and providing for the administration thereof; making an appropriation therefor; defining unemployment and providing compensation therefor; requiring contribution by employers to the unemployment compensation fund; creating the office of director, a board of review and providing for other officers and employees and defining their powers and duties; and other matters relating thereto," approved March 23, 1937, by adding thereto a new section to be known as section 9½.

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

Carried.

By Mr. Loomis:

Assembly Bill No. 83—An Act to amend the title of and to amend an Act entitled "An Act to prevent the obtaining of labor under false representation or pretense, and prescribing a penalty therefor," approved March 27, 1913.

Mr. Loomis 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 Labor and Judiciary.

Carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 81.

Roll call on Assembly Bill No. 81:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—38.

NAYS—None.

Absent—Richard.

Not voting—Mr. Speaker.

Assembly Bill No. 81 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 80.

Remarks by Messrs. Hazard and Kennett.

Roll call on Assembly Bill No. 80:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—37.

NAYS—None.

Absent—Richard.

Not voting—Coleman and Mr. Speaker—2.

Assembly Bill No. 80 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 35.

Remarks by Mr. Davidson.

Roll call on Assembly Bill No. 35 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—38.

NAYS—None.

Absent—Richard.

Not voting—Mr. Speaker.

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

Assembly Bill No. 36.

Roll call on Assembly Bill No. 36 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Case, Coleman, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—35.

NAYS—Conine.

Absent—Burke, Hazard, and Richard—3.

Not voting—Mr. Speaker.

Assembly Bill No. 36 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 37.

Remarks by Mr. Loomis.

Roll call on Assembly Bill No. 37 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Cooper, Curtis, David, Davidson, Fisher, Germain, Hussman, Kennett, Loomis, McCuistion, McElroy, Murphy, Oldham, Russell, Sampson, Shelly, Sloan, Sowers, and Williams—30.

NAYS—Conine, Drumm, Fee, Hazard, Lynch, Smith, Springer and Talcott—8.

Absent—Richard.

Not voting—Mr. Speaker.

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

Assembly Bill No. 38.

Remarks by Messrs. Davidson, Loomis, and Coleman.

Mr. Loomis asked that his remarks be recorded in the Journal as follows: "The committee considering this bill fully realizes that section 3660 of the Nevada Compiled Laws of 1929 attempts to cover this provision. The statute as it is written is ambiguous and rather hard to understand. For that reason this bill was introduced to clarify in these particular situations, that is, to clarify the section, and is not intended to repeal the section nor to limit the section to the particular instances covered by the bill."

Roll call on Assembly Bill No. 38 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy,

Murphy, Oldham, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—37.

YAYS—None.

Absent—Hazard and Richard—2.

Not voting—Mr. Speaker.

Assembly Bill No. 38 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Oldham moved that the Assembly recess until 2 p. m.

Carried.

Assembly recessed at 12:01 p. m.

HOUSE IN SESSION

At 1:30 p. m.

Mr. Speaker in the Chair.

Quorum present.

INTRODUCTION AND FIRST READING

By Committee on Judiciary:

Assembly Bill No. 84—An Act to amend an Act entitled "An Act authorizing and empowering the State Board of Examiners to fix the amount of expense money for traveling and subsistence charges per day of District Judges, State officers, commissioners, representatives, and other employees of the State who, under the law, are required to file their claims with the Board of Examiners for allowance and approval, and repealing all Acts and parts of Acts in conflict herewith, approved February 3, 1928," as amended, Statutes 1931, 204; 1933, 184, 185.

Mr. Kennett moved that 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. Kennett:

Assembly Bill No. 85—An Act to create county financial advisory boards in the several counties of the State, defining their duties and powers and further fixing and limiting the duties and powers of county officers, and other matters properly relating thereto.

Mr. Kennett moved that 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. Kennett:

Assembly Bill No. 86—An Act to amend an Act entitled "An Act authorizing and empowering the several Boards of County Commissioners within the State of Nevada to fix the amount of expense money for traveling and subsistence per day of county and township officers, representatives, and employees while traveling on official business," approved February 3, 1928.

Mr. Kennett moved that 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 Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 78 and 79, hereto attached, are correct copies of the triplicates thereof in its possession.

L. K. DRUMM, *Chairman.*

GENERAL FILE AND THIRD READING

Assembly Bill No. 39.

Roll call on Assembly Bill No. 39:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Cooper, Curtis, David, Davidson, Fee, Fisher, Kennett, Loomis, Lynch, McElroy, Russell, Sampson, Shelly, and Smith—25.

NAYS—Conine, Drumm, Murphy, Oldham, Springer, and Talcott—6.

Absent—Richard and Williams—2.

Not voting—Germain, Hazard, Hussman, McCuistion, Sloan, Sowers, and Mr. Speaker—7.

Assembly Bill No. 39 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 42.

Remarks by Messrs. Smith and Davidson.

Roll call on Assembly Bill No. 42:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fisher, Germain, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—36.

NAYS—None.

Absent—Richard.

Not voting—Fee, Hazard, and Mr. Speaker—3.

Assembly Bill No. 42 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 44.

Remarks by Mr. Loomis.

Roll call on Assembly Bill No. 44:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—38.

NAYS—None.

Absent—Richard.

Not voting—Mr. Speaker.

Assembly Bill No. 44 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 45.

Remarks by Mr. Davidson.

Roll call on Assembly Bill No. 45:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Cooper, Curtis, David, Davidson, Drumm, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—36.

NAYS—Conine.

Absent—Richard.

Not voting—Fee and Mr. Speaker—2.

Assembly Bill No. 45 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 46.

Roll call on Assembly Bill No. 46:

YEAS—Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, David, Davidson, Germain, Hussman, Kennett, Loomis, McElroy, Oldham, Russell, Sampson, Shelly, Springer, Talcott, and Williams—23.

NAYS—Amodei, Barr, Conine, Cooper, Curtis, Drumm, Fee, Fisher, Lynch, Murphy, and Smith—11.

Absent—Hazard and Richard—2.

Not voting—McCuistion, Sloan, Sowers, and Mr. Speaker—4.

Assembly Bill No. 46 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 47.

Remarks by Messrs. Davidson and Oldham.

Roll call on Assembly Bill No. 47:

YEAS—Williams.

NAYS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, and Talcott—37.

Absent—Richard.

Not voting—Mr. Speaker.

Assembly Bill No. 47 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Assembly Bill No. 48.

Remarks by Mr. Davidson.

Roll call on Assembly Bill No. 48:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Caldwell, Case, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, McCuistion, McElroy, Murphy, Oldham, Russell, Smith, Sowers, Springer, Talcott, and Williams—32.

NAYS—Cahill, Carroll, Coleman, Lynch, and Shelly—5.

Absent—Richard.

Not voting—Sloan and Mr. Speaker—2.

Assembly Bill No. 48 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 49.

Remarks by Mr. Loomis.

Roll call on Assembly Bill No. 49 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—38.

NAYS—None.

Absent—Richard.

Not voting—Mr. Speaker.

Assembly Bill No. 49 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 50.

Remarks by Messrs. Loomis and Kennett.

Roll call on Assembly Bill No. 50 :

YEAS—Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Case, Coleman, Cooper, Curtis, David, Davidson, Drumm, Fisher, Germain, Hussman, Kennett, Loomis, Lynch, McElroy, Murphy, Oldham, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—32.

NAYS—Amodei, Conine, Fee, and Hazard—4.

Absent—Burke and Richard—2.

Not voting—McCuistion and Mr. Speaker—2.

Assembly Bill No. 50 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 53.

Remarks by Messrs. Davidson and Hazard.

Roll call on Assembly Bill No. 53 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Cooper, Curtis, David, Davidson, Drumm, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Talcott, and Williams—30.

NAYS—Conine.

Absent—Burke, Fee, Fisher, and Richard—4.

Not voting—Case, Coleman, Germain, Springer, and Mr. Speaker—5.

Assembly Bill No. 53 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 64.

Remarks by Mr. Sloan.

Roll call on Assembly Bill No. 64 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—36.

NAYS—None.

Absent—Burke, Fisher, and Richard—3.

Not voting—Mr. Speaker.

Assembly Bill No. 64 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Joint Resolution No. 3.

Roll call on Senate Joint Resolution No. 3 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Germain,

Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—37.

NAYS—None.

Absent—Burke, Fisher, and Richard—3.

Assembly Joint Resolution No. 3 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 Resolution No. 1, which this day passed the Senate by the following vote: Yeas, 17; nays, none.

Also, to return Assembly Bill No. 76, which was this day declared an emergency measure under the Constitution, and passed by the following vote: Yeas, 16; nays, none; not voting, 1.

Also, to return Assembly Bill No. 77, which was this day declared an emergency measure under the Constitution, and passed by the following vote: Yeas, 14; nays, none; absent, 3.

Also, Assembly Bill No. 29, which passed: Yeas, 17; nays, none.

Also, Assembly Joint Resolution No. 30 (Thirty-eighth Session), which passed: Yeas, 15; nays, 2.

Also, Assembly Joint Resolution No. 5, which passed: Yeas, 16; nays, none; absent, 1.

Also, to present Senate Bill No. 21, which passed: Yeas, 17; nays, none.

F. BUCKINGHAM,

Assistant Secretary of the Senate.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Shelly moved that Messrs. Germain, McElroy, and Shelly be excused tomorrow to attend a University Investigation Committee meeting.

Carried.

INTRODUCTION AND FIRST READING

Senate Joint Resolution No. 1.

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

Carried.

Senate Bill No. 21.

Mr. Oldham 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 Lander County Delegation.

Carried.

Mr. Oldham moved that the Assembly adjourn until Friday, February 3, at 11 a. m.

Carried.

Assembly adjourned at 3 p. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE NINETEENTH DAY

CARSON CITY (Friday), February 3, 1939.

Assembly called to order at 11 a. m.

Mr. Speaker in the Chair.

Roll called.

All present except Messrs. Germain, McElroy, and Shelly, who were excused.

Prayer by the Chaplain, Rev. A. S. Kean.

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

REPORTS OF COMMITTEES

Mr. Speaker:

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 82, 83, 84, 85, and 86, hereto attached, are correct copies of the triplicates thereof in its possession.

L. K. DRUMM, *Chairman.*

Mr. Speaker:

Your Joint Committee on Judiciary and Mineral County Delegation has had Assembly Bill No. 79 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

WM. KENNETT,
H. E. SPRINGER,
Chairmen of Committees.

Mr. Speaker:

Your Committee on Judiciary has had Assembly Bills Nos. 21, 63, 74, and 78 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

Also, Assembly Bill No. 41, and begs leave to report with substitute therefor, with the recommendation that the substitute be adopted.

WM. KENNETT, *Chairman.*

Mr. Speaker:

Your Committee on Mines and Mining 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.

H. E. SPRINGER, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Russell moved that Assembly Bill No. 6 be withdrawn from the Committee on Mines and Mining and returned to the introducer for correction.

Carried.

INTRODUCTION AND FIRST READING

By Mr. Hazard:

Assembly Bill No. 87—An Act relating to the jurisdiction of Justices of the Peace and police magistrates over juveniles.

Mr. Hazard moved that 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. Oldham moved that the Assembly recess until 11:55 a. m.

Carried.

Assembly in recess at 11:15 a. m.

HOUSE IN SESSION

At 11:55 a. m.

Mr. Speaker in the Chair.

Quorum present.

Mr. Burke moved the Assembly adjourn until 11 a. m. on Monday, February 6, 1939.

Carried.

Assembly adjourned at 11:56 a. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE TWENTY-SECOND DAY

CARSON CITY (Monday), February 6, 1939.

Assembly called to order at 11 a. m.

Mr. Speaker in the Chair.

Roll called.

All present except Messrs. Burke, Caldwell, Case, Fee, Fisher, and McElroy, who were excused.

Prayer by the Chaplain, Rev. J. L. Harvey.

Mr. Oldham moved the reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary has had Assembly Bills Nos. 75, 84, and 86 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

WM. KENNETT, *Chairman.*

Mr. Speaker:

Your Committee on Social Welfare has had Assembly Bill No. 82 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

HENRY S. COLEMAN, *Chairman.*

Mr. Speaker:

Your Committee on Labor has had Assembly Bill No. 72 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

H. E. HAZARD, *Chairman.*

Mr. Speaker:

Your Committee of Lauder County Delegation has had Senate Bill No. 21 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

CHAS. L. CALDWELL, *Chairman.*

Mr. Speaker:

The Committee on Engrossment hereby certifies that bound copy of Assembly Bill No. 87, hereto attached, is a correct copy of the triplicate thereof in its possession.

L. K. DRUMM, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Oldham moved that all absent members unavoidably detained by the storm be excused.

Carried.

INTRODUCTION AND FIRST READING

By Clark County Delegation (by request):

Assembly Bill No. 88—An Act to provide for equal rights for all persons within the State of Nevada; to provide forfeitures for the denial thereof; to provide penalties for the violation thereof, and to repeal all other Acts or parts of Acts in conflict herewith.

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

Carried.

By Mr. Springer:

Assembly Bill No. 89—An Act providing for the establishment within unincorporated towns of districts or zones within which the use of property, height, and location of improvements and required open space for light and ventilation of buildings, and establishing of building lines, may be regulated by ordinance.

Mr. Springer 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 Mineral County Delegation.

Carried.

By Mr. Davidson:

Assembly Bill No. 90—An Act to amend section 25 of an Act entitled "An Act providing a general corporation law," approved March 21, 1925.

Mr. Davidson moved that 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 Roads and Highways:

Assembly Bill No. 91—An Act to establish a vehicle code, thereby consolidating and revising the law relating to vehicles and vehicular traffic, and to repeal certain Acts and parts of Acts specified herein.

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 Roads and Highways.

Carried.

By Mr. Smith:

Assembly Bill No. 92—An Act relating to revenue and taxation, requiring distributors as herein defined to pay an excise tax on the sale of all butter substitutes containing coconut oils or fats, providing for licensing dealers therein, fixing a penalty for a violation of the provisions of the Act, and declaring that this Act shall take effect April 1, 1939.

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 a Joint Committee on Agriculture and Livestock.

Carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 79.

Remarks by Messrs. Conine, Springer, and Kennett.

Roll call on Assembly Bill No. 79:

YEAS—Amodei, Barr, Bernard, Brown, Cahill, Carroll, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Germain, Hazard, Hussman, Kennett,

Lynch, McCuistion, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—31.

NAYS—None.

Absent—Brooks, Burke, Caldwell, Case, Fee, Fisher, Loomis, and McElroy—8.

Not voting—Mr. Speaker.

Assembly Bill No. 79 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 78.

Remarks by Messrs. Springer and Cooper.

Roll call on Assembly Bill No. 78:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Carroll, Coleman, Cooper, Curtis, David, Davidson, Drumm, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—32.

NAYS—Conine.

Absent—Burke, Caldwell, Case, Fee, Fisher, and McElroy—6.

Not voting—Mr. Speaker.

Assembly Bill No. 78 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 63.

Remarks by Messrs. Kennett, Hazard, Coleman, Hussman, Cooper, Smith, and Loomis.

Roll call on Assembly Bill No. 63:

YEAS—Amodei, Barr, Brooks, Brown, Cahill, Carroll, Coleman, Cooper, David, Davidson, Drumm, Germain, Hazard, Hussman, Kennett, Loomis, McCuistion, Murphy, Oldham, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—28.

NAYS—Bernard, Conine, Curtis, Lynch, and Richard—5.

Absent—Burke, Caldwell, Case, Fee, Fisher, and McElroy—6.

Not voting—Mr. Speaker.

Assembly Bill No. 63 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 41.

Mr. Kennett moved that the substitute for Assembly Bill No. 41 be adopted.

Remarks by Mr. Kennett.

Motion carried.

Roll call on Assembly Substitute for Assembly Bill No. 41:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Carroll, Conine, Davidson, Drumm, Germain, Hussman, Kennett, Loomis, Murphy, Oldham, Russell, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—24.

NAYS—Coleman, Cooper, Curtis, Hazard, Lynch, and Richard—6.

Absent—Burke, Caldwell, Case, Fee, Fisher, and McElroy—6.

Not voting—David, McCuistion, Sampson, and Mr. Speaker—4.

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

Assembly Bill No. 21.

Remarks by Messrs. Davidson, Hazard, Germain, Kennett, Smith, Sloan, Oldham, Loomis, Shelly, and Cooper.

Roll call on Assembly Bill No. 21 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Carroll, Conine, Cooper, Curtis, David, Davidson, Drumm, Hussman, Kennett, Loomis, McCuistion, Murphy, Oldham, Russell, Sloan, Talcott, and Williams—22.

NAYS—Cahill, Germain, Hazard, Lynch, Sampson, Shelly, and Smith—7.

Absent—Burke, Caldwell, Case, Fee, Fisher, and McElroy—6.

Not voting—Coleman, Richard, Sowers, Springer, and Mr. Speaker—5.

Assembly Bill No. 21 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Oldham moved the Assembly recess until the hour of 2 p. m.
Carried.

Assembly recessed at 12:08 p. m.

HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the Chair.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 74.

Remarks by Mr. Amodei.

Roll call on Assembly Bill No. 74 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Carroll, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—34.

NAYS—None.

Absent—Burke, Caldwell, Case, Fee, Fisher, and McElroy—6.

Assembly Bill No. 74 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 27.

Remarks by Messrs. Kennett and Springer.

Roll call on Assembly Bill No. 27 :

YEAS—None.

NAYS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Carroll, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—32.

Absent—Burke, Caldwell, Case, Fee, Fisher, and McElroy—6.

Not voting—McCuistion and Mr. Speaker—2.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Contingent Expenses has had Assembly Concurrent Resolution No. 1 under consideration, and the claims referred to in said resolution, and we do hereby report the said claims as being properly chargeable against the Legislative Fund, and recommend the adoption of the resolution and the payment of the claims.

JOE S. COOPER, *Chairman.*

Mr. Speaker:

Your Joint Committee on Ways and Means and Insurance has had Assembly

Bill No. 52 under consideration, and begs leave to report same with a substitute therefor, with the recommendation that the substitute be adopted.

R. E. CAHILL, *Chairman*.

On motion of Mr. Cahill the substitute was adopted and ordered printed.

MESSAGES FROM THE GOVERNOR

To the Honorable the Senate and Assembly:

In compliance with section 6995 N. C. L. 1929, I respectfully submit the Executive Budget for the fiscal years 1940 and 1941.

Schedules are submitted showing actual expenditures for the period from July 1, 1937, to December 31, 1938, also estimated expenditures for the period from January 1, 1939, to June 30, 1939.

Provisions are also made for carrying forward sufficient balances at the end of the biennium June 30, 1941.

Your attention is respectfully called to the State Controller's printed reports for the years covered by this budget, as these reports detail each transaction of the State's business. I have omitted much of this information in the interests of economy. Any additional information will also be gladly furnished upon request. Existing statutory provisions have governed my recommendations and estimates in many cases.

Respectfully submitted,

E. P. CARVILLE,
Governor.

Mr. Hussman moved that the Executive Budget be referred to the Committee on Ways and Means.

Carried.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Coleman moved that under suspension of rules Assembly Bill No. 82 be placed on top of general file for third reading and final passage.

A standing vote was taken on the motion.

Motion carried.

Mr. Smith moved the adoption of Assembly Concurrent Resolution No. 1.

Carried.

Mr. Smith moved that the printing of Assembly Bill No. 91, which is the motor vehicle code, be limited to 300 copies and not sent out on the general mailing list, and that the Chief Clerk receive instructions from any members who wish to send the bill to their constituents.

Remarks by Messrs. Kennett, Smith, and Oldham.

Carried.

MESSAGES FROM THE SENATE

To the Honorable the Assembly:

I have the honor herewith to return to your honorable body Assembly Bill No. 14, which passed the Senate on February 6, 1939, by the following vote: Yeas, 16; nays, none; absent, 1.

Also, Assembly Joint Resolution No. 23 (Thirty-eighth Session), which passed: Yeas, 16; nays, none; absent, 1.

Also, Assembly Bill No. 64, which passed: Yeas, 17; nays, none.

Also, Assembly Bill No. 81, which passed: Yeas, 17; nays, none.

Also, Assembly Bill No. 80, which passed, as amended: Yeas, 17; nays, none. Amend by adding a new section to be known as Section 2: SEC. 2. This Act shall become effective from and after its passage and approval.

Also, to present Senate Bill No. 20, which passed the Senate by the following vote: Yeas, 16; nays, none; absent, 1.

Also, Senate Bill No. 19, which passed: Yeas, 17; nays, none.

F. BUCKINGHAM,

Assistant Secretary of the Senate.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Hazard moved that the Assembly concur in the Senate amendment to Assembly Bill No. 80.

Remarks by Messrs. Kennett and Hazard.

Carried.

INTRODUCTION AND FIRST READING

By Mr. Sowers:

Assembly Bill No. 93—An Act to repeal 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, as amended.

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

Carried.

By Mr. David:

Assembly Bill No. 94—An Act to amend an Act entitled "An Act relating to and providing for the general welfare of the State of Nevada and of the people thereof by providing for compulsory old-age assistance to needy aged persons in this State, as defined and provided for in this Act; defining certain terms; designating the single State agency of this State to supervise the administration thereof, and defining the authority and duties thereof; providing for cooperation with the government of the United States in furnishing such pensions or assistance pursuant to the provisions of the so-called social security Act of Congress, approved August 14, 1935; designating the boards, and other agencies, authorized to administer and supervise the administration of such assistance and defining the authority and duties thereof; defining the minimum amount of such need and assistance to each such needy aged person and the qualifications for eligibility therefor; authorizing the making and promulgation of rules and regulations relating to the administration of this Act; providing for the establishment of certain State and county funds, and regulating the expenditures therefrom; providing penalties for the violation of all

provisions of this Act; repealing a certain Act and all other Acts and parts of Acts of this State in conflict herewith; and other matters relating thereto," approved March 15, 1937, and repealing certain sections thereof.

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

Carried.

By Mrs. Drumm:

Assembly Bill No. 95—An Act to amend section 6 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, and 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," being chapter 202, Statutes of 1931, approved March 27, 1931.

Mrs. Drumm moved that 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. Brooks:

Assembly Bill No. 96—An Act authorizing and directing the Board of Regents of the University of Nevada to deliver a deed for certain property to Robert R. Prescott of Washoe County, Nevada.

Mr. Brooks moved that 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 Committee on Ways and Means:

Assembly Bill No. 97—An Act making appropriation for the support of the civil government of the State of Nevada for the fiscal years ending June 30, 1940-1941.

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. Shelly:

Assembly Bill No. 98.

An Act to amend an Act entitled "An Act concerning the resignation of Justices of the Supreme Court and Judges of the District Courts within the State of Nevada, and providing for a pension for the same, and the manner of payment therefor," approved March 23, 1937.

Mr. Shelly moved that 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. Shelly:

Assembly Bill No. 99—An Act to amend an Act entitled "An Act relating to the transaction of business by fire insurance companies, regulating the transaction thereof through and by resident agents; regulating the practice of reinsurance with other fire insurance companies and prohibiting such reinsurance and transfer of fire insurance risk in certain cases; and other matters properly relating thereto," approved March 17, 1937.

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

Carried.

By Mr. Murphy:

Assembly Bill No. 100—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, together with the Acts amendatory thereof or supplemental thereto.

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.

Senate Bill No. 19.

Mr. Oldham moved that 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. 20.

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

Carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 82.

Remarks by Messrs. Kennett, Loomis, Coleman, Germain, and Hazard.

Mr. Conine moved that Assembly Bill No. 82 be made a special order of business for Tuesday, February 7, 1939, at 2 p. m.

Carried.

Mr. Oldham moved that the Assembly adjourn until Tuesday, February 7, 1939, at 11 a. m.

Carried.

Assembly adjourned at 2:55 p. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE TWENTY-THIRD DAY

CARSON CITY (Tuesday), February 7, 1939.

Assembly called to order at 11 a. m.

Mr. Speaker in the Chair.

Roll called.

All present.

Prayer by the Chaplain, Rev. J. L. Harvey.

Mr. Oldham moved that reading of the Journal be dispensed with, and the Speaker and the Chief Clerk be authorized to make all necessary corrections and additions.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

The Committee on Engrossment hereby certifies that bound copy of Assembly Substitute for Assembly Bill No. 41, hereto attached, is a correct copy of the triplicate thereof in its possession.

L. K. DRUMM, *Chairman.*

Mr. Speaker:

Your Committee on Judiciary has had Assembly Bill No. 87 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

WM. KENNETT, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Hussman moved that Assembly Substitute for Assembly Bill No. 52 be placed on general file for the next legislative day.

Carried.

By Mr. Brooks:

Assembly Concurrent Resolution No. 3, relative to income from Boulder Dam power.

Resolved by the Assembly of the State of Nevada, the Senate concurring, That if and when the three hundred thousand dollars (\$300,000) revenue from the sale of Boulder Dam power is available, that the whole thereof be placed in the General Fund of the State of Nevada to reduce general property taxes.

Mr. Brooks moved that the resolution be referred to the Committee on Ways and Means.

Mr. Hazard moved to amend the motion to refer the resolution to the Committee on Federal Relations.

Motion carried as amended, and Assembly Concurrent Resolution No. 3 referred to the Committee on Federal Relations.

There being no objections, the Speaker and the Chief Clerk signed Senate Joint Resolution No. 3, Assembly Bill No. 29, Assembly Bill No. 76, Assembly Bill No. 77, Assembly Joint Resolution No. 5, and Assembly Joint Resolution No. 30.

GENERAL FILE AND THIRD READING

Assembly Bill No. 75.

Roll call on Assembly Bill No. 75:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Caldwell, Carroll, Case, Coleman, Curtis, David, Davidson, Drumm, Fisher, Hazard, Hussman, Kennett, Loomis, McCuiston, McElroy, Murphy, Oldham, Russell, Sampson, Smith, Sowers, and Williams—28.

NAYS—Cahill, Conine, Cooper, Lynch, Shelly, Springer, and Talcott—7.

Not voting—Fee, Germain, Richard, Sloan, and Mr. Speaker—5.

Assembly Bill No. 75 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 84.

Mr. Kennett moved that the bill be rereferred to the Committee on Judiciary.

Carried.

Assembly Bill No. 86.

Remarks by Mr. Kennett.

Mr. Shelly moved that the bill be rereferred to the Committee on Judiciary.

Remarks by Messrs. Conine, Kennett, and Case.

Carried.

Assembly Bill No. 72.

Remarks by Messrs. Kennett, Cooper, Case, Germain, Hazard, and Loomis.

Roll call on Assembly Bill No. 72:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—40.

NAYS—None.

Assembly Bill No. 72 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 21.

Remarks by Messrs. Kennett, Hazard, Barr, Conine, Amodei, Caldwell, and Oldham.

Roll call on Senate Bill No. 21:

YEAS—Amodei, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—37.

NAYS—None.

Not voting—Barr, Conine, and Mr. Speaker—3.

Senate Bill No. 21 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Speaker:

REPORTS OF COMMITTEES

The Committee on Engrossment hereby certifies that bound copy of Assembly Substitute for Assembly Bill No. 52, hereto attached, is a correct copy of the triplicate thereof in its possession.

Also, Assembly Bills Nos. 93, 95, 88, and 89, hereto attached, are correct copies of the triplicates thereof in its possession.

L. K. DRUMM, *Chairman*.

Mr. Oldham moved the Assembly recess until the hour of 1:55 p. m.
Carried.

Assembly recessed at 11:55 a. 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 Bills Nos. 90, 92, 9, 98, 100, and 96, hereto attached, are correct copies of the triplicates thereof in its possession.

L. K. DRUMM, *Chairman*.

Mr. Speaker:

Your Committee on Enrollment has carefully compared Assembly Enrolled Bills Nos. 29, 76, 77, and Assembly Joint Resolution No. 5 with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Governor.

Also, Assembly Joint Resolution No. 30 of the Thirty-eighth Session, finds the same correctly enrolled, and has this day delivered the same to the Secretary of State.

R. R. GERMAIN, *Chairman*.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Hazard moved that Assembly Bill No. 87 be made a special order of business for Tuesday, February 14, 1939, at 2 p. m.

Carried.

Mr. Oldham moved that Assembly Bills Nos. 7 and 9 be withdrawn from the Committee on Banks and Banking and rereferred to a Select Committee of Washoe and Clark County Delegations.

Carried.

SPECIAL ORDER OF BUSINESS

Assembly Bill No. 82.

Mr. Oldham moved that the Assembly resolve itself into a Committee of the Whole to consider Assembly Bill No. 82, and that the Speaker remain in the Chair as chairman of said committee.

Carried.

COMMITTEE OF THE WHOLE

At 2:02 p. m.

Mr. Speaker in the Chair.

HOUSE IN SESSION

At 2:26 p. m.

Mr. Speaker in the Chair.

GENERAL FILE AND THIRD READING

Assembly Bill No. 82.

Remarks by Messrs. Kennett, Shelly, Oldham, Amodei, and Cooper.

Roll call on Assembly Bill No. 82:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—39.

NAYS—None.

Not voting—Mr. Speaker.

Assembly Bill No. 82 having received a constitutional majority, Mr. Speaker declared it passed.

INTRODUCTION AND FIRST READING

By Mr. Davidson:

Assembly Bill No. 101—An Act to provide for the regulation of health and accident insurance policies, providing penalties for the violation thereof, and matters properly connected therewith and relating thereto.

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

Carried.

By Public Printing Committee:

Assembly Bill No. 102—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, together with the Acts amendatory thereof or supplemental thereto.

Mr. Germain moved that 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. Richard:

Assembly Bill No. 103—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, together with the Acts amendatory thereof or supplemental thereto," approved March 17, 1937.

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

Carried.

By Mr. Kennett:

Assembly Bill No. 104—An Act to amend an Act entitled "An Act to provide for the appointment of guardians and to prescribe their duties," approved March 11, 1899, as amended, by inserting a new section to be designated as section 17 $\frac{1}{2}$.

Mr. Kennett moved that 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 Banks and Banking has had Assembly Bill No. 8 and Senate Bill No. 5 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

JOHN W. OLDHAM, *Chairman.*

Mr. Speaker:

Your Committee on Engrossment hereby certifies that bound copy of Assembly Bill No. 97, hereto attached, is a correct copy of the triplicate thereof in its possession.

L. K. DRUMM, *Chairman.*

Mr. Brown gave notice that in the near future he would introduce a fish and game bill.

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 80 and 81.

Mr. Oldham moved that the Assembly adjourn until Wednesday, February 8, 1939, at 11 a. m.

Carried.

Assembly adjourned at 2:40 p. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE TWENTY-FOURTH DAY

CARSON CITY (Wednesday), February 8, 1939.

Assembly called to order at 11 a. m.

Mr. Burke, Speaker pro tem, in the Chair.

Roll called.

All present.

Prayer by the Chaplain, Rev. J. L. Harvey.

Mr. Oldham moved the reading of the Journal be dispensed with and the Speaker and the Chief Clerk be authorized to make the necessary corrections and additions.

Carried.

Mr. Oldham moved that Assembly Bill No. 8 be withdrawn from the general file and rereferred to the Committee on Banks and Banking.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Enrollment has carefully compared Assembly Enrolled Bills Nos. 80 and 81 with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. R. GERMAIN, *Chairman.*

INTRODUCTION AND FIRST READING

By Mr. Russell:

Assembly Bill No. 105—An Act to amend section 874a of an Act entitled "An Act to regulate proceedings in civil cases in this State and to repeal all Acts in relation thereto," approved March 17, 1911, as amended, the same being section 9364 N. C. L. 1929.

Mr. Russell moved that 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. Smith:

Assembly Bill No. 106—An Act to amend an Act entitled "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 reorganization, incorporation of assets, and 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 all Acts or parts of Acts in conflict herewith; and other matters relating to banks and trust companies," being chapter 190, Statutes of Nevada 1933, approved March 28, 1933.

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 Banks and Banking.

Carried.

By Mr. Smith:

Assembly Bill No. 107—An Act to amend an Act entitled "An Act concerning public schools, and repealing certain Acts relative thereto," approved March 20, 1911, together with the Acts amendatory thereof and supplemental thereto.

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 Education.

Carried.

By Mr. Davidson:

Assembly Bill No. 108—An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada; to control, license, and regulate the importation and sale of wines, beers, and intoxicating liquors into and within the State of Nevada; to provide for the issuance of importers' and wholesalers' licenses; to impose a stamp tax on the sale of such wines, beers, and intoxicating liquors, to provide for State licenses, designating the type of licenses to be issued, the fee for such licenses, and persons to pay the same, the manner of collection thereof, and prescribing the duties to be performed by State and county officials in connection therewith; the disposition and apportionment of the funds derived therefrom; and all other matters relating thereto; to provide penalties for the violation thereof; and to repeal all Acts or parts of Acts in conflict herewith," approved March 30, 1935.

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

Carried.

By Mrs. Drumm:

Assembly Bill No. 109—An Act to amend 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, together with the Acts amendatory thereof or supplemental thereto.

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.

By Mr. Smith:

Assembly Bill No. 110—An Act requiring persons hunting on private fenced lands, to obtain written permission therefor; providing a penalty for the violation hereof, and other matters properly related thereto.

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.

There being no objections, the Speaker and the Chief Clerk signed Senate Bill No. 21.

GENERAL FILE AND THIRD READING

Assembly Substitute for Assembly Bill No. 52.

Remarks by Messrs. Hussman, Cahill, Hazard, Oldham, and Cooper.
Roll call on Assembly Substitute for Assembly Bill No. 52:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—40.

NAYS—None.

Assembly Substitute for Assembly Bill No. 52 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 5.

Remarks by Mr. Oldham.

Roll call on Senate Bill No. 5:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—37.

NAYS—None.

Absent—Murphy.

Not voting—Curtis and Mr. Speaker—2.

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

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Burke moved that Assembly Bill No. 51 be withdrawn from the Committee on Judiciary, placed on the Chief Clerk's desk, and returned to the introducer for correction.

Carried.

Mr. David moved that Assembly Bill No. 58 be withdrawn from the Committee on Insurance, placed on the Chief Clerk's desk, and returned to introducer for correction.

Carried.

Mr. Oldham moved that the Assembly recess until 2 p. m.

Carried.

Assembly in recess at 11:40 a. m.

HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the Chair.

Quorum present.

REPORTS OF COMMITTEES

Report of legislative committee sent to Washington, D. C. by the 1937 State Legislature for the purpose of providing better credit facilities for Nevada stockmen in the restocking of Nevada ranches:

On March 3, this committee, consisting of Senator James Wadsworth, Assemblyman H. A. Agee, and George F. Ogilvie, President of the Nevada State Farm Bureau, as representative of Governor Kirman, left Carson City for Washington, D. C. Upon arriving at Washington we immediately got in touch with our congressional delegation consisting of Senators Pittman and McCarran and Congressman Scrugham, and informed them with the problem.

A meeting was arranged by the congressional delegation with Secretary of Agriculture Wallace, which was attended by Senators Pittman and McCarran, Congressman Scrugham, Secretary Wallace, Under Secretary M. L. Wilson, Assistant Secretary Harry Brown, Assistant Secretary Dr. Alexander, in charge of the Resettlement Administration, Cecil W. Creel, and our committee.

At this meeting it was decided that something should be done, if possible.

Following this meeting there was an inter-departmental discussion between the Department of Agriculture and the Farm Credit Administration to determine which agency was best fitted to do the job. After several meetings with Governor W. I. Myers of the Farm Credit Administration, it was decided that the best procedure would be to revive the lending operations of the Regional Agricultural Credit Corporation of Salt Lake City, which had been under a liquidation program for two or three years and had not been making any new loans.

Before the Farm Credit Administration would authorize the revival of lending operations of the R. A. C. C. it was necessary to get the attitude of the Comptroller of the Currency with regard to the banks that were under liquidation. It was necessary for the committee to remain in Washington, D. C., until the Comptroller of the Currency, J. F. T. O'Connor returned from a trip west. His attitude was favorable and the committee returned to Nevada assured that R. A. C. C. lending facilities would be revived in Nevada with a branch office at Elko, Nevada. We returned to Carson City on April 7, 1937, being gone a little over one month.

Of the appropriation of \$2,500 allowed for the purpose, the committee used \$1,663.75, leaving \$836.25 that remained in the State Treasury.

Just prior to the opening of the Elko branch office at Elko with Mr. Leo

Dunn in charge, there had been considerable liquidation of livestock in the Elko area. These liquidations were stopped immediately in order to see what could be worked out under the new credit set-up. Other lending agencies became more active, so the benefits should be measured in more ways than by the amount actually loaned.

In the matter of restocking there were very few applications for restocking purposes. Livestock men having a little equity in their property or livestock, hesitated to risk losing it to purchase cattle at the high prices prevailing at that time. It will be remembered that the prices of livestock were entirely too high in 1937 to offer any inducement to a rancher who wanted to restock.

About November 1937, there were practically no applications coming to the Elko office. It was closed with the understanding that the Salt Lake City office of the R. A. C. C. would continue to accept Nevada loans on livestock. These loans are still available, and we understand that Nevada alone has been favored by the revival of R. A. C. C. credit through the wonderful cooperation the committee received from Senators Pittman and McCarran, Congressman Scrugham, Cecil W. Creel, Secretary of Agriculture Wallace, Governor W. I. Myers, Farm Credit Administration, Comptroller of the Currency, J. F. T. O'Connor, Chas. B. Henderson of the Reconstruction Finance Corporation, and many others.

Under the restocking program brought about through the action of the 1937 State Legislature and followed up by the committee, the R. A. C. C. has accomplished the following results:

Capital loans made and funds disbursed.....	\$365,819.45
Capital loans approved, not yet disbursed.....	81,500.00
	\$447,319.45
Total loans approved up to February 1, 1939 is.....	\$447,319.45

In addition to the above amounts, running expenses have been and will be advanced as found necessary and advisable.

It is impossible to find out the large amount of debt reduction to livestock men made possible through liquidation of existing debts by these R. A. C. C. loans.

Respectfully submitted,

JAMES WADSWORTH,
GEORGE F. OGLIVIE.

Mr. Speaker:

Your Committee on Banks and Banking has had Assembly Bill No. 8 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

JOHN W. OLDHAM, *Chairman.*

Mr. Speaker:

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 94, 101, 102, 104, and Assembly Concurrent Resolution No. 3, hereto attached, are correct copies of the triplicates thereof in its possession.

L. K. DRUMM, *Chairman.*

There being no objections the Speaker and the Chief Clerk signed Assembly Bill No. 14, Assembly Bill No. 64, and Assembly Joint Resolution No. 23 of the Thirty-eighth Session.

INTRODUCTION AND FIRST READING

By Mr. Richard:

Assembly Bill No. 111—An Act to repeal an Act entitled "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 herewith," enacted pursuant to direct vote of the people, general election, November 6, 1934.

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

Carried.

By Mr. Richard:

Assembly Bill No. 112—An Act making an appropriation for the control of rodents and predatory animals, in cooperation with the Federal Government, prescribing the duties of the State Board of Stock Commissioners in connection therewith, and other matters relating thereto.

Mr. Richard moved that 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. Case:

Assembly Bill No. 113—An Act to amend an Act entitled "An Act concerning crimes and punishments, and repealing certain Acts relating thereto," approved March 17, 1911, together with the Acts amendatory thereof or supplemental thereto.

Mr. Case moved that 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. Kennett:

Assembly Bill No. 114—An Act supplementary to and amendatory 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, and repealing all Acts and parts of Acts in conflict herewith.

Mr. Kennett moved that 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.

Assembly Joint Resolution No. 6 proposing an amendment to section 1 of article X of the Constitution of the State of Nevada.

Resolved by the Assembly of the State of Nevada, the Senate concurring. That section 1 of article X of the Constitution of the State of Nevada be amended to read as follows:

SECTION 1. The Legislature shall provide by law for a uniform and equal rate of assessment and taxation, and shall prescribe such regulations as shall secure a just valuation for taxation of all property, real, personal, and possessory, except mines and mining claims, when not patented, the proceeds alone of which shall be assessed and taxed, and, when patented, each patented mine shall be assessed at not less than five hundred dollars (\$500), except where one hundred dollars (\$100) in labor has been actually performed on such patented mine during the year, in addition to the tax upon the proceeds; shares of stock (except shares of stock in banking corporations), bonds, mortgages, notes, bank deposits, book accounts, and credits, and securities and choses in action of like character are deemed to represent interest in property already assessed and taxed, either in Nevada or elsewhere, and shall be exempt. No

inheritance or estate tax, or tax upon property devolving by will or inheritance, or income tax, shall ever be levied, and there shall also be excepted such property as may be exempted by law for municipal, educational, literary, scientific, or other charitable purposes.

Mr. Kennett 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 Mrs. Drumm :

Assembly Bill No. 115—An Act to amend an Act entitled "An Act concerning public schools, and repealing certain Acts relating thereto," approved March 20, 1911, together with the Acts amendatory thereof or supplemental thereto.

Mrs. Drumm moved that 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 Committee on Livestock :

Assembly Bill No. 116—An Act making an appropriation to assist the State Board of Stock Commissioners in combating certain livestock diseases constituting a menace to the public health.

Mr. McCuiston 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 Livestock and Ways and Means.

Carried.

Mr. Oldham moved that the Assembly adjourn until Thursday, February 9, 1939, at 11 a. m.

Carried.

Assembly adjourned at 2 : 23 p. m.

Approved :

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest : E. C. MULCAHY,

Chief Clerk of the Assembly.

THE TWENTY-FIFTH DAY

CARSON CITY (Thursday), February 9, 1939.

Assembly called to order at 11 a. m.

Mr. Speaker in the Chair.

Roll called.

All present.

Prayer by the Chaplain, Rev. J. L. Harvey.

Mr. Smith moved the reading of the Journal be dispensed with, and the Speaker and the Chief Clerk be authorized to make the necessary corrections and additions.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Enrollment has carefully compared Assembly Enrolled Bills Nos. 14 and 64 with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Governor.

Also, Assembly Joint Resolution No. 23 with engrossed copy, finds the same correctly enrolled, and has this day delivered the same to the Secretary of State.

R. R. GERMAIN, *Chairman.*

Mr. Speaker:

Your Committee on Labor has had Assembly Bill No. 98 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. 98 by striking the words and figures within the brackets in line 14, page 1, and inserting in lieu thereof the following: "one-half ($\frac{1}{2}$)."

H. E. HAZARD, *Chairman.*

Mr. Speaker:

Your Committee on Judiciary has had Assembly Bill No. 84 under consideration, and begs leave to report the same with an amendment thereto, with the recommendation that the amendment be adopted and that the bill do pass, as amended. Amend the title of Assembly Bill No. 84 by striking out the figure "8" where it occurs the first time in the last line of the title, and insert in lieu thereof the figure "9." Further amend by transposing the letters "l" and "t" in the word "entitled," in line 7, page 1, of the printed bill.

Also, Assembly Bill No. 86, and reports the same with a substitute therefor, with the recommendation that the substitute be adopted.

WM. KENNETT, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Kennett moved the adoption of the substitute for Assembly Bill No. 86.

Carried.

Mr. Germain moved that Assembly Bill No. 62 be withdrawn from the Committee on Insurance, placed on the Chief Clerk's desk, and returned to the introducer for amendment.

Carried.

INTRODUCTION AND FIRST READING

By Messrs. Hazard, Burke, Conine, Springer, Talcott, and Williams: Assembly Joint Resolution No. 7, memorializing Congress to adopt a

strong policy of neutrality as regards foreign powers, and to continue the strong policy regarding national defense.

WHEREAS, There is a growing condition of strife among the foreign nations, involving a number of them in a state of warfare; and

WHEREAS, Those foreign nations which are not at the present time in war are threatened with grave probabilities of becoming involved therein in the immediate future; and

WHEREAS, Many of these foreign nations are continually courting the favor of the United States, looking toward support in case of involvement in war; and

WHEREAS, It has been the policy of the United States to remain out of the quarrels of foreign countries unless compelled by our own national rights to enter therein; and

WHEREAS, It is believed that the best defense of the United States against entanglement in foreign wars is the perfection of our national defense; now, therefore, be it

Resolved by the Assembly and the Senate of the State of Nevada, That we memorialize the Congress of the United States to adopt and adhere to a strong, determined policy of neutrality regarding involvement in the affairs of foreign nations, and the perfection of our national defense; and be it further

Resolved, That properly certified copies of this resolution be transmitted by the Secretary of State of the State of Nevada to our Senators in the United States Senate and to our Representative in Congress.

Mr. Hazard 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 Eureka, Lanier, Washoe, White Pine, Humboldt, Elko, and Pershing County Delegations.

Assembly Bill No. 117—An Act providing for the investigation and control of injurious insect pests in the State of Nevada, and making an appropriation therefor.

Mr. Oldham 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 Agriculture.

Carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 8.

Remarks by Messrs. Oldham, Kennett, and Loomis.

Roll call on Assembly Bill No. 8:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—39.

NAYS—None.

Not voting—Mr. Speaker.

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

There being no objections the Speaker and Chief Clerk signed Senate Bill No. 5.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Elections has had Assembly Bills Nos. 65 and 67 under consideration, and begs leave to report unfavorably on the same, with the recommendation that they do not pass.

Also, Assembly Bill No. 66, and reports favorably on the same, with the recommendation that it do pass.

PETER A. BURKE, *Chairman.*

Mr. Speaker:

Your Committee on Taxation has had Assembly Bill No. 30 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

A. J. RICHARD, *Chairman.*

Mr. Oldham moved that the Assembly recess until 2 p. m.

Carried.

Assembly in recess at 11:28 a. m.

HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the Chair.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary has had Assembly Bill No. 104 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

WM. KENNETT, *Chairman.*

INTRODUCTION AND FIRST READING

By Mr. Davidson:

Assembly Bill No. 118—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, together with the Acts amendatory thereof or supplemental thereto.

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

Carried.

By Committee on Judiciary:

Assembly Bill No. 119—An Act to provide for the adoption of persons of full age.

Mr. Kennett moved that 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 Clark County Delegation:

Assembly Bill No. 120—An Act to regulate the production, processing, and distribution of milk and milk products, providing for the setting of certain standards in connection therewith, designating the State Board of Stock Commissioners as the authority to administer this Act, defining said board's powers and duties thereunder, providing penalties for the violation thereof, making an appropriation for carrying out the provisions thereof, repealing certain Acts in conflict therewith, and other matters relating thereto.

Mr. Hazard 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 Agriculture.

Carried.

By Clark County Delegation:

Assembly Bill No. 121—An Act to regulate the slaughtering of animals for food and the marketing of the products thereof, designating the State Board of Stock Commissioners as the authority to administer same, and assure regulations thereunder, providing penalties for the violation thereof, making an appropriation to carry out the provisions of same, and other matters properly relating thereto.

Mr. Hazard 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 Livestock.

Carried.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Hazard moved that Assembly Bill No. 118 be withdrawn from the Committee on Livestock and referred to the Committee on Labor.

Carried.

Mr. Oldham moved that when the Assembly adjourns tomorrow it do so until Tuesday, February 14, 1939, at 10 a. m. in memory of Abraham Lincoln.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on State Institutions has had Assembly Bill No. 96 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

J. F. McELROY, *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. 18, which passed the Senate by the following vote: Yeas, 16; nays, 1.

F. BUCKINGHAM,

Assistant Secretary of the Senate.

INTRODUCTION AND FIRST READING

Senate Bill No. 18.

Mr. Springer moved that 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. Cooper moved that the Assembly recess until 3:30 p. m.

Carried.

Assembly in recess at 2:24 p. m.

HOUSE IN SESSION

At 3:30 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. 112, 108, 109, and 110, hereto attached, are correct copies of the triplicates thereof in its possession.

Also, Assembly Bill No. 91, hereto attached, is not a correct copy of the triplicate thereof in its possession. Errors: Page 2, line 8, word "manner," and page 57, line 18, word "trailer" misspelled. Page 48, line 4, word "is" used in place of "it."

L. K. DRUMM, *Chairman.*

Mr. Speaker:

Your Committee on Elections has had Assembly Bill No. 68 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

PETER A. BURKE, *Chairman.*

Mrs. Drumm moved that the Chief Clerk be authorized to make the necessary corrections in Assembly Bill No. 91.

Carried.

INTRODUCTION AND FIRST READING

By Committee on Roads and Highways:

Assembly Bill No. 122—An Act to amend the title of and to amend an Act entitled "An Act declaring the purpose and policy of the Legislature relative to the 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 and regulating 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 for official inspectors and salary and allowances therefor, providing penalties for the violation hereof and other civil actions for the recovery of license fees herein, providing for refund in certain cases, 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," approved March 23, 1933, together with Acts amendatory thereof, and adding two sections.

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 Roads and Highways.

Carried.

Mr. Kennett gave notice that on the next legislative day he would move to suspend Rule No. 9.

Mr. Oldham moved that the Assembly adjourn until Friday, February 10, 1939, at 10 a. m.

Carried.

Assembly adjourned at 3:40 p. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE TWENTY-SIXTH DAY

CARSON CITY (Friday), February 10, 1939.

Assembly called to order at 10 a. m.

Mr. Speaker in the Chair.

Roll called.

All present except Mr. Fee, who was excused.

Prayer by the Chaplain, Rev. J. L. Harvey.

Mr. Oldham moved the reading of Journal be dispensed with, and the Speaker and the Chief Clerk be authorized to make the necessary corrections and additions.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Livestock 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.

M. E. McCUISTION, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Carroll moved that Assembly Bill No. 98 be withdrawn from the general file and rereferred to a Joint Committee on Ways and Means and Labor.

Remarks by Messrs. Hazard, Davidson, and Shelly.

Motion lost.

Mr. Hussman moved that Assembly Bill No. 67 be tabled.

Carried.

Mr. Hussman moved that Assembly Bill No. 65 be tabled.

Carried.

INTRODUCTION AND FIRST READING

By Mr. Loomis:

Assembly Bill No. 123—An Act prohibiting the use of certain canes, except by blind persons, providing protection against accidents to such persons, and providing penalties thereof.

Mr. Loomis moved that 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. 98.

Mr. Shelly moved the adoption of the amendment to section 1.

Amendment adopted.

Remarks by Messrs. Shelly, Conine, Carroll, Smith, Loomis, Germain, Hazard, and Kennett.

Roll call on Assembly Bill No. 98 :

YEAS—Amodei, Brooks, Brown, Burke, Cahill, Caldwell, Conine, Curtis, David, Drumm, Hazard, Hussman, Lynch, Richard, Shelly, Smith, Springer, and Talcott—18.

NAYS—Barr, Bernard, Carroll, Cooper, Davidson, Fisher, Kennett, Loomis, McCuistion, McElroy, Murphy, Russell, Sloan, Sowers, and Williams—15.

Absent—Fee.

Not voting—Case, Coleman, Germain, Oldham, Sampson, and Mr. Speaker—6.

Assembly Bill No. 98 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Assembly Bill No. 84.

Remarks by Messrs. Kennett and Hazard.

Mr. Kennett moved the adoption of the amendments.

Amendments adopted.

Roll call on Assembly Bill No. 84 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—38.

NAYS—None.

Absent—Fee.

Not voting—Mr. Speaker.

Assembly Bill No. 84 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Substitute for Assembly Bill No. 86.

Remarks by Mr. Loomis.

Roll call on Assembly Substitute for Assembly Bill No. 86 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, Davidson, Drumm, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—37.

NAYS—David.

Absent—Fee.

Not voting—Mr. Speaker.

Assembly Substitute for Assembly Bill No. 86 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 66.

Remarks by Messrs. Davidson, Loomis, and Coleman.

Roll call on Assembly Bill No. 66 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—38.

NAYS—None.

Absent—Fee.

Not voting—Mr. Speaker.

Assembly Bill No. 66 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 30.

Remarks by Mr. Barr.

Roll call on Assembly Bill No. 30:

YEAS—Amodei, Barr, Brooks, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, and Talcott—35.

NAYS—Bernard and Williams—2.

Absent—Fee.

Not voting—Brown and Mr. Speaker—2.

Assembly Bill No. 30 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Oldham moved that the Assembly resolve itself into a Committee of the Whole to receive the Boy Scouts.

Carried.

COMMITTEE OF THE WHOLE

At 11:05 a. m.

HOUSE IN SESSION

At 11:29 a. m.

Mr. Speaker in the Chair.

GENERAL FILE AND THIRD READING

Assembly Bill No. 104.

Remarks by Messrs. Kennett and Loomis.

Roll call on Assembly Bill No. 104:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Cooper, Curtis, David, Davidson, Drumm, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—37.

NAYS—Conine.

Absent—Fee.

Not voting—Mr. Speaker.

Assembly Bill No. 104 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Kennett gave notice that on the next legislative day he would move to reconsider Assembly Bill No. 98.

GENERAL FILE AND THIRD READING

Assembly Bill No. 96.

Remarks by Messrs. Brooks, Kennett, Cooper, Davidson, Hazard, and Loomis.

Roll call on Assembly Bill No. 96:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—38.

NAYS—None.

Absent—Fee.

Not voting—Mr. Speaker.

Assembly Bill No. 96 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 68.

Remarks by Messrs. Hazard and Kennett.

Mr. Kennett moved that Assembly Bill No. 68 be referred to a Select Committee of the Clark County Delegation for further amendment.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 107, 116, 115, 111, 113, 114, 106, 105, 103, 117, and Assembly Joint Resolution No. 6, hereto attached, are correct copies of the triplicates thereof in its possession.

L. K. DRUMM, *Chairman.*

MESSAGES FROM THE SENATE

To the Honorable the Assembly:

I have the honor herewith to return to your honorable body Assembly Bill No. 72, which passed the Senate by the following vote: Yeas, 17; nays, none.

Also Assembly Bill No. 82, which passed: Yeas, 16; nays, none; absent, 1.

F. BUCKINGHAM,

Assistant Secretary of the Senate.

Mr. Oldham moved the Assembly adjourn until Tuesday, February 14, 1939, at 10 a. m.

Carried.

Assembly adjourned at 12:05 p. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE THIRTIETH DAY

CARSON CITY (Tuesday), February 14, 1939.

Assembly called to order at 10 a. m.

Mr. Speaker in the Chair.

Roll called.

All present except Mr. Williams.

Prayer by Monsignor H. J. Wientjes.

Mr. Oldham moved that reading of the Journal be dispensed with and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Carried.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Davidson moved that Assembly Bill No. 20 be withdrawn from the Committee on Judiciary, placed on the Chief Clerk's desk and returned to the introducer for corrections.

Carried.

Mr. Hazard moved that the special order of business set for 2 p. m. today be vacated, and that Assembly Bill No. 87 be placed on the general file for third reading and final passage.

Carried.

Mr. Case moved that Assembly Bill No. 113 be withdrawn from the Judiciary Committee, placed on the Chief Clerk's desk and returned to the introducer.

Carried.

Mr. Kennett gave notice that on the next legislative day he will move for the suspension of Rule No. 9.

REPORTS OF COMMITTEES

Mr. Speaker:

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 118, 119, 120, and 121, hereto attached, are correct copies of the triplicates thereof in its possession.

L. K. DRUMM, *Chairman.*

GENERAL FILE AND THIRD READING

Senate Joint Resolution No. 2.

Remarks by Messrs. Brooks and Kennett.

Roll call on Senate Joint Resolution No. 2:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, and Talcott—38.

NAYS—None.

Absent—Williams.

Not voting—Mr. Speaker.

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

Assembly Bill No. 87.

Remarks by Mr. Hazard.

Roll call on Assembly Bill No. 87:

YEAS—Amodel, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, and Talcott—38.

NAYS—None.

Absent—Williams.

Not voting—Mr. Speaker.

Assembly Bill No. 87 having received a constitutional majority, Mr. Speaker declared it passed.

INTRODUCTION AND FIRST READING

By Mr. Cooper:

Assembly Bill No. 124—An Act to amend an Act entitled "An Act in relation to public revenues, creating the Nevada Tax Commission and the State Board of Equalization, defining their powers and duties, and matters relating thereto, and repealing all Acts and parts of Acts in conflict herewith," approved March 23, 1917, as amended.

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 Taxation.

Carried.

By Mr. Cooper:

Assembly Bill No. 125—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, by amending section 23 thereof and by adding a new section thereto to be known as section 23½.

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 Taxation.

Carried.

Mr. Oldham moved that the Assembly recess until 2 p. m.

Carried.

Assembly in recess at 10:28 a. m.

HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the Chair.

Quorum present.

There being no objections the Speaker and the Chief Clerk signed Assembly Bills Nos. 72 and 82.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on State Prison has had Assembly Bill No. 19 under consideration, and begs leave to report on the same, without recommendation.

C. H. SLOAN, *Chairman.*

Mr. Speaker:

Your Committee on Social Welfare has had Assembly Bill No. 2 under consideration, and begs leave to report the same with an amendment thereto, with the recommendation that the amendment be adopted and the bill do pass, as amended. Amend section 5 of Assembly Bill No. 2 by striking out the period following the word "care" at the end of line 7, page 3 of the printed bill, insert in lieu thereof a semicolon and the following: "*provided, however,* that the provisions of this act shall not apply to homes in which children are placed by their own parents and where the total cost of care is provided by said parents."

Also, Assembly Bill No. 88, and reports unfavorably on the same, with the recommendation that it do not pass for the following reason: That the same is not properly constructed, and by reason of such faulty construction it would be inoperable and impractical.

HENRY S. COLEMAN, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Conine moved that the Assembly recess for one-half hour at 1:30 p. m. on Tuesday next to view a special agricultural film.

Carried.

Mr. Kennett moved that Assembly Bill No. 89 be withdrawn from the Committee on Judiciary, placed on the Chief Clerk's desk and rereferred to the Committee on Federal Relations.

Carried.

INTRODUCTION AND FIRST READING

By Messrs. Cahill and Shelly:

Assembly Bill No. 126—An Act to amend an Act entitled "An Act relating to and providing for the general welfare of the State of Nevada and of the people thereof by providing for compulsory old-age assistance to needy aged persons in this State, as defined and provided for in this Act; defining certain terms; designating the single State agency of this State to supervise the administration thereof, and defining the authority and duties thereof; providing for cooperation with the government of the United States in furnishing such pensions or assistance pursuant to the provisions of the so-called Social Security Act of Congress, approved August 14, 1935; designating the boards, and other agencies, authorized to administer and supervise the administration of such assistance and defining the authority and duties thereof; defining the minimum amount of such need and assistance to each such needy aged person and the qualifications for eligibility therefor; authorizing the making and promulgation of rules and regulations relating to the administration of this Act; providing for the establishment of certain State and county funds and regulating the expenditures therefrom; providing penalties for the violation of the provisions of this Act; repealing a certain Act and all other Acts and parts of Acts of this State in conflict herewith; and other matters relating thereto," approved March 15, 1937.

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

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary has had Assembly Bill No. 56 under consideration, and begs leave to report same with substitute therefor, with the recommendation that the substitute be adopted.

Also, Assembly Bill No. 100, and reports same out of committee without recommendation.

Also, Assembly Bill No. 17, and reports same with a substitute, and with the recommendation that the substitute be adopted.

Also Senate Bills Nos. 18 and 114, and reports favorably on the same, with the recommendation that it do pass.

Also, Assembly Joint Resolution No. 6, and reports favorably on the same, with the recommendation that it be adopted.

WM. KENNETT, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Kennett moved that the Assembly Substitutes for Assembly Bills Nos. 17 and 56 be printed, and that the bills be left on the Chief Clerk's desk until such time as they are printed.

Carried.

INTRODUCTION AND FIRST READING

By Washoe County Delegation:

Assembly Bill No. 127—An Act authorizing and empowering the Board of County Commissioners of Washoe County, State of Nevada, to convey a certain parcel of real estate to the United States of America and reserving to the State of Nevada civil and criminal jurisdiction and the right of taxation thereon.

Mr. Brooks 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 Washoe County Delegation.

Carried.

By Mr. Hussman:

Assembly Joint Resolution No. 8—Assembly Joint Resolution memorializing Congress to enact such laws as will make provision for the exercise of some latitude or degree of discretion in reduction of certain obligations of borrowers from Federal Farm Banks.

WHEREAS, Many farmers who have been able to qualify for loans from Federal Farm Banks under the provisions of the Federal law have been beset with drought, low prices and other unexpected conditions that have made compliance with the terms of such loans impossible; and

WHEREAS, As a result thereof many mortgages have been foreclosed, the borrowers losing their property, and the Government suffering a corresponding loss in the difference between amount due and the amount realized; and

WHEREAS, It was the purpose of the Act authorizing loans by Federal Farm Banks to enable farmers and stockmen to retain their property and work out their salvation without loss to the Government; and

WHEREAS, In a great percentage of cases where these mortgages have been foreclosed, the sales under foreclosure have been made to other parties for sums which might have been provided by the borrower, in order to reinstate his

indebtedness, or to have a remission of a portion of the indebtedness and retain his property; and

WHEREAS, It is apparent that at the present time the Federal Farm Banks have no authority to reduce or scale this indebtedness; now, therefore, be it

Resolved by the Assembly and the Senate of the State of Nevada, That Congress be memorialized to enact such legislation as may be necessary to give the Federal Farm Banks in the various districts a latitude of discretion within which they may settle, scale, or reduce the mortgage obligation of borrowers in appropriate cases to the extent that the purpose of the Act creating these banks may be put into practical application; and be it further

Resolved, That our Senators and Representative in Washington be urged to use all honorable means to carry out the intent of this resolution for the benefit of thousands of home owners who are threatened with a loss of labor and effort of a lifetime; and be it further

Resolved, That the Secretary of State of the State of Nevada be and he is hereby authorized and directed to transmit properly certified copies of this resolution to our Senators and Representative in Washington and to the President of the United States Senate and to the Speaker of the House of Representatives.

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 Taxation.

Carried.

Assembly at ease at 2:15 p. m.

HOUSE IN SESSION

At 2:25 p. m.

Mr. Speaker in the Chair.

Quorum present.

INTRODUCTION AND FIRST READING

By Mr. Williams:

Assembly Bill No. 128—An Act to create a commission to be known as the Department of Law Enforcement; designating the members thereof; creating a law enforcement patrol under the direction of said Department of Law Enforcement; designating their qualifications, providing for compensation of certain persons, designating their powers and duties, providing for an appropriation therefor, and other matters properly relating thereto.

Mr. Williams moved that 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Enrollment has carefully compared Assembly Enrolled Bills Nos. 72 and 82 with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. R. GERMAIN, *Chairman.*

Mr. Speaker:

Your Committee on Judiciary has had Assembly Bill No. 119 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

WM. KENNETT, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Coleman moved that Assembly Bill No. 88 be indefinitely postponed.

Carried.

Mr. Oldham moved that the Assembly adjourn until (Wednesday) February 15, 1939, at 11 a. m.

Carried.

Assembly adjourned at 2:28 p. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE THIRTY-FIRST DAY

CARSON CITY (Wednesday), February 15, 1939.

Assembly called to order at 11 a. m.

Mr. Speaker in the Chair.

Roll called.

All present.

Prayer by Monsignor H. J. Wientjes.

Mr. Oldham moved the reading of the Journal be dispensed with and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

The Committee on Engrossment hereby certifies that bound copy of Assembly Bill No. 123, hereto attached, is a correct copy of the triplicate thereof in its possession.

Also, certifies that bound copy of Assembly Bill No. 122, due to following errors: page 6, line 23, word "any" used for word "and"; page 17, line 16, word "carried" used for word "carrier"; page 22, line 13, word "not" used for word "no," hereto attached, is not a correct copy of the triplicate thereof in its possession.

L. K. DRUMM, *Chairman.*

Mrs. Drumm moved that the Chief Clerk be authorized to make the necessary corrections in Assembly Bill No. 122.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary has had Assembly Bill No. 85 under consideration, and begs leave to report same with an amendment thereto, with the recommendation that the amendment be adopted, and that the bill do pass as amended. Amend section 1 of Assembly Bill No. 85 by striking out after the word "of" in line 2, page 1 of the printed bill, the following: "a particular." and inserting in lieu thereof the word "any"; further amend Assembly Bill No. 85, section 1, by inserting after the comma following the word "state" in line 3, page 1 of the printed bill, the following: "wherein there were cast at the biennial election in 1938, 1,864 votes for Congressman."

WM. KENNETT, *Chairman.*

Mr. Speaker:

Your Committee on Ways and Means has had Assembly Bill No. 61 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

Also, a majority of your Committee on Ways and Means has had Senate Bill No. 4 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass. Majority of committee consisted of Messrs. Cahill, Smith, McCuistion, Case, Russell, and Carroll.

R. E. CAHILL, *Chairman.*

Mr. Speaker:

A minority of your Committee on Ways and Means has had Senate Bill No. 4 under consideration, and begs leave to report unfavorably on the same,

with the recommendation that it do not pass. We believe the bill to be in conflict with the law in the Statutes making it illegal to create deficiencies in any department of State Government.

GEO. HUSSMAN,
CHAS. V. WILLIAMS,
H. E. SPRINGER.

MOTIONS, RESOLUTIONS, AND NOTICES

By Mr. Cooper :

Assembly Concurrent Resolution No. 4, authorizing the appointment of a committee of five members of the Legislature to investigate the financial affairs and business management of the Nevada State Highway Department, to report the findings of such investigation, together with recommendations of economies, to the Legislature, and other matters appertaining thereto and properly connected therewith.

WHEREAS, The Nevada State Highway Department is now seeking additional and increased revenues from the State of Nevada, in addition to those now received, in the amount of one hundred fifty thousand (\$150,000) dollars; and

WHEREAS, The cost of operating and maintaining the Nevada State Highway Department has, during the past eight years steadily increased, without apparent cause or justification, even though the activities of said Highway Department have been, and are more and more financed through Federal aid and grants from various Federal departments and agencies; and

WHEREAS, It has been intimated by said Highway Department that it will need an additional one hundred fifty thousand (\$150,000) dollars over and above all moneys now received by it from all sources, both State and Federal, in order to be in a position to operate for the ensuing two years; and

WHEREAS, The Nevada State Highway Department is the largest single agency in the State of Nevada, employing more people and receiving and distributing more funds than any other department of the State of Nevada, the condition of said department is of vital interest to every taxpayer and resident of this State, and the efficiency and business methods employed in said department are a vital concern to all; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That a committee of five (5) members be appointed to investigate the accounts, funds, and methods relating to or connected with the Nevada State Highway Department.

Said committee shall be composed of two members of the Senate, to be appointed by the President of the Senate, and three members of the Assembly, to be appointed by the Speaker of the Assembly.

That said committee to particularly investigate, examine, and audit the total annual revenues received by the State Highway Department from every source, both State and Federal, for each year beginning January 1, 1931, up to and including the year 1938, to the end that such report as and when completed shall and will show in detail for each respective year every type and manner of revenues and receipts paid over, or credited to, said State Highway Department, and shall show from whatever source the same shall have been received, and shall cover and include all revenues received from the State of Nevada and from the Federal Government or any agency or administration connected therewith.

That said committee shall in like manner investigate, examine, and audit all moneys and revenues expended by the State Highway Department for every purpose and activity whatsoever that is or has been carried on under the supervision and control of said department, whether the same be financed entirely by Federal funds from Federal agencies or administrations, State funds, or by mixed State and Federal funds.

That said committee shall in like manner investigate, examine and audit all moneys and revenues made available to said State Highway Department in connection with any and all specialized activity now or heretofore conducted or operated under the supervision or control of said Highway Department.

That said committee investigate and examine into the total number of miles of actual highway constructed since January 1, 1931, and for each year thereafter to and including the year 1938 to the end that such information and data can and will be submitted and reported by the committee for each respective year in the following form:

(1) The exact number of miles of each particular class or type of highway for each year beginning with the year 1931 and ending with the year 1938.

(2) The actual cost of the total number of miles of each type of highway constructed during each of the years from 1931 to 1938, inclusive, and the actual cost thereof per mile.

(3) In this connection said committee shall segregate and itemize the various amounts of money charged to actual highway construction during each year, as for instance segregated into (a) location; (b) preparing plans, estimates and work involved up to the letting of the contracts; (c) rights-of-way.

(4) Contract costs.

(5) Engineering supervision while under construction.

(6) Miscellaneous.

That said committee shall examine into and report in suitable form the following data:

(1) The total number of persons actually employed by the department in highway maintenance work for each year from 1931 to 1938, both inclusive, and the total pay roll thereof.

(2) The actual number of persons employed by the Department in and about the State Highway Building and Testing Laboratory in Carson City for each year from 1931 to 1938, both inclusive, said report shall and will break down the number of employees into their specially designated groups; shall and will give total annual pay roll apportioned to each group and the proportion of State and Federal money, if any, making up such pay roll; shall and will give the total pay roll for the total number of persons employed as aforesaid for each year and the proportion of State and Federal money, if any, making up the pay roll.

That said committee shall and will report the entire number of persons employed in the State of Nevada by the State Highway Department in each and every activity conducted, maintained, or supervised by said Department. The committee report in this connection shall and will segregate the persons so employed into their specialized groups, shall give the total yearly pay roll of each group, and shall designate the proportion of State and Federal, if any, money going to make up such pay rolls.

It shall be the duty of said committee, and it is hereby authorized, to proceed immediately upon their appointment to carry out the purposes and objects herein expressed, and cause a report of their labors and investigations to be submitted to the Legislature not later than the 6th day of March 1939.

Said committee shall employ a certified public accountant, stenographers, and such other persons skilled in this type of work, as may be deemed necessary to accomplish the purposes by this resolution intended, provided that such persons so employed have had actual experience in similar work, not connected with, or in the employ of, any banking or insurance company of the State of Nevada, or company underwriting group insurance in the State of Nevada, or connected with any department or agency of the State of Nevada.

Said committee shall require of such accountant such investigation as will disclose the full, true, and accurate condition of the funds of said State Highway Department, together with the business methods and practices in use therein, from the year 1931 to and including the year 1938, according to the tenor of this resolution.

Said accountant, when selected by such committee, shall have full authority and power to examine all necessary books, papers, accounts, and documents, as well as to examine the custodians thereof, in order to carry out the purpose of rendering a full and accurate account; and for the purpose of carrying out the intent of this resolution, shall and will have, subject to the control of the committee, supervision over all other persons employed to assist in the making of the report herein provided. No information obtained while so employed

shall be divulged by any person other than the chief accountant who in turn shall divulge it to no one except to the committee herein created.

Said committee shall receive no compensation for any duties performed by them under the provisions of this resolution, but shall be entitled to reimbursement for any actual expenses necessarily incurred pursuant to any duty performed by them in carrying out the provisions of this resolution.

Said committee shall provide for the compensation of said accountant and any and all other persons employed in connection with the making of the report and investigation herein required and provided for, an appropriate sum to be approved by this Legislature in an amount not to exceed one thousand five hundred (\$1,500.00) dollars, and all expenses, including the compensation of said accountant and all other employees incurred in carrying out the provisions of this resolution which shall be paid out of the Legislative Fund of the State of Nevada.

Said committee is particularly authorized and requested to report and recommend economies, business methods, and practices that may be effected in the Nevada State Highway Department by economies, business methods, and practices in the administration of the office of said Nevada State Highway Department, or any other changes which may appear necessary and beneficial to the best interests of the people of the State of Nevada.

Said committee shall and will have the right to issue subpoenas and subpoenas duces tecum to compel any person, or persons, to appear before said committee with such books, documents, and other data as may be necessary for the accomplishment of the purpose by this resolution intended.

Mr. Cooper moved the adoption of the resolution.

Carried.

INTRODUCTION AND FIRST READING

By Committee on Labor (by request):

Assembly Bill No. 129—An Act to amend an Act entitled "An Act providing for the adoption of a prevailing wage for employment on State, county, city, municipal, or other public work in the State of Nevada, defining prevailing wage, providing a penalty for the violation of the provisions hereof, and other matters properly relating thereto," approved March 24, 1937.

Mr. Amodei moved that 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. Fee:

Assembly Bill No. 130—An Act authorizing and empowering the County Commissioners of Esmeralda County, Nevada, to transfer certain sums of money from the "Interest and Sinking Fund" of such county to the "County Road Fund" of said county, and other matters properly connected therewith.

Mr. Fee 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 Esmeralda County Delegation.

Carried.

By Committee on Insurance:

Assembly Bill No. 131—An Act to amend an Act entitled "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 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 reorganization, incorporation of assets, and 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 all Acts or parts of Acts in conflict herewith; and other matters relating to banks and trust companies," approved March 28, 1933.

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 Insurance.

Carried.

By Mr. Coleman:

Assembly Bill No. 132—An Act to amend an Act entitled "An Act regulating the nomination of candidates for public office in the State of Nevada," approved March 23, 1917, as amended.

Mr. Coleman moved that 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 Elko County Delegation:

Assembly Bill No. 133—An Act to amend an Act entitled "An Act to encourage and promote improvement in quality of livestock in the State of Nevada; to create the Nevada State Livestock Show Board, and to provide for a State livestock show," approved March 29, 1929, together with the Acts amendatory thereof or supplemental thereto.

Mr. Oldham moved that 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 Churchill County Delegation:

Assembly Bill No. 134—An Act to amend an Act entitled "An Act to provide for the management and control of the State Agricultural Society by the State," approved March 7, 1885, together with the Acts amendatory thereof or supplemental thereto.

Mrs. Drumm moved that 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. 19.

Mr. Hussman moved that Assembly Bill No. 19 be placed on the Chief Clerk's desk.

Carried.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Hazard moved that the Assembly rescind its action on Assembly Concurrent Resolution No. 4.

Remarks by Messrs. Hussman, Kennett, Oldham, Hazard, Cooper, and Brooks.

Mr. Kennett offered as a substitute motion that Assembly Concurrent Resolution No. 4 be printed.

Carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 2.

Mr. Coleman moved the adoption of the amendment to section 5.

Substitute amendment proposed by Mr. Shelly:

Amend section 5 of Assembly Bill No. 2 by striking out the period following the word "care" at the end of line 7, page 3 of the printed bill, inserting a semicolon and the following: "*provided, however, that this Act shall not apply to homes in which children are placed by their own parents or legal guardians, and where the total cost of care is provided by said parents or guardians.*"

Mr. Shelly moved the adoption of the substitute amendment.

Substitute amendment adopted.

Remarks by Messrs. Shelly, Coleman, Davidson, Kennett, Oldham, Germain, Loomis, Cahill, Cooper, and Amodei.

Roll call on Assembly Bill No. 2:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Coleman, Cooper, David, Davidson, Drumm, Fee, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Sampson, Shelly, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—34.

NAYS—None.

Absent—Conine, Curtis, Fisher, Russell, and Sloan—5.

Not voting—Case.

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

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Kennett moved that Assembly Bill No. 100 be rereferred to the Committee on Judiciary.

Carried.

Mr. Kennett moved that Assembly substitute for Assembly Bill No. 56 be rereferred to the Committee on Judiciary.

Carried.

Mr. Oldham moved the Assembly recess until 2 p. m.

Carried.

Assembly in recess at 12:23 p. m.

HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the Chair.

Quorum present.

GENERAL FILE AND THIRD READING

Senate Bill No. 18.

Roll call on Senate Bill No. 18:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Cooper, David, Fee, Germain, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Russell, Sampson, Shelly, Sloan, Sowers, Springer, Talcott, and Williams—29.

NAYS—None.

Absent—Conine, Curtis, and Fisher—3.

Not voting—Coleman, Davidson, Drumm, Hazard, Hussman, Richard, Smith, and Mr. Speaker—8.

Senate Bill No. 18 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Joint Resolution No. 6.

Remarks by Messrs. Loomis, Smith, Kennett, Hussman, Oldham, Case, and Hazard.

Roll call on Assembly Joint Resolution No. 6:

YEAS—Amodei, Barr, Caldwell, Carroll, Coleman, and Oldham—6.

NAYS—Bernard, Brooks, Burke, Cahill, Case, Conine, Cooper, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Richard, Russell, Shelly, Smith, Sowers, Springer, Talcott, and Williams—29.

Absent—Curtis.

Not voting—Brown, Sampson, Sloan, and Mr. Speaker—4.

Assembly Joint Resolution No. 6 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Mr. Loomis gave notice that on the next legislative day he would move reconsideration of Assembly Joint Resolution No. 6.

Assembly Bill No. 114.

Mr. Kennett moved that Assembly Bill No. 114 be made a special order of business for Monday, February 20, 1939, at 2 p. m.

Carried.

Assembly Bill No. 119.

Remarks by Messrs. Loomis, Cooper, and Coleman.

Roll call on Assembly Bill No. 119:

YEAS—Amodei, Barr, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Smith, Sowers, Springer, and Talcott—34.

NAYS—Bernard, Sloan, and Williams—3.

Absent—Oldham.

Not voting—Coleman and Mr. Speaker—2.

Assembly Bill No. 119 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly at ease at 2:40 p. m.

HOUSE IN SESSION

At 3 p. m.

Mr. Speaker in the Chair.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation has had Assembly Bill No. 93 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

A. J. RICHARD, *Chairman.*

Mr. Speaker:

Your Committee on Engrossment hereby certifies that bound copies of Assembly Substitutes for Assembly Bills Nos. 56 and 17, Assembly Bills Nos. 125, 126, 127, and Assembly Joint Resolution No. 8, hereto attached, are correct copies of the triplicates thereof in its possession.

L. K. DRUMM, *Chairman.*

MESSAGES FROM THE SENATE

To the Honorable the Assembly:

I have the honor herewith to return to your honorable body Assembly Bill No. 33, which passed: Yeas, 16; nays, none; absent, 1.

Also, Assembly Bill No. 35, which passed: Yeas, 16; nays, none; absent, 1.

Also, Assembly Bill No. 36, which passed: Yeas, 16; nays, none; absent, 1.

Also, Assembly Bill No. 37, which passed: Yeas, 16; nays, none; absent, 1.

Also, Assembly Bill No. 38, which passed: Yeas, 16; nays, none; absent, 1.

Also, Assembly Bill No. 42, which passed: Yeas, 16; nays, none; absent, 1.

Also, Assembly Bill No. 44, which passed: Yeas, 16; nays, none; absent, 1.

Also, Assembly Bill No. 48, which passed: Yeas, 15; nays, 1; absent 1.

Also, Assembly Bill No. 49, which passed: Yeas, 15; nays, 1; absent, 1.

Also, Assembly Bill No. 53, which passed: Yeas, 16; nays, none; absent, 1.

Also, Assembly Bill No. 74, which passed: Yeas, 16; nays, none; absent, 1.

Also, Assembly Bill No. 75, which passed: Yeas, 16; nays, none; absent, 1.

F. BUCKINGHAM,

Assistant Secretary of the Senate.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Oldham moved that the Assembly rescind its action on Assembly Concurrent Resolution No. 4.

Carried.

Mr. Oldham moved that Assembly Joint Resolution No. 4 be referred to a special committee to be appointed by the Speaker immediately.

Carried.

The Speaker appointed the following special committee to consider Assembly Joint Resolution No. 4: Messrs. Cooper, Hussman, Springer, Williams, and Coleman.

Mr. Oldham moved that Assembly Concurrent Resolution No. 4 be printed.

Mr. Smith moved to amend the motion, and that ten typewritten copies of the resolution be made.

Carried.

Assembly Resolution No. 11.

Resolved by the Assembly of the State of Nevada, That Rule 48 of the Assembly Rules be amended to read as follows:

Rule 48. On the first legislative day on which the Assembly may be in session, succeeding that on which a final vote on any bill or resolution has been taken, said vote may be reconsidered on the motion of any member: *provided*, notice of intention to move such reconsideration shall have been given on the

day on which such final vote was taken by a member voting with the prevailing party; and it shall not be in order for any member to move a reconsideration on the day on which such final vote was taken, except by unanimous consent. But there shall be no reconsideration of a vote on a motion to indefinitely postpone. Motions to reconsider a vote upon amendments to any pending question may be made at once.

Mr. Kennett moved the adoption of the resolution.

Carried.

Mr. Kennett moved that the State Printer be instructed to furnish the Assembly with the revised handbooks of rules for this session.

Carried.

Mr. Oldham moved that Assembly Bill No. 93 be indefinitely postponed.

Carried.

INTRODUCTION AND FIRST READING

By Committee on Livestock:

Assembly Bill No. 135—An Act to provide for cooperation of State and county officers and agencies with the Federal Government in relation to grazing lands, for the disposition of money received from the Federal Government, for the creation of State Grazing Boards to direct and guide disposition of such moneys, and defining their powers and duties, providing for certain duties by State and county officials, and other matters relating thereto.

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

Carried.

By Mr. Germain:

Assembly Bill No. 136—An Act providing for the publication of receipts and disbursements and a statement of the finances of every incorporated city in Nevada by the City Clerks thereof, providing penalties for the violation hereof, and other matters properly relating thereto.

Mr. Germain moved that 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. Amodei:

Assembly Bill No. 137—An Act to amend an Act entitled "An Act concerning public schools, and repealing certain Acts relating thereto," approved March 20, 1911, together with the Acts amendatory thereof or supplementary thereto.

Mr. Amodei moved that 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. Oldham moved that the Assembly adjourn until Thursday, February 16, 1939, at 11 a. m.

Carried.

Assembly adjourned at 3:15 p. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE THIRTY-SECOND DAY

CARSON CITY (Thursday), February 16, 1939.

Assembly called to order at 11 a. m.

Mr. Speaker in the Chair.

Roll called.

All present.

Prayer by Monsignor H. J. Wientjes.

Mr. Oldham moved the reading of the Journal be dispensed with, and the Speaker and the Chief Clerk be authorized to make the necessary corrections and additions.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

The Committee on Engrossment hereby certifies that bound copy of Assembly Bill No. 124, hereto attached, is not a correct copy of the triplicate thereof in its possession. Page 6, part of lines 32 and 33 and on page 7, line 1, and part of line 2 repeated in lines 2 and 3 of page 7; page 9, line 29, word "equalization" misspelled.

Also, that bound copy of Assembly Bill No. 128, hereto attached, is a correct copy of the triplicate thereof in its possession. L. K. DRUMM, *Chairman*.

MOTIONS, RESOLUTIONS, AND NOTICES

Mrs. Drumm moved that the Chief Clerk be authorized to make the necessary corrections.

Carried.

Mr. Cahill moved that Assembly Bill No. 61 be removed from general file and rereferred to the Committee on Ways and Means.

Remarks by Mr. Oldham.

Motion lost.

Assembly Concurrent Resolution No. 5, endorsing the proposal of a "National Patriotic Revival."

WHEREAS, The whole world, rent asunder by strife and contention, violence and intolerance, is today in a state of turmoil and uncertainty, marked by a titanic struggle between democracy and autocracy, while in this country anti-American forces are striving to discredit and destroy the ideals and institutions symbolized by the American flag, and social, political, and economic forces are combating one another; and

WHEREAS, Never before in the history of the Nation has there been greater need among our people for the unity, cooperation, and tolerance for which our country's flag stands; and

WHEREAS, With the stars and stripes as its emblem, the United States Flag Association, a nonprofit, nonpartisan and nonsectarian organization incorporated under Federal law and headed by the President of the United States as Honorary President General, is, with the cooperation of various groups, organizations and fields of activity in our national life, conducting a "National Patriotic Revival, culminating in flag week, June eighth to fourteenth next, for the two-fold purpose (1) of awakening our people to the dangers threatening our national life, thereby causing them to resolve as never before to

uphold and preserve our country's ideals and institutions, and (2) of promoting national unity, patriotic cooperation, and racial and religious tolerance; therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That they heartily endorse the plan for a great national patriotic revival, and that the Governor is hereby authorized and requested, first, to direct the State Superintendent of Public Instruction to arrange for the suitable observance of flag week in all the public schools, and secondly to issue a proclamation calling upon the State officials to display the United States flag on all State buildings during flag week, and inviting the people of the State to fly the flag at their homes and other suitable places as well as on their cars, and that in every community they hold special exercises at which means shall be taken to give significant expression to our thoughtful love of America, our pride in its glorious history, our faith in its destiny, our devotion to its ideals and institutions, and our determination to uphold and preserve them now and forever; and be it further

Resolved, That this resolution shall be included in the printed volume of the Statutes of the present session of the Nevada Legislature.

Mr. Kennett moved that the resolution be referred to the Committee on Federal Relations.

Carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 85.

Mr. Kennett moved the adoption of the amendment to section 1.

Remarks by Messrs. David, Kennett, Hazard, and Barr.

Amendment adopted.

Mr. Germain moved that Assembly Bill No. 85 be referred to a Select Committee of the Nye County Delegation.

Carried.

Assembly Bill No. 61.

Remarks by Messrs. Cahill and Oldham.

Mr. Springer moved that the bill be rereferred to the Committee on Ways and Means.

Remarks by Messrs. Hussman, Oldham, Carroll, Hazard, and Cahill.

Motion carried.

Senate Bill No. 4.

Remarks by Messrs. Cahill, Kennett, Springer, Hussman, and Oldham.

Roll call on Senate Bill No. 4:

YEAS—Amodei, Barr, Bernard, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Curtis, David, Drumm, Fee, Fisher, Germain, Hazard, Kennett, Lynch, McCuiston, McElroy, Oldham, Richard, Sampson, Shelly, Sowers, Springer, and Talcott—29.

NAYS—Brooks, Hussman, Murphy, and Williams—4.

Absent—Cooper and Smith—2.

Not voting—Brown, Davidson, Loomis, Sloan, and Mr. Speaker—5.

Senate Bill No. 4 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Kennett moved the adoption of the preamble.

Carried.

Mr. Oldham moved the Assembly recess until 2 p. m.

Carried.

Assembly in recess at 12 noon.

HOUSE IN SESSION

At 2 p. m.

Mr. Burke, Speaker pro tempore, in the Chair.

Quorum present.

There being no objections the Speaker and the Chief Clerk signed Assembly Bills Nos. 33, 35, 36, 37, 38, 42, 44, 48, 49, 53, 74, and 75.

GENERAL FILE AND THIRD READING

Assembly Substitute for Assembly Bill No. 17.

Mr. Kennett moved that the substitute bill be adopted.

Amendment proposed by Mr. David :

Amend section 3 of Assembly Substitute for Assembly Bill No. 17 by striking out all of line 13, after the figure "3" to line 22, both inclusive.

Mr. David moved the adoption of the amendment.

Amendment adopted.

Remarks by Messrs. Davidson, McCuistion, Curtis, Richard, and Germain.

Roll call on Assembly Substitute for Assembly Bill No. 17 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—39.

NAYS—None.

Not voting—Mr. Speaker.

Assembly Substitute for Assembly Bill No. 17 having received a constitutional majority, Mr. Speaker declared it passed.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Loomis moved that the Assembly reconsider Assembly Joint Resolution No. 6.

Remarks by Messrs. Kennett, Smith, Oldham, Curtis, and Loomis.

Motion carried.

Mr. Oldham moved that Assembly Joint Resolution No. 6 be referred to a Joint Committee on Taxation and Judiciary.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 129, 130, 131, 132, 133, 135, 136, and 137, hereto attached, are correct copies of the triplicates thereof in its possession.

Also, that bound copy of Assembly Bill No. 134, hereto attached, is a correct copy of the triplicate thereof in its possession.

L. K. DRUMM, *Chairman.*

Mr. Speaker:

Your Committee on Enrollment has carefully compared Assembly Enrolled Bills Nos. 33, 35, 36, 37, 38, 42, 44, 48, 49, 53, 74, and 75 with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. R. GERMAIN, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Kennett moved that Assembly Bill No. 94 be withdrawn from the Committee on Taxation and rereferred to the Committee on Labor.
Carried.

Mr. Murphy moved that Assembly Bill No. 100 be withdrawn from the Committee on Judiciary, placed on the Chief Clerk's desk, and returned to the introducer.
Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation has had Assembly Bills Nos. 108 and 125 under consideration, and begs leave to report unfavorably on the same, with the recommendation that they do not pass.

Also, Assembly Joint Resolution No. 8, and reports favorably on the same, with the recommendation that it do pass.

A. J. RICHARD, *Chairman.*

Mr. Speaker:

Your Select Committee of Washoe County Delegation has had Assembly Bill No. 127 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

CARL SHELLY, *Chairman.*

Mr. Oldham moved the Assembly recess for thirty minutes.
Carried.

Assembly in recess at 2:38 p. m.

HOUSE IN SESSION

At 3:28 p. m.

Mr. Speaker in the Chair.

Quorum present.

Mr. Oldham moved that the Assembly adjourn until Friday, February 17, 1939, at 11 a. m.

Carried.

Assembly adjourned at 3:30 p. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE THIRTY-THIRD DAY

CARSON CITY (Friday), February 17, 1939.

Assembly called to order at 11 a. m.

Mr. Speaker in the Chair.

Roll called.

All present except Mr. Russell, who was excused.

Prayer by Monsignor H. J. Wientjes.

Mr. Oldham moved the reading of the Journal be dispensed with, and the Speaker and the Chief Clerk be authorized to make the necessary corrections and additions.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Military and Indian Affairs and Taxation has had Assembly Joint Resolution No. 3 under consideration, and begs leave to report that half the committee were in favor of reporting the resolution out favorably, while the other half wished to report it without recommendation.

DEWEY E. SAMPSON, *Chairman.*

Mr. Speaker:

Your Committee on Federal Relations has had Assembly Joint Resolution No. 7 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

WM. FISHER, *Chairman.*

Mr. Speaker:

Your Select Committee of Clark County Delegation has had Assembly Bill No. 68 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. 68 by striking out after the word "for" in line 7, page 1 of the printed bill, the following: "Justice of the Supreme Court," and insert in lieu thereof the word "Congressman." Further amend section 1 by striking out the word "general" at the beginning of line 8, page 1, and insert in lieu thereof the word "biennial." Further amend by striking out the period following the word "passage" at the end of section 3 of the printed bill, and insert in lieu thereof the following: "and approval."

H. E. HAZARD, *Chairman.*

Mr. Speaker:

Your Select Committee of Esmeralda County Delegation has had Assembly Bill No. 130 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

M. E. FEE, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Barr moved that Assembly Bill No. 125 be withdrawn from the general file, placed on the Chief Clerk's desk, and returned to the introducer.

Carried.

Mr. Davidson moved that Assembly Bill No. 108 be withdrawn from the general file, placed on the Chief Clerk's desk, and returned to the introducer.

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. 33, which passed the Senate by the following vote: Yeas, 16; nays, none; absent, 1.

Also, to return Assembly Bill No. 79, which passed: Yeas, 16; nays, none; absent, 1.

F. BUCKINGHAM,
Assistant Secretary of the Senate.

There being no objections the Speaker and the Chief Clerk signed Senate Joint Resolution No. 2.

INTRODUCTION AND FIRST READING

By Mr. Coleman:

Assembly Bill No. 138—An Act to amend an Act entitled "An Act to provide a relief fund in the several counties of the State of Nevada for the needy blind; providing for and prescribing the powers and duties of Boards of County Commissioners in every county," approved February 25, 1923, together with the Acts amendatory thereof or supplemental thereto.

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

Carried.

By Mr. Coleman:

Assembly Bill No. 139.

An Act to amend an Act entitled "An Act concerning public schools, and repealing certain Acts relating thereto," approved March 20, 1911, together with the Acts amendatory thereof or supplemental thereto.

Mr. Coleman 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 Education.

Carried.

By Mr. Amodei:

Assembly Bill No. 140—An Act to provide an appropriation for furnishing certain rooms in the Nevada Heroes Memorial Building.

Mr. Amodei moved that 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. Burke:

Assembly Bill No. 141—An Act to provide for the care and maintenance of the graves of Civil War veterans and of their widows in the G. A. R. plot in Hillside Cemetery, Reno, Nevada, and making an appropriation therefor.

Mr. Burke moved that 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 Mrs. Drumm:

Assembly Bill No. 142—An Act relating to fire insurance.

Mrs. Drumm 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 Agriculture and Insurance.
Carried.

By Mr. Brooks:

Assembly Bill No. 143—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act fixing the method by which the charters of incorporated cities and towns may be amended,' approved March 15, 1927, and as amended March 6, 1929," approved March 17, 1937.

Mr. Brooks moved that 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. Curtis:

Assembly Bill No. 144—An Act to amend an Act entitled "An Act making the assignment of wages, salary, or earnings under certain conditions conclusive evidence of fraud," approved March 14, 1917.

Mr. Curtis moved that 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. Oldham:

Assembly Bill No. 145—An Act to provide that bonds and other obligations issued by a public housing authority or agency in the United States, when secured by a pledge of annual contributions to be paid by the United States Government, shall be security for public deposits, and legal investments for the State and public officers, municipal corporations, political subdivisions, and public bodies, all banks, bankers, trust companies, savings banks and institutions, building and loan associations, savings and loan associations, investment companies and other persons carrying on a banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all executors, administrators, guardians, trustees, and other fiduciaries.

Mr. Oldham 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 Washoe and Clark County Delegations.

Carried.

GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 8.

Remarks by Messrs. Hussman and Cooper.

Roll call on Assembly Joint Resolution No. 8:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee,

Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—38.

NAYS—None.

Absent—Russell.

Not voting—Mr. Speaker.

Assembly Joint Resolution No. 8 having received a constitutional majority, Mr. Speaker declared it adopted.

Assembly Bill No. 127.

Remarks by Mr. Shelly.

Roll call on Assembly Bill No. 127:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—36.

NAYS—None.

Absent—Burke, Cooper, and Russell—3.

Not voting—Mr. Speaker.

Assembly Bill No. 127 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. 6, which passed the Senate by the following vote: Yeas, 16; nays, none; absent, 1.

Also, Senate Bill No. 9, which passed: Yeas, 16; nays, none; absent, 1.

Also, Senate Bill No. 17, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Strike out after the period following the figure 1, in line 1, page 1 of the printed bill, the following: "section 178 of." and make a capital "T" out of the small "t" in the word "the"; further amend section 1 by striking out after the word "act" in line 1, page 1 of the printed copy of the bill, the following "said section being section 5823 N. C. L. 1929," and add in lieu thereof the following: "being sections 5650 to 5767 N. C. L. of 1929," and amend section 1 by striking out the word "adding" in line 3, page 1 of the printed bill, and adding in lieu thereof the word "inserting." Further amend section 1 by adding, following the figures "178a." line 4, page 1, the following: "to follow immediately after section 178." Further amend the title by striking the period after the figures "1911," and insert in lieu thereof a comma and add the following: "as amended, by inserting a new section to be designated as section 178a."

Also, Senate Bill No. 26, which passed: Yeas, 15; nays, 1; absent, 1.

Also, Senate Bill No. 38, which passed: Yeas, 16; nays, none; absent, 1.

Also, Senate Bill No. 39, which passed: Yeas, 16; nays, none; absent, 1.

Also, Senate Bill No. 40, which passed: Yeas, 16; nays, none; absent, 1.

Also, Senate Bill No. 43, which passed: Yeas, 16; nays, none; absent, 1.

Also, Senate Bill No. 45, which passed: Yeas, 15; nays, 1; absent, 1.

Also, Senate Joint Resolution No. 4, which passed: Yeas, 16; nays, none; absent, 1.

F. BUCKINGHAM,

Assistant Secretary of the Senate.

INTRODUCTION AND FIRST READING

Senate Bill No. 6.

Mr. Springer moved that 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. Oldham 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 Mines and Mining.

Carried.

Senate Bill No. 17.

Mr. Oldham moved that 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. 26.

Mr. Oldham moved that 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. 38.

Mr. Oldham moved that 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. 39.

Mr. Oldham moved that 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. 40.

Mr. Oldham moved that 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. 43.

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

Carried.

Senate Joint Resolution No. 4.

Mr. Oldham 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Engrossment hereby certifies that bound copy of Assembly Concurrent Resolution No. 5, hereto attached, is a correct copy of the triplicate thereof in its possession.

L. K. DRUMM, *Chairman.*

Mr. Speaker:

Your Committee on Roads and Highways has had Assembly Bills Nos. 57 and 70 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

CLAUDE SMITH, *Chairman.*

Mr. Oldham moved the Assembly recess until 1 p. m.

Carried.

Assembly in recess at 11:50 a. m.

HOUSE IN SESSION

At 1 p. m.

Mr. Speaker in the Chair.

Quorum present.

INTRODUCTION AND FIRST READING

By Committee on Roads and Highways:

Assembly Bill No. 146—An Act supplementary to 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.

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 Roads and Highways.

Carried.

Mr. Davidson moved that the Assembly adjourn until Monday, February 20, 1939, at 11 a. m.

Carried.

Assembly adjourned at 2:15 p. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE THIRTY-SIXTH DAY

CARSON CITY (Monday), February 20, 1939.

Assembly called to order at 11 a. m.

Mr. Speaker in the Chair.

Roll called.

All present.

Prayer by the Chaplain, Rev. A. S. Kean.

Mr. Oldham moved the reading of the Journal be dispensed with and the Speaker and the Chief Clerk be authorized to make the necessary corrections and additions.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Livestock has had Assembly Bill No. 135 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

M. E. McCUISTION, *Chairman.*

Mr. Speaker:

The majority of the Committee on Ways and Means has had Assembly Bill No. 61 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass. Members of the majority committee were: Messrs. Cahill, McCuiston, Smith, Russell, and Williams.

The minority of your Committee on Ways and Means has had Assembly Bill No. 61 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass. Members of the minority committee were: Messrs. Hussman, Carroll, Case, and Springer.

Also, your Committee on Ways and Means has had Senate Bills Nos. 38, 39, and 40 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

R. E. CAHILL, *Chairman.*

Mr. Speaker:

Your Committee on Judiciary has had Assembly Bill No. 123 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

WM. KENNETT, *Chairman.*

Mr. Speaker:

Your Select Committee of Storey County Delegation has had Senate Bill No. 33 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

THOMAS LYNCH, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Sampson moved that the report on Assembly Joint Resolution No. 3 be returned to a Joint Committee of Military and Indian Affairs and Taxation for correction.

Carried.

There being no objections the Speaker and the Chief Clerk signed Senate Bill No. 18, and Assembly Bill No. 79.

INTRODUCTION AND FIRST READING

By Mr. Coleman:

Assembly Bill No. 147—An Act to amend an Act entitled "An Act regulating the registration of electors for general, special, and primary elections," approved March 27, 1917, together with the Acts amendatory thereof or supplemental thereto.

Mr. Coleman moved that 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 Committee on Labor (by request):

Assembly Bill No. 148—An Act to regulate the sale of alcoholic beverages, and prohibiting the employment or services of females or minors in the sale or disposition of alcoholic beverages, and providing a penalty therefor.

Mr. Hazard moved that 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. Brooks:

Assembly Bill No. 149—An Act to prevent the manufacture, sale, transportation and false advertising of adulterated, misbranded, or mislabeled, or poisonous or deleterious foods, drugs, devices, and cosmetics; regulating the manufacture and traffic therein; providing for the enforcement of this Act; providing penalties for the violation thereof, and other matters relating thereto.

Mr. Brooks moved that 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 Joint Resolution No. 7.

Remarks by Mr. Hazard.

Roll call on Assembly Joint Resolution No. 7:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Sowers, Springer, Talcott, and Williams—37.

NAYS—None.

Absent—Kennett and Smith—2.

Not voting—Mr. Speaker.

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

Assembly Bill No. 68.

Mr. Hazard moved the adoption of the amendment to section 1.

Amendment adopted.

Mr. Hazard moved the adoption of the second amendment to section 1.

Amendment adopted.

Mr. Hazard moved the adoption of the amendment to section 3.

Amendment adopted.

Roll call on Assembly Bill No. 68:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—38.

NAYS—Burke and Richard—2.

Assembly Bill No. 68 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 130.

Remarks by Messrs. Fee and Burke.

Roll call on Assembly Bill No. 130:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—38.

NAYS—Richard.

Not voting—Mr. Speaker.

Assembly Bill No. 130 having received a constitutional majority, Mr. Speaker declared it passed.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Russell moved that Assembly Bill No. 70 be indefinitely postponed.

Carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 57.

Remarks by Messrs. Amodei, Germain, and Conine.

Roll call on Assembly Bill No. 57:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—38.

NAYS—Kennett.

Not voting—Mr. Speaker.

Assembly Bill No. 57 having received a constitutional majority, Mr. Speaker declared it passed.

INTRODUCTION AND FIRST READING

By Committee on Labor (by request):

Assembly Bill No. 150—An Act for the prevention of the adulteration and contamination of foods and beverages, and regulating and providing penalties for the violation hereof.

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

Carried.

By Mr. Kennett:

Assembly Bill No. 151—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, together with the Acts amendatory thereof and supplemental thereto.

Mr. Kennett moved that 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. Kennett:

Assembly Joint Resolution No. 9.

WHEREAS, There is pending in the Congress of the United States Senate a certain Act (S-800) to amend the Act entitled "An Act to authorize the Secretary of the Treasury to purchase silver, issue silver certificates, and for other purposes," approved June 19, 1934, 9 post meridian, known as the "Silver Purchase Act of 1934," introduced by Senator Pittman of Nevada and is now pending before the Agricultural Committee, which directs permanent purchasing of United States produced silver at \$1.29 an ounce and the purchase of foreign silver under the existing law; that is until one-fourth of the gold and silver stocks is in silver, or until silver has reached \$1.29 an ounce, which authorizes the purchase of agricultural exports solely from this country with the certificates issued in payment therefor; and

WHEREAS, The mining and farming industries are the two basic industries of the State of Nevada, and both will receive direct benefits from the enactment of such legislation, as well as the entire population of the State of Nevada; and

WHEREAS, Immediate action is necessary on the part of the Congress of the United States to provide a market for domestically produced silver and a foreign market for agricultural products; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring therein, That it respectfully petitions and memorializes the Congress of the United States to pass the above referred to Act to enable mining operations within the State of Nevada to go forward with renewed vigor, and employ persons now listed on unemployment rolls, and to enable the farmer of this section to export goods to foreign countries in competition with producers in foreign lands; be it further

Resolved, That a copy of this resolution and memorial be forwarded to each of the Senators and our Representative in Congress from the State of Nevada, and to the Chairman of the Agricultural Committee.

Mr. Kennett 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Enrollment has carefully compared Assembly Enrolled Bill No. 79 regulating fees and compensations for county and township officers for official and other services in the county of Mineral, etc., with the engrossed copy, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. R. GERMAIN, *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 passed the Senate by the following vote: Yeas, 16; nays, none; absent, 1.

I have the honor herewith to return to your honorable body Assembly Bill No. 39, which passed by the following vote: Yeas, 16; nays, none; absent, 1.

Also, Assembly Bill No. 45, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Page 1, line 10 of the printed bill, after the word "such" insert the word "court"; also page 1, line 11, strike out the words "and charges."

Also, Assembly Bill No. 84, which passed: Yeas, 15; nays, 1; absent, 1.

Also, Assembly Substitute for Assembly Bill No. 86, which passed: Yeas, 14; nays, 2; absent, 1.

Also, Assembly Bill No. 104, which passed: Yeas, 16; nays, none; absent, 1.

F. BUCKINGHAM,

Assistant Secretary of the Senate.

Mr. Kennett moved that the Assembly concur in the Senate amendments to Assembly Bill No. 45.

Carried.

Mr. Oldham gave notice that this afternoon he would introduce a resolution which will have a far-reaching effect on the life of one of the single members of this Assembly.

INTRODUCTION AND FIRST READING

Senate Bill No. 35.

Mr. Russell moved that 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. Coleman:

Assembly Bill No. 152—An Act to amend an Act entitled "An Act regulating the registration of electors for general, special, and primary elections," approved March 27, 1917.

Mr. Coleman moved that 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. Oldham moved that the Assembly recess until 2 p. m.

Carried.

Assembly in recess at 11:45 a. m.

HOUSE IN SESSION

At 1:57 p. m.

Mr. Speaker in the Chair.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Joint Committee on Labor and Judiciary has had Assembly Bill No. 83 under consideration, and begs leave to report same with an amendment, with the recommendation that the amendment be adopted and that the bill do pass, as amended: Amend section 1 of Assembly Bill No. 83 by correcting the spelling of the word "pretense" in line 3, page 1 of the printed bill.

H. E. HAZARD, *Chairman.*

Mr. Speaker:

Your Joint Committee on Military and Indian Affairs and Taxation has had Assembly Resolution No. 3 under consideration, and begs leave to report on the same without recommendation.

DEWEY E. SAMPSON, *Chairman.*

Mr. Speaker:

Your Committee on Ways and Means has had Senate Bill No. 26 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

R. E. CAHILL, *Chairman.*

Mr. Speaker:

Your Committee on Judiciary has had Senate Bill No. 35 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

WM. KENNETT, *Chairman.*

Mr. Speaker:

Your Committee on Mines and Mining has had Senate Bill No. 6 and Senate Joint Resolution No. 4 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

H. E. SPRINGER, *Chairman.*

SPECIAL ORDER OF BUSINESS

Assembly Bill No. 114.

Remarks by Messrs. Kennett, Hussman, Smith, Sloan, and Brooks.

Roll call on Assembly Bill No. 114:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Coleman, Conine, Cooper, Curtis, David, Davidson, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Oldham, Russell, Sampson, Shelly, Sloan, Sowers, Springer, Talcott, and Williams—33.

NAYS—Case, Drumm, Fee, Murphy, Richard, and Smith—6.

Not voting—Mr. Speaker.

Assembly Bill No. 114 having received a constitutional majority, Mr. Speaker declared it passed.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Kennett moved that Assembly Bill No. 151 be withdrawn from the Committee on Judiciary, returned to the Chief Clerk's desk, and returned to the introducer.

Carried.

By Mr. Bunker:

Assembly Resolution No. 12, relative to the adjournment of the Thirty-ninth Session of the Nevada Legislature, and other matters of more than ordinary interest to this body.

WHEREAS, The expiration of the legal term of the Thirty-ninth Session of the Nevada Legislature is fast approaching; and

WHEREAS, There is a considerable number of important matters yet to be considered by this Legislature; and

WHEREAS, The Governor of our State, as well as the members elected to this session, have pledged to the people an economical business administration of the affairs of our State; and

WHEREAS, We are all anxious to prove the sincerity of our pledges; and

WHEREAS, In this common purpose we are mutually obligated to the earnest consideration of the problems of our fellow members; and

WHEREAS, It has been authoritatively stated that one of our members, long honored and highly respected, is about to embark upon a new phase of life, in which we wish to encourage and uphold him; and

WHEREAS, It is quite necessary that this body conclude its labors and schedule in order that we redeem our pledge to our constituents, and discharge our dutiful obligation to our fellow member; now, therefore, be it

Resolved by the Assembly of the State of Nevada, That we make haste to keep our labors within reach; and be it further

Resolved, That inasmuch as it has been authentically reported that our esteemed colaborer, Hon. Charles Russell, has seen the folly of single blessedness, and has asked for and been promised the companionship of one of our most highly esteemed young ladies, the event to occur on the nineteenth day of March, 1939, that we shall be guilty of no delay that might interfere with plans of these young people; and be it further

Resolved, That this Assembly invite our colleague to have the ceremony performed in this Assembly Chamber in order that in this room where he has so laudably discharged his obligations of citizenship we may publicly felicitate him and acclaim the queen who is to grace his castle of domestic happiness.

Mr. Springer moved that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to a Joint Committee on Public Morals and Social Welfare.

Carried.

INTRODUCTION AND FIRST READING

By Mr. Case:

Assembly Bill No. 153—An Act to amend section 85 of an Act entitled "An Act to amend sections 77 and 85 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 sections 8576 and 8583 Nevada Compiled Laws 1929," as amended March 19, 1931.

Mr. Case moved that 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. Barr:

Assembly Bill No. 154—An Act to repeal "An Act relating to the sale, by the County Commissioners of the various counties of this State, of patented mining claims which have or may hereafter become the property of any county of this State through the operation of the revenue laws of the State," approved March 6, 1933, and all the Acts amendatory thereof or supplemental thereto.

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

Carried.

By Mr. Barr:

Assembly Bill No. 155—An Act to amend 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, and by adding thereto a new section to be designated section 4 $\frac{1}{2}$ b, approved March 27, 1935, as amended March 26, 1937.

Mr. Barr moved that 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. Burke:

Assembly Bill No. 156—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 the method of suspension and cancelation of such licenses; and prescribing the punishment for violation of the provisions of this Act.

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

Carried.

By Messrs. Bernard and Williams:

Assembly Bill No. 157—An Act to provide for execution against mortgaged personal property in certain instances upon judgments against the owner, or owners, of mortgaged personal property where the judgment is for the value of pasture, feed, material, supplies, labor, or other services furnished or rendered to the owner of the mortgaged personal property the result of which was to preserve, protect, or enhance the value of such mortgaged property, and other matters properly related therewith.

Mr. Williams moved that 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. Davidson and Loomis:

Assembly Bill No. 158—An Act concerning the estates of deceased persons.

Mr. Davidson moved that 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. Burke objected to the introduction of the bill.

Remarks by Messrs. Burke, Loomis, and Kennett.

Mr. Kennett moved that the bill be referred to the Committee on Judiciary before being printed.

Carried.

By Mr. Kennett:

Assembly Bill No. 159—An Act to amend an Act entitled "An Act to create a State Board of Health, defining their duties, prescribing the manner of the appointments of its officers, fixing their compensation, making an appropriation for the support of said board, establishing county boards of health, requiring certain statements to be filed, defining certain misdemeanors, and providing penalties therefor, and other matters relating thereto," approved March 27, 1911.

Mr. Kennett 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 Social Welfare.

Carried.

By Mr. Loomis:

Assembly Bill No. 160—An Act to repeal an Act entitled "An Act requiring foreign corporations doing business in the State of Nevada to publish annual statements," approved March 28, 1901.

Mr. Loomis 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 Public Printing.

REPORTS OF COMMITTEES

Mr. Speaker:

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 141, 145, 144, 143, 142, 139, 138, and 146, hereto attached, are correct copies of the triplicates thereof in its possession.

Also, that bound copy of Assembly Bill No. 140, hereto attached, is a correct copy of the triplicate thereof in its possession, with the following error corrected: Page 2, line 9, the word "is" is used in place of the word "its."

L. K. DRUMM, *Chairman.*

Mrs. Drumm moved that the Chief Clerk be authorized to make the necessary corrections in Assembly Bill No. 140.

Carried.

Mr. Oldham moved that the Assembly adjourn until Tuesday, February 21, 1939, at 10 a. m.

Carried.

Assembly adjourned at 2:55 p. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE THIRTY-SEVENTH DAY

CARSON CITY (Tuesday), February 21, 1939.

Assembly called to order at 11 a. m.

Mr. Speaker in the Chair.

Roll called.

All present except Mr. Amodei, who was excused.

Prayer by the Chaplain, Rev. A. S. Kean.

Mr. Oldham moved the reading of the Journal be dispensed with, and the Speaker and the Chief Clerk be authorized to make the necessary corrections and additions.

INTRODUCTION AND FIRST READING

By Mr. Springer (by request):

Assembly Bill No. 161—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, together with the Acts amendatory thereof or supplemental thereto.

Mr. Springer moved that 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. Springer (by request):

Assembly Bill No. 162—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 all Acts and parts of Acts in conflict herewith," approved March 22, 1915, together with the Acts amendatory thereof or supplemental thereto.

Mr. Springer moved that 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. Case:

Assembly Bill No. 163—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act supplementary to an Act entitled "An Act to create a Board of County Commissioners in the several counties of the State and to define their duties and powers," approved March 8, 1865,' approved February 19, 1867, approved March 24, 1911," together with the Acts amendatory thereof or supplemental thereto.

Mr. Case moved that 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. Richard:

Assembly Bill No. 164—An Act to amend an Act entitled "An Act concerning juries," approved March 5, 1873, together with the Acts amendatory thereof or supplemental thereto.

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

Carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 135.

Remarks by Messrs. McCuiston, Case, and Cooper.

Roll call on Assembly Bill No. 135:

YEAS—Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—38.

NAYS—None.

Absent—Mr. Amodèi.

Not voting—Mr. Speaker.

Assembly Bill No. 135 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 61.

Mr. Hussman moved that the bill be made a special order of business for the next legislative day at 2:30 p. m.

Remarks by Messrs. Oldham, Carroll, Hazard, and Burke.

Motion lost.

Remarks by Messrs. Oldham, Carroll, Kennett, Cooper, and Loomis.

Roll call on Assembly Bill No. 61:

YEAS—Barr, Bernard, Burke, Cahill, Caldwell, Conine, Cooper, Curtis, Drumm, Fee, Fisher, Hazard, Kennett, McCuiston, McElroy, Murphy, Oldham, Russell, Sampson, Smith, Sowers, Williams, and Mr. Speaker—23.

NAYS—Brooks, Brown, Carroll, Case, Coleman, David, Germain, Hussman, Loomis, Lynch, Richard, Shelly, Sloan, Springer, and Talcott—15.

Absent—Amodèi.

Not voting—Davidson.

Assembly Bill No. 61 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 40.

Roll call on Senate Bill No. 40:

YEAS—Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—36.

NAYS—None.

Absent—Amodèi, Fisher, and McCuiston—3.

Not voting—Mr. Speaker.

Senate Bill No. 40 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 38.

Remarks by Messrs. Davidson, Cahill, and Kennett.

Roll call on Senate Bill No. 38:

YEAS—Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Case, Coleman, Curtis, David, Davidson, Drumm, Fee, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Sloan, Smith, Sowers, Springer, Talcott, and Williams—32.

NAYS—None.

Absent—Amodei, Burke, Conine, Cooper, Fisher, McCuistion, and Shelly—7.

Not voting—Mr. Speaker.

Senate Bill No. 38 having received a constitutional majority, Mr. Speaker declared it passed.

There being no objections, the Speaker and the Chief Clerk signed Assembly Bills Nos. 45, 39, 84, 86, and 104.

Senate Bill No. 39.

Remarks by Messrs. Cahill and Kennett.

Roll call on Senate Bill No. 39:

YEAS—Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Curtis, David, Davidson, Drumm, Fee, Fisher, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—35.

NAYS—None.

Absent—Amodei, Burke, Cooper, and Germain—4.

Not voting—Mr. Speaker.

Senate Bill No. 39 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 123.

Remarks by Messrs. Loomis and Oldham.

Roll call on Assembly Bill No. 123:

YEAS—Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Curtis, David, Davidson, Drumm, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—35.

NAYS—None.

Absent—Amodei, Burke, and Cooper—3.

Not voting—Fee and Mr. Speaker—2.

Assembly Bill No. 123 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 33.

Remarks by Mr. Lynch.

Roll call on Senate Bill No. 33:

YEAS—Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—36.

NAYS—None.

Absent—Amodei, Burke, and Hussman—3.

Not voting—Mr. Speaker.

Senate Bill No. 33 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 83.

Mr. Kennett moved the adoption of the amendment to section 1.

Amendment adopted.

Remarks by Mr. Loomis.

Roll call on Assembly Bill No. 83:

YEAS—Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Cooper, Curtis, David, Davidson, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—36.

NAYS—Conine.

Absent—Amodei.

Not voting—Drumm and Mr. Speaker—2.

Assembly Bill No. 83 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Joint Resolution No. 3.

Remarks by Messrs. Sampson, Curtis, Drumm, and Loomis.

Roll call on Assembly Joint Resolution No. 3:

YEAS—Barr, Caldwell, Carroll, Case, Coleman, Conine, Hazard, Richard, Sampson, Sloan, Springer, and Mr. Speaker—12.

NAYS—Bernard, Brooks, Burke, Davidson, Hussman, Murphy, Oldham, Russell, Shelly, Smith, Talcott, and Williams—12.

Absent—Amodei.

Not voting—Brown, Cahill, Cooper, Curtis, David, Drumm, Fee, Fisher, Germain, Kennett, Loomis, Lynch, McCuistion, McElroy, and Sowers—15.

Assembly Joint Resolution No. 3 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Senate Bill No. 26.

Remarks by Mr. Cahill.

Roll call on Senate Bill No. 26:

YEAS—Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—37.

NAYS—None.

Absent—Amodei and Case—2.

Not voting—Mr. Speaker.

Senate Bill No. 26 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 35.

Remarks by Messrs. Cooper, Kennett, and Davidson.

Roll call on Senate Bill No. 35:

YEAS—Barr, Bernard, Brown, Burke, Cahill, Caldwell, Carroll, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Talcott, and Williams—33.

NAYS—Brooks.

Absent—Amodei and Case—2.

Not voting—Hussman, Richard, Springer, and Mr. Speaker—4.

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

There being no objections the Speaker and the Chief Clerk signed Senate Bill No. 4.

Senate Joint Resolution No. 4.

Remarks by Messrs. Springer and Germain.

Roll call on Senate Joint Resolution No. 4:

YEAS—Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—37.

NAYS—None.

Absent—Amodei.

Not voting—Hazard and Mr. Speaker—2.

Senate Joint Resolution No. 4 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 6.

Remarks by Messrs. Springer and Cooper.

Roll call on Senate Bill No. 6:

YEAS—Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—37.

NAYS—None.

Absent—Amodei and Burke—2.

Not voting—Mr. Speaker.

Senate Bill No. 6 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Oldham moved the Assembly recess until 1:30 p. m.

Carried.

Assembly in recess at 11:54 a. m.

HOUSE IN SESSION

At 1:30 p. m.

Mr. Speaker in the Chair.

Quorum present.

SPECIAL ORDER OF BUSINESS

Mr. Oldham moved that the Assembly recess, subject to the call of the Chair, to view an agricultural film.

Carried.

Assembly at ease at 1:30, subject to the call of the Chair.

HOUSE IN SESSION

At 2:12 p. m.

Mr. Speaker in the Chair.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Enrollment has carefully compared Assembly Enrolled Bills Nos. 39, 45, 84, 104, and Assembly Substitute for Assembly Bill No. 86 with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. R. GERMAIN, *Chairman.*

Mr. Speaker:

Your Committee on Public Printing has had Assembly Bill No. 136 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

R. R. GERMAIN, *Chairman.*

Mr. Speaker:

Your Committee on Judiciary has had Assembly Bill No. 144 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

WM. KENNETT, *Chairman.*

Mr. Speaker:

Your Committee on Agriculture has had Assembly Bill No. 69 under consideration, and begs leave to report without recommendation.

A. J. RICHARD, *Chairman.*

Mr. Speaker:

Your Committee on Public Morals has had Assembly Bill No. 73 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

THOMAS M. CARROLL, *Chairman.*

INTRODUCTION AND FIRST READING

By Mr. Smith:

Assembly Bill No. 165—An Act for the protection of unborn children and the public health by requiring premarital examinations for syphilis to be made of applicants for marriage licenses.

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 Social Welfare.

Carried.

By Mr. Springer:

Assembly Bill No. 166—An Act to repeal section 242 of an Act entitled "An Act concerning crimes and punishments, and repealing certain Acts relating thereto," approved March 17, 1911, together with the Acts amendatory thereof or supplemental thereto.

Mr. Springer moved that 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. Oldham:

Assembly Bill No. 167—An Act to amend section 17 of an Act entitled "An Act to provide a general highway law for the State of Nevada," approved March 23, 1917, as amended.

Mr. Oldham moved that 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. Richard:

Assembly Bill No. 168—An Act to provide further clerical and typist help for the office of the State Treasurer, and make appropriation therefor.

Mr. Richard moved that 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.

REPORTS OF COMMITTEES

Mr. Speaker:

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 147, 148, 151, 152, 153, 154, 155, and 160, hereto attached, are correct copies of the triplicates thereof in its possession.

Also, that bound copy of Assembly Bill No. 150, hereto attached, is a correct copy of the triplicate thereof in its possession, corrected as to the following errors: Line 13, page 2, word "or" is used in place of word "of."

L. K. DRUMM, *Chairman.*

Mr. Speaker:

Your Committee on Judiciary has had Assembly Bill No. 158 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass, and we wish to make the further report that it is the recommendation of the committee that in the interest of economy same be not printed.

WM. KENNETT, *Chairman.*

Mrs. Drumm moved that the Chief Clerk be authorized to make the necessary corrections on Assembly Bill No. 150.

Carried.

Mr. Oldham moved that the Assembly adjourn until Wednesday, February 22, 1939, at 11 a. m.

Carried.

Assembly adjourned at 2:25 p. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE THIRTY-EIGHTH DAY

CARSON CITY (Wednesday), February 22, 1939.

Assembly called to order at 11 a. m.

Mr. Speaker in the Chair.

Roll called.

All present.

Prayer by the Chaplain, Rev. A. S. Kean.

Mr. Oldham moved the reading of the Journal be dispensed with and the Speaker and the Chief Clerk be authorized to make the necessary corrections and additions.

REPORTS OF COMMITTEES

Your special joint committee for the investigation of the University of Nevada pursuant to Senate Concurrent Resolution No. 1 wishes to submit the following report:

SCOPE OF INVESTIGATION

The committee made an extensive survey of the physical plant and grounds. Through consultation with the University Staff and officials a survey was made of the faculty and the administrative machinery.

An office was established on the campus and interviews were held with executive committees from student organizations, alumni, business men, and all other interested parties.

The committee made a special effort to obtain information from all sources available in order that we might impartially recommend revisions and improvements leading to better educational opportunities for Nevada residents.

GENERAL FINDINGS

We find the University of Nevada is a first-class institution which compares very favorably with other institutions corresponding in facilities and enrollment.

The buildings and grounds are well maintained with a few exceptions.

In many instances departments and schools are giving satisfactory results.

In all departments the tendency to develop courses in graduate and research work is becoming a serious problem, since it absorbs money and facilities necessary for undergraduate work. The size of the University and the limited financial support available makes these additional activities an unnecessary burden. In principle, the University is operated primarily for the benefit of undergraduate students.

There is a tendency for department heads to devote excessive time to administrative work, thus neglecting their teaching duties. Since they are paid extra for their administrative work, they should not lighten their teaching load.

We believe that the report concerning the University of Nevada engineering schools made by the Engineering Council for Professional Development was not a serious blow to the University; of the four schools of engineering, only the mechanical and civil engineering were found deficient. The mechanical engineering school has already been built up to requirements of the Engineering Council and given a satisfactory rating, while the civil engineering school is rapidly being brought up to standard.

The College of Arts and Science would be excellent and a credit to our University if it were not for too much duplication and expansion of courses.

The College of Agriculture needs immediate attention and complete rehabilitation. In our estimation, this department has suffered most seriously from curtailment of personnel and finances. This is particularly noticeable in the lack of laboratory facilities since the abandonment of the University farm.

A systematic plan of advancement for the professors has not been carried out, and a definite salary scale according to rank has not been set up.

The present plan of retirement of personnel on emeritus ratings at the University is unsatisfactory and demands immediate legislative attention. It is impossible for the University Maintenance Fund to stand the strain of continued use for retirement of professors and personnel at the University. A retirement age limit of sixty-five should be enforced. From our investigation it has been shown that some faculty members have not kept up a self-betterment program.

The proper morale does not exist among the department heads. They have not been delegated authority and held responsible for the management of their departments. As one member of the faculty expressed it: "There seems to be a lack of controlling idea of what the University is actually for—of what it can do."

The athletic situation is extremely unhealthy. The practice of attracting out-of-State athletes to our University by offers of scholarships, jobs, and payment of tuition is a contributing cause. The administration of both athletics and physical education under one head, controlled by the administration, has proven a failure.

General unrest and dissatisfaction of the students with the manner and cost of getting textbooks, especially those written by members of the faculty, also have been brought to our attention.

We believe that much of the unfavorable public criticism of the University is due to misinformation or lack of information concerning the institution and its activities. An example of this is the failure to release all of the facts concerning the lack of satisfactory rating of two of our engineering schools at the time that information was made public. This led to a misconception of the actual importance of such a rating. There seems to have been a general tendency to suppress information which the public was entitled to receive. Had this information been given to the public, rumors and criticism might have been checked before they became widespread.

Last, but not least, is the absence of necessary finances in several departments, together with an inequitable distribution of the available finances. In the matter of administration of all moneys connected with the University, we find there is no coordination in handling various funds of the several departments through a central office. This is in no way a criticism of any individual member of the administration, but rather a criticism of the present limitations placed by our State laws upon the method of handling the finances of the University. Legislative action can remedy this particular situation.

SPECIFIC RECOMMENDATIONS

HIRING OF A NEW PRESIDENT

The committee recommends that immediate steps be taken for the selection of a new president for the University.

We recommend that the Regents contact the Carnegie Foundation and leading educators throughout the country and endeavor to get recommendations for a man qualified for this job. It has become evident from our investigation that there is no qualified person within this State.

We believe that this State should not attempt to hire a man whose name and reputation are already established, but should hire an individual with the required educational and executive experience—an individual young enough to have courage and creative desire to build his own reputation along with that of the University.

Placed in the hands of the proper man and guided by recommendations of this report, the organization of the University should show immediate beneficial results.

The presidency of the University is a big job, and we believe immediate

steps should be taken to get the right individual for it. All efforts to accomplish this as soon as possible, allowing a reasonable time to enable the Regents to secure the best individual, should be made.

We feel that the immediate and proper solution of selecting a president for the University is the major problem confronting the institution today.

ADMINISTRATIVE POLICY

We recommend that the Board of Regents establish a definite administrative policy along progressive lines including the following:

1. A uniform salary scale based on professional standing, teaching load, and years of service to the institution.

2. An equalization of present salaries now being paid. Some instructors have rank without proportionate salary; others have salary without rank. This must be corrected.

3. The encouragement of faculty cooperation with the President's office. Recognition and consideration of suggestions and recommendations made by faculty committees on matters concerning the welfare of the University would go far to clear up the dissension and dissatisfaction now noticeable among some members of the faculty. Closer cooperation between the administration and faculty would materially improve the general spirit and efficiency of the University.

4. A shortening of the terms of members of the Board of Regents to four years.

OVEREXPANSION

The tendency of each department and school of the University to expand beyond natural and reasonable limits should be definitely and drastically curtailed. We realize such a tendency is common in every branch of public administration, but mounting costs of government make it imperative that it be checked.

Duplicate courses, noticeable in several instances, should be eliminated or combined. Where the demand for special courses is not great enough, they should be dropped from the catalogue. Stringent rules for the establishment of new courses should be immediately adopted.

The committee is unanimous in its opinion that it is much better that Nevada have the best University possible with the State's limited population and financial backing than to try to expand beyond available resources in order to compete with institutions much larger and more liberally endowed.

PENSION

The present retirement plan should be changed to give definite assurance to both the faculty as to the amount of pension they may expect upon retiring and to the taxpayers as to the cost of such a plan in future years.

A participating pension plan similar to the Teachers' Retirement Fund, established on an equitable basis, would accomplish this purpose. Details should be worked out by a faculty group and submitted to the Legislature either at once or at the next session, enabling legislation to be enacted. Your committee suggests that the possibility of including University faculty members and personnel in the State Teachers' Retirement Plan be investigated and considered.

GRADUATE AND RESEARCH WORK

Graduate and research work are expensive to carry out and are of direct benefit to only a few. We recommend the entire elimination of this work where additional staff or room is required at the expense of the University.

AGRICULTURAL DEPARTMENT

A definite decision should be made upon the ultimate disposal or rehabilitation of the University farm. The agricultural school must, in our estimation, have a farm or laboratory for practical instruction near the institution to eliminate transportation cost and trouble.

We, therefore, recommend a definite decision be made as to the disposal of

the University farm, and that a definite price be fixed. This disposal is to be completed as early as is practical, with the money received used by the college of agriculture toward restoring equipment and laboratory.

ATHLETIC SITUATION

We endorse that part of the Alumni Committee's Athletic Report concerning the setting up of a Board of Athletic Control, and their further recommendation for the complete and final separation of the physical education and athletic departments. We urge immediate adoption of these changes.

However, we recommend that the policy of offering scholarships, jobs, tuition, and other financial help to out-of-State athletes be drastically curtailed. We feel that any available help should be first offered to outstanding Nevada high school athletes to encourage them to attend the University of Nevada for their higher education.

We recommend, in support of our demand for the new athletic set-up, that the two men placed in charge of the physical education department and the athletic department be new persons unattached to Nevada interests and possessing unusual ability in their respective fields.

We feel that such action is necessary in the interests of harmony and the reestablishment of a cooperative feeling among the University, the students, and the citizens of the State.

Our investigation has failed to uncover specific charges against any of the present personnel, but at the same time we have discovered that there is a prevalent spirit of unrest and ill feeling that must be corrected in order to rebuild the harmony that should exist.

BUILDING PROGRAM

The present building program at the University calls for the construction of an engineering building to include a hydraulics laboratory, additional classrooms, and other facilities deemed necessary to reestablish the rating of the civil engineering school. The estimated cost would be \$300,000.

Your committee feels that these needs could be incorporated into a building of much smaller size, built on the unit plan, with provisions for future additions as required. The number of students in the engineering department compared to the whole student body is small, and other departments must also be considered.

We have information that the military department must be properly housed and quartered immediately to offset the danger of losing our R. O. T. C. unit, and, consequently, considerable financial support to the University. The use of the present gymnasium as an armory would solve this problem.

Students, faculty, and the people of the State as a whole feel that a new gymnasium is an acute need.

If the construction of an engineering building is temporarily limited within the bounds of immediate needs, with provision made for future expansion, such a building could be constructed for approximately half the requested amount. The balance of the \$300,000 would provide a gymnasium unit more than sufficient to take care of the situation as it exists. Here, also, a program of future addition and expansion could be formulated.

A new gymnasium would go far toward clearing up the present unpleasant athletic situation, would provide adequate quarters for the military department, and would place the athletic and physical education departments in a position to function efficiently. The money thus spent would pay big dividends.

The committee, therefore, recommends that the Regents immediately consider plans for two buildings—an engineering unit and a new gymnasium, both to cost not more than a total of \$300,000.

ADDITIONAL RECOMMENDATIONS

The committee submits these additional recommendations for the consideration of the University administration:

1. A change in the system of purchasing books. A students' cooperative

book store should be established on the campus, and necessary finances for this provided in the budget.

2. The establishment of a loan fund to enable faculty members to take a leave of absence for the purpose of working for advanced degrees, the loan to be repaid with interest. Such a plan has been formulated by a faculty committee and has considerable merit.

3. Steps taken to limit fraternities and sororities to purely social and academic activities. Much unpleasant publicity for the University would thus be avoided.

4. The need of the home economics department for a practical laboratory in the form of a home management house. We recommend attention be given to this need, and an effort made to work out an economical arrangement to remedy it.

5. Necessary safety measures such as adequate fire escapes and sufficient heat for living quarters.

6. Consideration of the practice of employing women whose husbands are gainfully employed on the public pay roll.

A FOLLOW-UP COMMITTEE

To the Legislature we urge the appointment of a follow-up committee to consider these recommendations and new problems, this committee to submit a report to the Legislature in 1941.

In conclusion, this report has been submitted in fairness to all concerned after careful, conscientious study on the part of your committee, and with but one objective in mind—to give our University and the people of the State every educational opportunity and advantage possible, consistent with good government, good citizenship, and the financial policy of "One Sound State."

Respectfully submitted,

SENATOR RALPH LATTIN, *Chairman*,
SENATOR JAMES A. WADSWORTH,
SENATOR R. N. GIBSON,

ASSEMBLYMAN CARL SHELLY,
ASSEMBLYMAN RAY GERMAIN,
ASSEMBLYMAN J. F. McELROY.

Mr. Shelly moved that the report of the Select Committee appointed to investigate the University of Nevada be made a special order of business for Friday, February 24, at 2 p. m., and that the report be printed.

Remarks by Messrs. Hussman, Germain, and Kennett.

Mr. Kennett moved to amend the motion and to have the report made a special order of business for Tuesday, February 28, at 2 p. m.

Amendment lost.

Previous question moved by Messrs. Cahill, Shelly, and Hussman.

Original motion carried and report ordered printed and made a special order of business for Friday, February 24, at 2 p. m.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Davidson moved that Assembly Bill No. 158, now on general file, be made a special order of business for Monday, February 27, at 2 p. m.

Carried.

Mr. Russell moved that Assembly Bill No. 69 be withdrawn from the general file, placed on the Chief Clerk's desk, and rereferred to a Select Committee of White Pine, Clark, Elko, Humboldt, and Nye County Delegations.

Carried.

Mrs. Drumm moved that Assembly Bill No. 5 be withdrawn from the Churchill County Delegation and placed on the Chief Clerk's desk.
Carried.

Mr. Case moved that Assembly Bill No. 163 be withdrawn from the Committee on Judiciary, returned to the Chief Clerk's desk and rereferred to the Committee on Public Printing.

Carried.

Mrs. Drumm moved that Assembly Bill No. 142 be withdrawn from the Joint Committee on Agriculture and Insurance and rereferred to a Joint Committee on Insurance and Agriculture.

Carried.

INTRODUCTION AND FIRST READING

By Mr. Sowers:

Assembly Bill No. 169—An Act to establish the office of State Fire Marshal, and to provide for his appointment; to define his duties and the duties of his deputies and assistant officers; to define his powers and the powers of his assistants; to provide for the arrest and prosecution of arson cases; to provide for penalties for the violation of this Act; to define the duties of the Attorney-General and District Attorneys of the State of Nevada; to provide for reports of insurance companies and fire chiefs and the keeping of records and statistics of fires; to provide for annual reports and penalties for neglect of duties of the fire marshal and his assistants and others; to provide for the compensation of the fire marshal and others; and other matters relating thereto.

Mr. Sowers moved that 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. Kennett:

Assembly Bill No. 170—An Act to amend an Act entitled "An Act to provide a general highway law for the State of Nevada," approved March 23, 1917, together with the Acts amendatory thereof or supplemental thereto.

Mr. Kennett moved that 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. 136.

Remarks by Messrs. Germain, Sowers, Oldham, Case, Hazard, Russell, Cahill, Kennett, Barr, Coleman, and Williams.

Roll call on Assembly Bill No. 136:

YEAS—Amodei, Barr, Brown, Burke, Cahill, Caldwell, Carroll, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Kennett, Loomis, Lynch, Murphy, Richard, Russell, Shelly, and Smith—25.

NAYS—Bernard, Brooks, Case, Coleman, McCuiston, McElroy, Oldham, Sowers, Talcott, and Williams—10.

Not voting—Hussman, Sampson, Sloan, Springer, and Mr. Speaker—5.

Assembly Bill No. 136 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 144.

Remarks by Mr. Curtis.

Roll call on Assembly Bill No. 144:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hussman, Kennett, Loomis, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—36.

NAYS—None.

Absent—McCuiston.

Not voting—Case, Hazard, and Mr. Speaker—3.

Assembly Bill No. 144 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 73.

Amendment proposed by Nye County Delegation: Amend section 1 of Assembly Bill No. 73 by striking out in line 20, page 2 of the printed bill, the word "general" and insert in lieu thereof the word "biennial." Then further amend said bill by striking the period following the word "one-half" in line 22, page 2 of the printed bill, and insert in lieu thereof a semicolon and the following: "and further provided that the said reduction in license fees shall not apply within a radius of ten miles from the United States post office in any town or city in this State wherein more than 500 votes were cast for Congressman at the last biennial election."

Mr. Kennett moved the adoption of the amendment as read.

Amendment lost.

Remarks by Messrs. Conine and McElroy.

Roll call on Assembly Bill No. 73:

YEAS—Conine, Germain, Hazard, Hussman, and Sampson—5.

NAYS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Loomis, Lynch, McCuiston, McElroy, Murphy, Richard, Russell, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—32.

Not voting—Kennett, Oldham, and Mr. Speaker—3.

Assembly Bill No. 73 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Mr. Shelly moved that the Assembly adjourn in memory of George Washington until Thursday, February 23, 1939, at 11 a. m.

Carried.

Assembly adjourned at 12:15 a. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE THIRTY-NINTH DAY

CARSON CITY (Thursday), February 23, 1939.

Assembly called to order at 11 a. m.

Mr. Speaker in the Chair.

Roll called.

All present except Mr. Richard.

Prayer by the Chaplain, Rev. A. S. Kean.

Mr. Oldham moved the reading of the minutes be dispensed with and the Speaker and the Chief Clerk be authorized to make the necessary corrections and additions.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 149, 166, 168, 164, 165, 163, 157, 162, 167, 161, and Assembly Joint Resolution No. 9, hereto attached, are correct copies of the triplicates thereof in its possession.

Also, that bound copy of Assembly Bill No. 159, hereto attached, is a correct copy of the triplicate thereof in its possession, corrected as to the following errors: Page 5, line 17, end of section 25, bracket omitted. Page 7, line 25, word "all" omitted after the word "have."

L. K. DRUMM, *Chairman.*

Mr. Speaker:

Your Committee on Federal Relations has had Assembly Bill No. 89 and Assembly Concurrent Resolution No. 5 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

WM. FISHER, *Chairman.*

Mrs. Drumm moved that the Chief Clerk be authorized to make the necessary corrections on Assembly Bill No. 159.

Carried.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Williams moved that Assembly Bill No. 128 be withdrawn from the Committee on Ways and Means and rereferred to a Joint Committee on Ways and Means and Roads and Highways.

Carried.

Mrs. Drumm moved that Assembly Bill No. 5 on the Chief Clerk's desk be rereferred to the Committee on Judiciary.

Carried.

INTRODUCTION AND FIRST READING

By Committee on Education:

Assembly Bill No. 171—An Act to amend an Act entitled "An Act to provide for the payment of retirement salaries and annuities to public school teachers of this State; providing and establishing the necessary funds and accounts, authorizing the levy of the tax therefor, and other matters relating thereto; creating the Public School Teachers Retirement Salary Fund Board and giving and granting certain powers

unto said board; repealing all Acts and parts of Acts in conflict herewith, and specifically repealing sections 6003 to 6021, inclusive, N. C. L. 1929, as amended," approved March 29, 1937.

Mr. Coleman 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 Education.

Carried.

By Mr. Cooper:

Assembly Bill No. 172—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to limit the hours of labor of persons employed by the State, county, and municipal governments, and of persons employed by contractors, subcontractors, or other persons in the performance of a public work; requiring a condition limiting the hours of labor in all contracts for public work; fixing the penalties for the violations of this Act, and other matters properly relating thereto,' approved March 29, 1919," as amended by chapter 32, Statutes of Nevada 1935.

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 Labor.

Carried.

By Mr. Caldwell:

Assembly Bill No. 173—An Act to amend an Act entitled "An Act requiring foreign corporations doing business in the State of Nevada to publish annual statements," approved March 28, 1901, together with the Acts amendatory thereof or supplemental thereto.

Mr. Caldwell moved that 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. Brown:

Assembly Bill No. 174—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 the violation thereof, and other matters properly relating thereto.

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. Brown:

Assembly Bill No. 175—An Act assenting to the provisions of the Act of Congress entitled "An Act to provide that the United States shall aid the States in wildlife restoration projects, and for other purposes," approved September 2, 1937.

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.

NOTICE OF BILLS

Mr. Murphy gave notice that in the near future he will introduce a bill relative to a tax on cigarettes.

Mr. Springer gave notice that a relief bill will be introduced concerning the destruction of a warehouse in Fallon through the fault of the State Highway Department.

Mr. Springer gave further notice that he will introduce a bill regulating merchandising by the Mineral County Power System.

Mr. Oldham moved that the Assembly recess until 2 p. m.
Carried.

Assembly in recess at 11:20 a. m.

HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the Chair.

Quorum present.

There being no objections the Speaker and the Chief Clerk signed Senate Bills Nos. 33, 6, 40, 39, 38, 35, and 26.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Social Welfare has had Senate Bill No. 20 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass, as amended. Amend section 8 of Senate Bill No. 20 on page 1, in line 11, strike the words "any available," and substitute therefor the words "the general."

HENRY S. COLEMAN, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Oldham moved that the Chief Clerk be instructed to write the Reno Musicians' Union at Reno, Nevada, and extend the thanks of the Assembly for tickets received to the ball to be held Saturday, February 25.

Carried.

Mr. Shelly moved that the special order of business set for Friday, February 24, at 2 p. m. be vacated.

Carried.

Mr. Shelly moved the adoption of the report of the Special Committee appointed to investigate the University of Nevada.

Carried unanimously.

Mr. Oldham moved that the Chair refuse to entertain a motion to adjourn before 3:30 p. m. this day.

Carried.

INTRODUCTION AND FIRST READING

By Washoe County Delegation:

Assembly Bill No. 176—An Act authorizing clerks for justice courts in townships having ten thousand votes; fixing the duties of said clerks, and other matters relative thereto.

Mr. Davidson 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 Washoe County Delegation.

Carried.

By Mr. Davidson:

Assembly Bill No. 177—An Act to amend section 2 of 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.

Mr. Davidson moved that 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. Germain:

Assembly Bill No. 178—An Act to provide for the sterilization of certain mental defectives and habitual criminals.

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

Carried.

By Mr. Barr:

Assembly Bill No. 179—An Act to amend an Act entitled "An Act to provide for the assessment and taxation of the net proceeds of mines and repealing all Acts and parts of Acts in conflict herewith," approved March 15, 1927, as amended, approved March 20, 1929, as amended, approved March 15, 1937.

Mr. Barr 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 Taxation and Mines and Mining.

Carried.

By Mr. Cooper:

Assembly Bill No. 180—An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada; to control, license and regulate the importation and sale of wines, beers and intoxicating liquors into and within the State of Nevada; to provide for the issuance of importers' and wholesalers' licenses; to impose a stamp tax on the sale of such wines, beers, and intoxicating liquors; to provide for State licenses, designating the type of licenses to be issued, the fee for such licenses, and persons to pay the same, the manner of collection thereof, and prescribing the duties to be performed by State and county officials in connection therewith; the disposition and apportionment of the funds derived therefrom; and all other matters relating thereto; to provide penalties for the violation thereof; and to repeal all Acts or parts of Acts in conflict herewith," approved March 30, 1935, as amended by chapter 170, Statutes of Nevada 1937.

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 Taxation.

Carried.

By Committee on Education:

Assembly Bill No. 181—An Act to amend 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, together with the Acts amendatory thereof or supplemental thereto.

Mr. Coleman moved that 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. Murphy:

Assembly Bill No. 182—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, together with the Acts amendatory thereof or supplemental thereto.

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 Clark County Delegation:

Assembly Bill No. 183—An Act to create a civil service commission in the city of Las Vegas, Nevada, for the regulation of the police department of the city of Las Vegas, defining the powers and duties of the commission and regulating the personnel of the police department of the city of Las Vegas, defining the duties of the Mayor of the city

of Las Vegas, and other persons in relation thereto, and other matters relating thereto.

Mr. Hazard 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 Clark County Delegation.

Carried.

By Committee on Education:

Assembly Bill No. 184—An Act to amend an Act entitled "An Act giving the Superintendent of Public Instruction authority to appoint a deputy in his office," approved March 25, 1919.

Mr. Coleman 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 Education.

Carried.

There being no objections, Mr. Speaker and Chief Clerk signed Senate Joint Resolution No. 4.

REPORTS OF COMMITTEES

Mr. Speaker:

The Committee on Engrossment hereby certifies that bound copy of Assembly Bill No. 170, hereto attached, is a correct copy of the triplicate thereof in its possession.

Also, that bound copy of Assembly Bill No. 156, hereto attached, is a correct copy of the triplicate thereof in its possession, corrected of the following errors: Page 19, line 31, the word "is" is used for the word "in."

L. K. DRUMM, *Chairman.*

Mrs. Drumm moved that the Chief Clerk be instructed to make the necessary corrections in Assembly Bill No. 156.

Carried.

Mr. Speaker:

Your Committee on Judiciary has had Assembly Bill No. 143 under consideration, and begs leave to report same with an amendment thereto, with the recommendation that the amendment be adopted and that the bill do pass, as amended.

Amend section 1 of Assembly Bill No. 143 by striking out the following: "twenty percent (20%)," in line 22, page 2 of the printed bill, and inserting therein the following: "ten percent (10%)" ; further amend Assembly Bill No. 143, section 1, line 10, page 3 of the printed bill, by striking out after the second "the" the remainder of the section and inserting therein, the following: "last general election held in said city or town next preceding the filing of the petition as aforesaid."

Also, Assembly Bill No. 155, and reports favorably on the same, with the recommendation that it do pass.

Also, Assembly Joint Resolution No. 9, and reports favorably on the same, with the recommendation that it be adopted.

WM. KENNETT, *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. 1, which was adopted by the Senate.

Also, Assembly Joint Resolution No. 17 of the Thirty-eighth Session, which passed the Senate by the following vote: Yeas, 14; nays, 2; absent, 1.

Also, Assembly Bill No. 130, which passed: Yeas, 16; nays, none; absent, 1.

Also, to present Senate Bill No. 24, which passed: Yeas, 16; nays, none; absent, 1.

Also, Assembly Bill No. 8, which passed: Yeas, 14; nays, none; absent, 1; not voting, 2.

Also, to present Concurrent Resolution No. 4, which was adopted by the Senate.

F. BUCKINGHAM,

Assistant Secretary of the Senate.

INTRODUCTION AND FIRST READING

Senate Bill No. 24.

Mr. Oldham moved that 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 Concurrent Resolution No. 4.

Mr. Oldham moved the adoption of the resolution.

Carried.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Kennett moved that Assembly Joint Resolution No. 6 be withdrawn from the Joint Committee on Taxation and Judiciary and returned to the Chief Clerk's desk.

Carried.

Assembly in recess at 2:36 p. m. until 3:30 p. m.

HOUSE IN SESSION

At 3:35 p. 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. 169, hereto attached, is a correct copy of the triplicate thereof in its possession.

L. K. DRUMM, *Chairman.*

Mr. Speaker:

Your Committee on Labor has had Assembly Bill No. 94 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass, as amended. Amend section 11 of Assembly Bill No. 94 by changing the section to read as follows: SEC. 11. This Act shall be in full force and effect from and after January 1, 1940.

H. E. HAZARD, *Chairman.*

INTRODUCTION AND FIRST READING

By Committee on Education:

Assembly Bill No. 185—An Act to provide facilities for the children in the State Orphans' Home and other matters properly connected therewith, approved March 20, 1911.

Mr. Coleman moved that 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 Committee on Labor:

Assembly Bill No. 186—An Act to amend an Act entitled "An Act concerning crimes and punishments, and repealing certain Acts relating thereto," approved March 17, 1911, together with the Acts amendatory thereof or supplemental thereto, by inserting therein eight new sections to be numbered and designated sections 10154a to 10154h, inclusive, fixing the maximum rate of interest which may be charged on loans of money, and repealing all Acts and parts of Acts in conflict with said eight new sections of said Act.

Mr. Hazard moved that 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. Hazard:

Assembly Bill No. 187.

An Act to amend an Act entitled "An Act concerning crimes and punishments, and repealing certain Acts relating thereto," approved March 17, 1911, together with the Acts amendatory or supplemental thereto.

Mr. Hazard moved that 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. Amodei:

Assembly Bill No. 188—An Act establishing the Nevada Museum and Art Institution; creating a Board of Control therefor; providing for the reception, collection, preservation, housing, care, display and exhibit of examples of the useful and fine arts, sciences, and industries, relics, products, works, records, rare and valuable articles and objects, the property of the State of Nevada or to be obtained through gifts, loans, purchases or accession; defining the duties and powers of said board and the duties of other institutions and agencies in relation thereto; making an appropriation to carry out the purposes of this Act; repealing certain Acts; and other matters properly relating thereto.

Mr. Amodei moved that 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. Cooper:

Assembly Bill No. 189—An Act to amend an Act and to add a new section to an Act entitled "An Act providing for the adoption of a prevailing wage for employment on State, county, city, municipal, or other public works in the State of Nevada; providing a penalty for the violation of the provisions hereof, and other matters properly relating thereto," approved March 24, 1937.

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 Labor.

Carried.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Kennett moved that Assembly Bill No. 153 be withdrawn from the Committee on Judiciary, returned to the Chief Clerk's desk, and rereferred to the Committee on Public Printing.

Carried.

Mr. Oldham moved that the Assembly extend a vote of thanks to the Investigating Committee of the University of Nevada for its excellent report.

Carried.

Mr. Oldham moved that the Assembly adjourn until Friday, February 24, 1939, at 11 a. m.

Carried.

Assembly adjourned at 3:45 p. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE FORTIETH DAY

CARSON CITY (Friday), February 24, 1939.

Assembly called to order at 11 a. m.

Mr. Speaker in the Chair.

Roll called.

All present except Mr. Fisher, who was excused.

Prayer by the Chaplain, Reverend A. S. Kean.

Mr. Oldham moved the reading of the Journal be dispensed with and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

The majority of your Committee on Labor has had Assembly Bill No. 12 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

H. E. HAZARD,	THOMAS LYNCH,
M. E. FEE,	LEROY DAVID,
ANDY J. RICHARD,	JOE S. COOPER.

Mr. Speaker:

The minority of your Committee on Labor has had Assembly Bill No. 12 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

HENRY S. COLEMAN,
PETER A. AMODEI.

Mr. Speaker:

Your Committee on Labor has had Assembly Bill No. 129 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

H. E. HAZARD, *Chairman.*

Mr. Speaker:

Your Committee on Elections has had Assembly Bill No. 54 under consideration, and begs leave to report same with amendment thereto, with the recommendation that the amendment be adopted and that the bill do pass, as amended. Amend section 1 of Assembly Bill No. 54 by striking out the period at the end of line 11, page 1 of the printed bill, inserting in lieu thereof a semicolon, and adding the following: "*provided*, that the requirement herein that the elector shall have voted at a prior biennial election shall not apply to those electors registering for their first vote."

Also, Assembly Bill No. 132, and reports favorably on the same, with the recommendation that it do pass.

Also, Assembly Bill No. 147, and reports favorably on the same, with the recommendation that it do pass.

PETER A. BURKE, *Chairman.*

Mr. Speaker:

Your Committee on Ways and Means has had Assembly Bills Nos. 133 and 134 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

Also, Assembly Bill No. 141, and reports on the same without recommendation.

R. E. CAHILL, *Chairman.*

Mr. Speaker:

Your Committee on Education has had Assembly Bills Nos. 115 and 137, and Senate Bill No. 17 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

Also, Assembly Bill No. 25, and reports favorably on the same, with the recommendation that it do pass, as amended. Amend section 1 of Assembly Bill No. 25 by inserting the words "remedies and" following the words "sale of," line 14, page 1 of the printed bill, and by inserting the word "retailers" and a comma following the word "by" in line 15, page 1. Amend section 2 of Assembly Bill No. 25 by striking out the brackets in line 3, page 2 of the printed bill, substituting a period for the semicolon in line 12, and striking out the balance of the section. Amend Assembly Bill No. 25 by striking out on page 2 of the printed bill all of sections 3 and 4.

HENRY S. COLEMAN, *Chairman.*

INTRODUCTION AND FIRST READING

By Mr. Germain :

Assembly Joint Resolution No. 10, memorializing Congress to restore to the State of Nevada the maximum allotment of funds heretofore appropriated for the construction of Federal aid highways.

WHEREAS, The Congress of the United States did in the Federal Appropriation Act of 1938 cut from the appropriation for 1940, of funds allotted to the State of Nevada for the construction of public highways, the sum of \$934,580; and

WHEREAS, Federal funds so allotted must be matched by State funds at the ratio of \$6.01 to 13.99 and, therefore, because of said reduced Federal appropriation, approximately \$1,200,000 less will be available to be expended by the State of Nevada for the construction of necessary portions of the State Highway System; and

WHEREAS, It is common knowledge that the availability of good roads and highways is essential not only for general economic welfare but also for the national defense; and

WHEREAS, The President of the United States has proposed to the Congress an emergency defense program and the House of Representatives of the Congress has passed a bill incorporating said program and making an appropriation for the fulfillment thereof in the sum of more than a billion dollars, because it is believed that in Europe today "conditions are more volcanic than in 1914"; and

WHEREAS, Since by proclamation of the President of the United States, the Governor of the State of Nevada, and the Mayor of Carson City, the current week has been set aside and designated as National Defense Week, the occasion is opportune for urging the construction of better roads to link together all sections of the country for greater national protection; now, therefore, be it

Resolved by the Senate and Assembly of the State of Nevada, jointly, That the State of Nevada does hereby memorialize the Congress of the United States to amend or modify its appropriations for 1940 to restore to the State of Nevada the full and maximum amount of the allotment heretofore appropriated for the construction of public highways in the State of Nevada through and with Federal aid and thereby to increase the appropriation for such purpose for 1940 by the sum of \$934,580; and be it further

Resolved, That our Senators in the United States Senate and our Representative in Congress be requested to use all proper efforts to bring about the passage of legislation covering the matter above referred to; and be it further

Resolved, That the Secretary of State of Nevada be and he hereby is directed to transmit properly certified copies of this resolution to the President of the United States Senate, the Speaker of the House of Representatives in Congress, and to each of our Senators and our Representative in Congress.

Mr. Germain 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. Germain :

Assembly Joint Resolution No. 11, expressing the commendation of the people of the State of Nevada, through the Legislature thereof, to our Senators in the United States Senate and to our Representative in Congress, for their efforts in behalf of silver.

WHEREAS, Both of our Senators in the United States Senate and our Representative in Congress have been untiring in their efforts in behalf of silver, in order that one of the great industries of the West, and of the State of Nevada in particular, may be made of sufficient standard value to make prospecting therefor profitable, and to provide additional metallic money for the United States; and

WHEREAS, Our said Senators and Representative have sought every opportunity to keep before the Congress of the United States, as well as the entire populace of the United States, the value of silver in the monetary world; and

WHEREAS, The people of the State of Nevada gratefully acknowledge the courage and efforts of our national representatives; now, therefore, be it

Resolved by the Assembly and the Senate of the State of Nevada, That we commend the activities and labor of our Senators and our Representative in their earnest efforts to benefit the State of Nevada and the United States; and be it further

Resolved, That the Speaker of the Assembly and the Chief Clerk thereof certify to and transmit copies of this resolution to each of our Senators and our Representative as an expression of our faith and confidence in their integrity in behalf of the great national industry of mining.

Mr. Germain 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. Carroll :

Assembly Bill, No. 190—An Act prohibiting minors from purchasing or consuming alcoholic or prohibited liquors in bars, taverns, road-houses, saloons, and such like places of business, where the principal or major part of the business is the selling of or dealing in alcoholic liquors by drinks or in packages; making it a misdemeanor for a minor to purchase or consume on the premises, alcoholic or prohibited liquor, or to falsely declare or state that he or she is twenty-one years of age or over, when questioned as to his or her age by the owner, manager, employee, bartender, or other person engaged in such like place of business to sell or dispose alcoholic or intoxicating liquors; providing for a form of statement for a minor or supposed minor, to sign declaring his or her correct age and place of residence; providing that such signed form of statement may be introduced as evidence in mitigation, in favor of such owner, manager, employee, bartender or such other employee or dispenser of alcoholic liquor at such place of business, who, without collusion, became an offender or violator of the law on account of the false statement as to the correct age of such minor or supposed minor; providing a penalty therefor, and other matters properly relating thereto.

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 Committee on Education:

Assembly Bill No. 191—An Act relating to the establishment of district high schools in counties not having a duly established county high school or county high schools, providing the powers and duties of Boards of County Commissioners with respect thereto, providing a county tax and a school district tax for the support of such schools, defining the powers and duties of Boards of Trustees of such high school districts in relation thereto, providing for transportation of students, and repealing certain Acts and parts of Acts in conflict herewith.

Mr. Coleman moved that 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. Coleman:

Assembly Bill No. 192—An Act to amend sections 13 and 14 of an Act entitled "An Act to create a State Board of Health, defining their duties, prescribing the manner of the appointments of its officers, fixing their compensation, making an appropriation for the support of said board, establishing County Boards of Health, requiring certain statements to be filed, defining certain misdemeanors, and providing penalties therefor, and other matters relating thereto," approved March 27, 1911.

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

Carried.

By Committee on Education:

Assembly Bill No. 193—An Act relating to the establishment of district high schools in counties having a duly established county high school or county high schools, providing the powers and duties of Boards of County Commissioners with respect thereto, providing a county tax and a school district tax for the support of such schools, defining the powers and duties of County Boards of Education in relation thereto, providing for transportation of students, and repealing certain Acts and parts of Acts in conflict herewith.

Mr. Coleman moved that 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. Hazard:

Assembly Bill No. 194—An Act to amend 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.

Mr. Hazard moved that 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. Hazard:

Assembly Bill No. 195—An Act to amend an Act entitled "An Act regulating the nomination of candidates for public office in the State of Nevada," approved March 23, 1917, as amended by chapter 69 Statutes of Nevada 1933.

Mr. Hazard moved that 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. Richard:

Assembly Bill No. 196—An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada; to control, license and regulate the importation and sale of wines, beers and intoxicating liquors into and within the State of Nevada; to provide for the issuance of importers' and wholesalers' licenses; to impose a stamp tax on the sale of such wines, beers, and intoxicating liquors; to provide for state licenses, designating the type of licenses to be issued, the fee for such licenses; and persons to pay the same, the manner of collection thereof, and prescribing the duties to be performed by State and county officials in connection therewith; the disposition and apportionment of the funds derived therefrom; and all matters relating thereto; to provide penalties for the violation thereof; and to repeal all Acts or parts of Acts in conflict herewith," approved March 30, 1935, as amended by chapter 170 Statutes of Nevada 1937.

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

Carried.

By Committee on Roads and Highways:

Assembly Bill No. 197—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, and by inserting therein two new sections.

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 Roads and Highways.

Carried.

By Committee on Roads and Highways:

Assembly Bill No. 198—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 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, together with the Acts amendatory thereof or supplemental thereto.

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 Roads and Highways.

Carried.

By Committee on Roads and Highways:

Assembly Bill No. 199—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.

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 Roads and Highways.

Carried.

By Mr. Cahill:

Assembly Bill No. 200—An Act to provide for a survey of the public school and high school educational system in Nevada, to provide for the appointment of a legislative committee for such survey, to make an appropriation therefor, and repealing any Acts in conflict therewith.

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 Education.

Carried.

By Mr. Burke:

Assembly Bill No. 201—An Act to amend 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 and parts of Acts inconsistent herewith, and other matters relating thereto,"

approved March 26, 1929, together with the Acts amendatory thereof or supplementary thereto.

Mr. Burke moved that 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 Lyon County Delegation:

Assembly Bill No. 202—An Act to authorize the Board of County Commissioners of Lyon County to transfer money from the General Fund as an emergency loan to unincorporated towns situated in Lyon County in certain cases, and providing for the repayment thereof to said General Fund.

On motion of Mr. Bernard, duly seconded, all rules were suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution, and placed on third reading and final passage.

By Mr. Davidson:

Assembly Bill No. 203—An Act to authorize and regulate the deposit of moneys of counties, cities, and other political subdivisions, to provide for the securing thereof; and to provide for the depository bank to furnish statements in connection with such deposits; defining the liability of the treasurers of counties, cities, and other political subdivisions in connection with said deposits; and providing penalties for the violation hereof; and to repeal all Acts and parts of Acts in conflict herewith.

Mr. Davidson moved that 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. Loomis:

Assembly Bill No. 204—An Act granting apartment houses and furnished apartment owners a lien upon the goods of tenants, providing the sale of goods seized under such lien, absolving such lien owners from damages, and other matters properly relating thereto.

Mr. Loomis moved that 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. Loomis:

Assembly Bill No. 205—An Act for the protection of proprietors of hotels, inns, restaurants, boarding houses, lodgingshouses, furnished apartment houses, furnished bungalow courts, or furnished auto camps, providing a penalty for defrauding any such proprietor, and other matters properly relating thereto.

Mr. Loomis moved that 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. Loomis:

Assembly Bill No. 206—An Act granting to jewelers and others a lien upon watches, clocks, or jewelry for labor thereon, providing for the sale of property subject to such lien, designating the manner of sale, directing the manner of applying the proceeds of any sale pursuant to this Act, and other matters properly relating thereto.

Mr. Loomis moved that 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. David:

Assembly Bill No. 207—An Act to amend 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 the 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, together with the Acts amendatory thereof or supplemental thereto.

Mr. David moved that 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. Brown:

Assembly Bill No. 208—An Act to amend an Act entitled "An Act concerning public schools, and repealing certain Acts relating thereto," approved March 20, 1911, as amended by chapter 65, 1937 Statutes of Nevada.

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 Education.

Carried.

By Mr. Cahill:

Assembly Bill No. 209—An Act making a supplementary appropriation for the support of the Nevada State Prison.

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. Cahill:

Assembly Bill No. 210—An Act repealing an Act entitled "An Act authorizing the Board of State Prison Commissioners to purchase and install metal bars, where necessary, in the cells at the State Prison, making an appropriation therefor, and other matters properly connected therewith," approved March 22, 1937.

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.

Mr. Brooks moved that Assembly Concurrent Resolution No. 3 be withdrawn from the Committee on Federal Relations, placed on the Chief Clerk's desk, and rereferred to the Committee on Ways and Means.

Remarks by Messrs. Hazard and Brooks.

Motion carried.

Mr. McCuistion moved that Assembly Bill No. 116 be withdrawn from the Committee on Livestock, placed on the Chief Clerk's desk, and rereferred to the Committee on Ways and Means.

Carried.

NOTICE OF BILLS

Mr. Williams gave notice that on some future legislative day he will introduce bills relating to irrigation districts, to the State Police, and to the State Prison and Warden thereof.

Mrs. Drumm gave notice that she will introduce a bill amending the election laws.

Mr. Fee gave notice that in the near future he will introduce bills relating to the prohibition of employment of certain persons by the State of Nevada and its subdivisions.

Mr. Hazard gave notice that he will introduce a bill pertaining to the regulation of betting on race horses, and that the Committee on Labor will introduce a bill providing for voluntary apprenticeship.

Mr. Coleman gave notice that he will introduce a bill concerning independent filing for elections.

Mr. Davidson gave notice that he would introduce four bills in the near future concerning the following: Married women employed by the State of Nevada; pollution of the Truckee River; the sale of hypnotic drugs, and requiring the deposit of security of costs on all assigned claims.

Mr. Kennett gave notice that he will introduce a bill which has to do with the employment of aliens in the State of Nevada.

Mr. Amodei gave notice that he will introduce a bill regulating the licensing of slot machines; another securing funds for the Admission Day celebration; and a third one regulating traffic of dead animals transported on trucks.

Mr. Curtis gave notice that he will introduce two bills relative to the salaries of certain officials in the city of Reno.

Mr. Brooks gave notice that he will introduce amendments to the Industrial Insurance Act.

Mr. Sloan gave notice that he will introduce a bill arranging for a complete electrical set-up in the State of Nevada, and also a bill dealing with the regulation of fishing on Mead Lake.

Mr. Loomis gave notice that he will introduce two bills, one amending the present bill which provides for preference in labor on public works, and one amending the present statute relative to the attachment and release of wages.

Mr. Smith gave notice that the Committee on Roads and Highways will introduce four bills, all relating to safety on highways of the State.

Mr. Germain gave notice that the Nye County Delegation will submit another bill referring to the Round Mountain School District.

Mr. David gave notice that he will introduce a bill pertaining to getting revenue for the State of Nevada from finance corporations.

Mr. Carroll gave notice that he will introduce a bill increasing the Board of County Commissioners of Clark County from three to five members, and another bill exempting aged pensioners from liens on their homes.

Mr. Cooper gave notice that he will introduce a bill giving one day a week holiday to prison guards at the Nevada State Prison.

Mr. Smith gave notice that the Committee on Roads and Highways will introduce a substitute for Assembly Bill No. 122.

GENERAL FILE AND THIRD READING

Assembly Bill No. 202.

Remarks by Mr. Bernard.

Roll call on Assembly Bill No. 202:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Smith, Sowers, Springer, Talcott, and Williams—36.

NAYS—None.

Absent—Carroll, Fisher, and Sloan—3.

Not voting—Mr. Speaker.

Assembly Bill No. 202 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Concurrent Resolution No. 5.

Remarks by Mr. Kennett.

Roll call on Assembly Concurrent Resolution No. 5:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Smith, Sowers, Springer, Talcott, and Williams—36.

NAYS—None.

Absent—Carroll, Fisher, and Sloan—3.

Not voting—Mr. Speaker.

Assembly Concurrent Resolution No. 5 having received a constitutional majority, Mr. Speaker declared it adopted.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. David moved that Assembly Bill No. 94 be withdrawn from the general file and made a special order of business for Monday, February 27, at 2:15 p. m.

GENERAL FILE AND THIRD READING

Assembly Bill No. 89.

Remarks by Messrs. Springer, Kennett, Case, and Hussman.

Roll call on Assembly Bill No. 89 :

YEAS—Amodei, Barr, Bernard, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Hazard, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—33.

NAYS—Brooks.

Not voting—Brown, Conine, Germain, Hussman, Kennett, and Mr. Speaker—6.

Assembly Bill No. 89 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 20.

Mr. Oldham moved the adoption of the amendment to section 1.

Amendment adopted.

Roll call on Senate Bill No. 20 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, and Talcott—38.

NAYS—None.

Absent—Williams.

Not voting—Mr. Speaker.

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

Assembly Bill No. 143.

Mr. Kennett moved the adoption of the amendment to section 1.

Amendment adopted.

Mr. Kennett moved the adoption of the second amendment to section 1.

Amendment adopted.

Remarks by Messrs. Brooks and Loomis.

Roll call on Assembly Bill No. 143 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Case, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Russell, Shelly, Sloan, Smith, Sowers, Talcott, and Williams—31.

NAYS—Richard.

Absent—Burke.

Not voting—Carroll, Coleman, Conine, Hazard, Sampson, Springer, and Mr. Speaker—7.

Assembly Bill No 143 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 155.

Remarks by Mr. Barr.

Roll call on Assembly Bill No. 155 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Kennett, Loomis, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott and Williams—36.

NAYS—None.

Absent—McCuiston.

Not voting—Coleman, Hussman, and Mr. Speaker—3.

Assembly Bill No. 155 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Oldham moved that the Assembly recess until 1:30 p. m.
Carried.

Assembly in recess at 12:12 p. m.

HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the Chair.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 9.

Remarks by Mr. Kennett.

Roll call on Assembly Joint Resolution No. 9:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—39.

NAYS—None.

Not voting—Mr. Speaker.

Assembly Joint Resolution No. 9 having received a constitutional majority, Mr. Speaker declared it adopted.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Livestock has had Assembly Bill No. 111 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

M. E. McCUISTION, *Chairman.*

Mr. Speaker:

Your Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 172, 173, 175, 176, 181, and 184, hereto attached, are correct copies of the triplicates thereof in its possession.

Also, that bound copy of Assembly Bill No. 171, hereto attached, is a correct copy of the triplicate thereof in its possession, as corrected of the following error: Page 1, line 4, the word "term" is used in place of the word "terms."

L. K. DRUMM, *Chairman.*

Mr. Speaker:

Your Committee on Public Printing has had Assembly Bill No. 163 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. 163 by striking out in line 11 the words and parenthesis "(four times during)."

R. R. GERMAIN, *Chairman.*

Mrs. Drumm moved the Chief Clerk be authorized to make the necessary corrections on Assembly Bill No. 171.

Carried.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Hazard moved that Assembly Bill No. 12 be made a special order of business for 2 p. m. Tuesday, February 28, 1939.

Carried.

Mr. Oldham moved that when the Assembly adjourn today it do so until tomorrow morning at 11 a. m.

Mr. Davidson moved to amend the motion, and that when the Assembly adjourn today it do so until Monday morning at 10 o'clock.

Amendment carried.

INTRODUCTION AND FIRST READING

By Committee on Education:

Assembly Bill No. 211—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. Coleman moved that 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. Coleman:

Assembly Bill No. 212—An Act to amend an Act entitled "An Act regulating the nomination of candidates for public office in the State of Nevada," approved March 28, 1917.

Mr. Coleman moved that 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. Carroll:

Assembly Bill No. 213—An Act to amend an Act entitled "An Act creating a commission to be known as the Colorado River Commission of Nevada, defining its powers and duties, and making an appropriation for the expenses thereof, and repealing all Acts and parts of Acts in conflict with this Act," approved March 20, 1935.

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.

By Mr. Carroll:

Assembly Bill No. 214—An Act for the relief of Gabriel Pahor.

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.

By Clark County Delegation:

Assembly Bill No. 215—An Act to provide for the conservation and distribution of underground waters, providing for the designation of artesian well basins and defining such wells, and providing the method of appropriating the waters thereof; defining the powers and duties of the State Engineer in the administration hereof; providing for the casing and capping of artesian wells and for the prevention of waste of water therefrom; prescribing penalties for the violation of the provisions of this Act, and repealing certain Acts and parts of Acts in conflict herewith.

Mr. Sloan moved that 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. Hazard :

Assembly Bill No. 216—An Act authorizing the Labor Commissioner of the State of Nevada to employ an attorney at law, defining the duties of such attorney and fixing his compensation, and other matters relating thereto.

Mr. Hazard moved that 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. Fee :

Assembly Bill No. 217—An Act to amend an Act entitled "An Act fixing the compensation of certain county officers of Esmeralda County in the State of Nevada; authorizing and empowering the Board of County Commissioners of said county to regulate the appointment, number, and compensation of their deputies and attachés, and requiring said officers to make reports to the Board of County Commissioners of Esmeralda County; and repealing all Acts and parts of Acts in conflict herewith," approved February 21, 1929.

Mr. Fee 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 Esmeralda County Delegation.

Carried.

By Mr. Russell :

Assembly Bill No. 218—An Act authorizing and directing the State Board of Control and the Board of Directors of the Department of Highways of the State of Nevada to convey certain State property to the Ely Securities Company in exchange for property now owned by said Ely Securities Company in East Ely, White Pine County, Nevada.

Mr. Russell moved that 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. Fisher :

Assembly Bill No. 219—An Act to amend an Act entitled "An Act providing for a State Board of Control, defining their duties and powers, and repealing all Acts in conflict therewith," approved March 20, 1933.

Mr. Fisher moved that 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. Curtis:

Assembly Bill No. 220—An Act to amend section 1 of article XIX, and section 10k of article XII 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 March 13, 1905, and as amended from time to time thereafter.

Mr. Curtis 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 Washoe County Delegation.

Carried.

By Mr. Davidson:

Assembly Bill No. 221—An Act to amend section 2 of an Act entitled "An Act to amend the title of an Act entitled 'An Act concerning mortgages of personal property, providing for their recordation, and other matters relating thereto, and repealing all Acts and parts of Acts in conflict herewith,' approved March 8, 1923, together with the Acts amendatory thereof or supplemental thereto, and to amend sections 1, 2, 3, 4, and 5 of said Act, and to repeal sections 6, 7, and 7a thereof," approved March 27, 1935.

Mr. Davidson moved that 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. Williams:

Assembly Bill No. 222—An Act to repeal an Act entitled "An Act creating the office of commissary of the Nevada State Police, prescribing his duties, fixing his compensation, and other matters relating thereto," approved February 8, 1908, together with the Acts amendatory thereof and supplemental thereto

Mr. Williams 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 Roads and Highways.

Carried.

By Mr. Williams:

Assembly Bill No. 223—An Act to repeal an Act entitled "An Act supplementary to 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 and parts of Acts in conflict therewith,' approved January 29, 1908; and making the Superintendent of the Nevada State Police ex officio Warden of the State Prison; fixing his salary; providing for an acting Warden during vacancy or absence of the Superintendent, and repealing all Acts and parts of Acts in conflict herewith," approved March 29, 1915.

Mr. Williams 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 Roads and Highways.

Carried.

By Mr. Williams :

Assembly Bill No. 224—An Act to amend an Act entitled "An Act to provide for the government of the State Prison of the State of Nevada," approved March 7, 1873, together with the Acts amendatory thereof and supplemental thereto.

Mr. Williams 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 Roads and Highways.

Carried.

By Mr. Loomis :

Assembly Bill No. 225—An Act to amend article XIV 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 March 13, 1905, and as amended from time to time thereafter, by adding a new section thereto to be known as section 5.

Mr. Loomis 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 Washoe County Delegation.

Carried.

By Mr. Loomis :

Assembly Bill No. 226—An Act to amend chapter 72, section 742, 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. Loomis 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 Washoe County Delegation.

Carried.

By Mr. Cahill :

Assembly Bill No. 227—An Act to appropriate money for direct relief and work relief in cooperation with the government of the United States of America; to provide for an agency to certify relief labor to the Works Progress Administration and other Federal work programs employing relief labor to assist in the cost of distributing Federal surplus commodities to the needy people of Nevada; 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. Cooper :

Assembly Bill No. 228—An Act to amend an Act entitled "An Act

to provide for the government of the State Prison of the State of Nevada," approved March 7, 1873, together with the Acts amendatory thereof or supplemental thereto.

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 Labor.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Select Joint Committee of Washoe and Clark County Delegations has had Assembly Bills Nos. 7, 9, and 145 under consideration, and begs leave to report the same without recommendation.

C. SHELLY, *Chairman.*

Mr. Hazard gave notice that the Clark County Delegation will introduce a bill amending the charter of the city of Las Vegas.

Mr. Oldham moved that the Assembly adjourn.

Carried.

Assembly adjourned at 2:20 p. m. until Monday, February 27, 1939, at 10 a. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE FORTY-THIRD DAY

CARSON CITY (Monday), February 27, 1939.

Assembly called to order at 10 a. m.

Mr. Speaker in the Chair.

Roll called.

All present except Messrs. Caldwell and Talcott, who were excused.
Prayer by the Chaplain, Rev. C. H. Sloan.

Mr. Springer moved the reading of the Journal be dispensed with, and the Speaker and the Chief Clerk be authorized to make the necessary corrections and additions.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 177, 185, 179, and 182, hereto attached, are correct copies of the triplicates thereof in its possession.

Also, that bound copy of Assembly Bill No. 178, hereto attached, is a correct copy of the triplicate thereof in its possession, as corrected of the following error: Page 3, line 29, word "were" used in place of word "where."

Also, that bound copy of Assembly Bill No. 180, hereto attached, is a correct copy of the triplicate thereof in its possession, as corrected of the following error: Line 6 in title word "and" used in place of word "in."

L. K. DRUMM, *Chairman.*

Mr. Speaker:

Your Committee on Taxation has had Assembly Bill No. 154 under consideration, and begs leave to report unfavorably on the same.

A. J. RICHARD, *Chairman.*

Mrs. Drumm moved that the Chief Clerk be authorized to make the necessary corrections on Assembly Bills Nos. 178 and 180.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Hazard moved that Assembly Bill No. 129 be indefinitely postponed.

Carried.

INTRODUCTION AND FIRST READING

By Messrs. Burke, Hazard, Williams, Springer, and Talcott:

Assembly Bill No. 229—An Act to make uniform the law on fresh pursuit, and authorizing this State to cooperate with other States therein.

Mr. Burke moved that 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. Burke, Hazard, Williams, Springer, and Talcott.

Assembly Bill No. 230—An Act providing that the State of Nevada may enter into a compact with any of the United States for mutual

helpfulness in relation to persons convicted of crime or offenses who may be on probation or parole.

Mr. Burke moved that 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. Burke, Hazard, Williams, Springer, and Talcott.

Assembly Bill No. 231—An Act to secure the attendance of witnesses from without a State in criminal proceedings.

Mr. Burke moved that 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 Mrs. Drumm :

Assembly Bill No. 232—An Act to amend an Act entitled "An Act regulating the registration of electors for general, special, and primary elections," approved March 27, 1917, as amended March 23, 1927.

Mrs. Drumm moved that 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. Coleman :

Assembly Bill No. 233—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 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 Nevada 1931; as amended by chapter 177 Statutes of Nevada 1933; as amended by chapter 173 Statutes of Nevada 1935; as amended by chapter 40 Statutes of Nevada 1937; as amended by chapter 151 Statutes of Nevada 1937.

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

Carried.

By Committee on Education:

Assembly Bill No. 234—An Act to amend an Act entitled "An Act concerning public schools, and repealing certain Acts relating thereto," approved March 20, 1911, together with the Acts amendatory thereof or supplemental thereto.

Mr. Coleman moved that 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. 54.

Mr. Burke moved the adoption of the amendment to section 1.

Amendment adopted.

Remarks by Messrs. Kennett, Richard, and Burke.

Mr. Kennett moved that Assembly Bill No. 54 be placed on the bottom of the general file.

Carried.

Assembly Bill No. 132.

Remarks by Mr. Coleman.

Roll call on Assembly Bill No. 132:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, and Williams—37.

NAYS—None.

Absent—Caldwell and Talcott—2.

Not voting—Mr. Speaker.

Assembly Bill No. 132 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 147.

Remarks by Messrs. Coleman, Case, Cooper, and Springer.

Roll call on Assembly Bill No. 147:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Carroll, Coleman, Conine, Curtis, David, Davidson, Drumm, Fee, Germain, Hussman, Kennett, Loomis, McCuistion, McElroy, Murphy, Oldham, Russell, Shelly, Sloan, Smith, Sowers, Springer, and Williams—30.

NAYS—Case, Cooper, Fisher, Hazard, and Lynch—5.

Absent—Caldwell and Talcott—2.

Not voting—Richard, Sampson, and Mr. Speaker—3.

Assembly Bill No. 147 having received a constitutional majority, Mr. Speaker declared it passed.

There being no objections the Speaker and the Chief Clerk signed Assembly Bills Nos. 8 and 130, and Assembly Joint Resolution No. 17, and Assembly Concurrent Resolution No. 1.

GENERAL FILE AND THIRD READING

Assembly Bill No. 133.

Mr. Oldham moved that the Assembly resolve itself into a Committee

of the Whole to consider Assembly Bill No. 133, and that the Speaker remain in the Chair as chairman of said committee.

Carried.

COMMITTEE OF THE WHOLE

At 10:35 a. m.

Mr. Speaker in the Chair.

HOUSE IN SESSION

At 10:40 a. m.

Mr. Speaker in the Chair.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Select Committee of the Whole has had Assembly Bill No. 133 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

BERKELEY L. BUNKER, *Chairman.*

Roll call on Assembly Bill No. 133:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Williams, and Mr. Speaker—38.

NAYS—None.

Absent—Caldwell and Talcott—2.

Assembly Bill No. 133 having received a constitutional majority, Mr. Speaker declared it passed.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Brooks moved that during the remainder of this legislative day Rule No. 9 be suspended.

Remarks by Mr. Kennett.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 134.

Remarks by Messrs. Smith, Hazard, and Cooper.

Roll call on Assembly Bill No. 134:

YEAS—Amodei, Barr, Bernard, Brooks, Burke, Cahill, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Shelly, Sloan, Smith, Sowers, Springer, Williams, and Mr. Speaker—34.

NAYS—Hazard.

Absent—Brown, Caldwell, Hussman, Sampson, and Talcott—5.

Assembly Bill No. 134 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 141.

Remarks by Messrs. Burke, Germain, Davidson, Cahill, and Mrs. Drumm.

Roll call on Assembly Bill No. 141:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Carroll, Case,

Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Williams, and Mr. Speaker—37.

NAYS—None.

Absent—Caldwell, Hussman, and Talcott—3.

Assembly Bill No. 141 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Kennett moved the adoption of the preamble to Assembly Bill No. 141.

Motion carried.

Assembly Bill No. 137.

Remarks by Messrs. Amodei and Kennett.

Roll call on Assembly Bill No. 137 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Carroll, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, and Williams—35.

NAYS—None.

Absent—Caldwell, McCuiston, and Talcott—3.

Not voting—Case and Mr. Speaker—2.

Assembly Bill No. 137 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 115.

Remarks by Mr. Davidson, Mrs. Drumm, Messrs. Cooper, Loomis, and Smith.

Roll call on Assembly Bill No. 115 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, and Williams—37.

NAYS—None.

Absent—Caldwell and Talcott—2.

Not voting—Mr. Speaker.

Assembly Bill No. 115 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 17.

Remarks by Mr. Case.

Roll call on Senate Bill No. 17 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, and Williams—36.

NAYS—None.

Absent—Burke, Caldwell, and Talcott—3.

Not voting—Mr. Speaker.

Senate Bill No. 17 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Shelly moved that Assembly Bill No. 25 be placed on general file for the next legislative day.

Carried.

Assembly Bill No. 111.

Remarks by Messrs. Curtis, Conine, Brooks, Coleman, Richard, and Davidson.

Mr. Davidson moved that Assembly Bill No. 111 be placed on general file for the next legislative day.

Motion carried.

Assembly Bill No. 163.

Mr. Germain moved the adoption of the amendment to section 1 of Assembly Bill No. 163.

Remarks by Messrs. Case, Smith, and Oldham.

Mr. Smith moved that Assembly Bill No. 163 be returned to the Committee on Public Printing for the necessary corrections.

Carried.

Mr. Shelly moved that Assembly Bill No. 145, now on general file, be tabled.

Carried.

Mr. Shelly moved that Assembly Bill No. 9 be tabled.

Carried.

Mr. Shelly moved that Assembly Bill No. 7 be tabled.

Carried.

Assembly Bill No. 54.

Amendment proposed by Mr. Kennett: Amend section 1 of Assembly Bill No. 54 by striking out the words "a prior general" at end of line 5, and the word "election" at the beginning of line 6, and insert in lieu thereof the words "the biennial election immediately prior to said application for blank ballot."

Mr. Kennett moved the adoption of the amendment to Assembly Bill No. 54.

Amendment adopted.

Roll call on Assembly Bill No. 54:

YEAS—Barr, Bernard, Burke, Cahill, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, and Williams—33.

NAYS—None.

Absent—Amodei, Caldwell, and Talcott—3.

Not voting—Brooks, Brown, Hussman, and Mr. Speaker—4.

Assembly Bill No. 54 having received a constitutional majority, Mr. Speaker declared it passed.

PRESENTATION OF PETITIONS

BROTHERHOOD OF RAILROAD TRAINMEN

SPARKS LODGE No. 726

Nevada State Senators, Nevada State Assemblymen, and Gentlemen of the Legislature, Carson City, Nevada.

DEAR SIRS: This will advise you honorable gentlemen that at a regular

meeting of the above lodge held on the 23d inst., the undersigned was instructed to inform you that our members are in full accord with our representative who is in attendance at the present session of the Legislature in the matter of proposed truck legislation. Trusting you will give this matter your very careful consideration, and with very best wishes, I am,

Sincerely yours,

H. A. PARKER,
Secretary-Treasurer.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Burke moved that Assembly Bill No. 156 be withdrawn from the Committee on Taxation, placed on the Chief Clerk's desk, and rereferred to the Committee on Judiciary.

Carried.

Mr. Cooper moved that Assembly Bill No. 124 be withdrawn from the Committee on Taxation, placed on the Chief Clerk's desk, and rereferred to the Committee on Ways and Means.

Carried.

Mr. Loomis moved that Assembly Bill No. 160 be withdrawn from a Joint Committee on Judiciary and Public Printing, placed on the Chief Clerk's desk, and returned to the introducer.

Carried.

Mr. Kennett moved that when the Assembly adjourns today it do so in memory of the late State Supreme Court Justice B. W. Coleman.

Carried.

Mr. Kennett gave notice that on the next legislative day he will move for the suspension of Rule No. 9 during the remainder of the session.

Mr. Oldham moved that the Assembly recess until 1:55 p. m.

Carried.

Assembly in recess at 11:40 a. m.

HOUSE IN SESSION

At 1:55 p. m.

Mr. Speaker in the Chair.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 187, 195, 206, 194, 196, 199, and 207, and Assembly Joint Resolutions Nos. 10 and 11, hereto attached, are correct copies of the triplicates thereof in its possession.

Also, that bound copy of Assembly Bill No. 174, hereto attached, is a correct copy of the triplicate thereof in its possession, except that on page 16, line 19, word "state" omitted between "the" and "fish"; page 29, line 4, the word "phalaropes" misspelled.

L. K. DRUMM, *Chairman.*

Mrs. Drumm moved that the Chief Clerk be authorized to make the necessary corrections on Assembly Bills Nos. 207 and 174.

Mr. Speaker:

Your Committee on Enrollment has carefully compared Assembly Enrolled

Bills Nos. 8 and 130 with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Governor.

Also, has carefully compared Assembly Joint Resolution No. 17 and Assembly Concurrent Resolution No. 1 with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Secretary of State.

R. R. GERMAIN, *Chairman*.

Mr. Speaker:

Your Committee on Insurance has had Assembly Bill No. 131 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 Social Welfare has had Assembly Bill No. 164 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

Also, Assembly Bill No. 126, and reports favorably on the same, with the recommendation that it do pass, as amended: Amend section 1 of Assembly Bill No. 126 by striking out after the period in line 8, page 2, the balance of the section.

HENRY S. COLEMAN, *Chairman*.

Mr. Speaker:

Your Committee on Labor has had Assembly Bill No. 148 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass, as amended: Amend section 3 of Assembly Bill No. 148 by striking out the word "two" in line 16, page 1 of the printed bill, and inserting the word "five," and striking out the words "a ten-mile radius" in line 16, and inserting the words "five miles from the city limits in any direction."

HENRY S. COLEMAN, *Chairman*.

Mr. Speaker:

Your Joint Committee on Ways and Means and Education has had Assembly Bills Nos. 171 and 184 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

R. E. CAHILL, *Chairman*.

Mr. Speaker:

Your Committee on Ways and Means has had Senate Bill No. 43 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

R. E. CAHILL, *Chairman*.

Mr. Speaker:

Your Committee on Public Printing has had Assembly Bill No. 102 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. 102 by striking the words "a newspaper" in line 6 and inserting the words "two newspapers," and in line 9 after word "provided" insert the words "that the State Board of Examiners shall apportion the said publications as nearly equal as may be."

R. R. GERMAIN, *Chairman*.

SPECIAL ORDER OF BUSINESS

At 2 p. m.

Assembly Bill No. 158.

Mr. Loomis moved that Assembly Bill No. 158 be made a special order of business for Friday, March 3, 1939, at 2 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. 46, which passed the Senate by the following vote: Yeas, 12; nays, 2; absent, 2; not voting, 1.

Also, Senate Bill No. 48, which passed: Yeas, 15; nays, none; absent, 2.

Also, Senate Substitute for Senate Bill No. 23, which passed: Yeas, 9; nays, 5; absent, 3.

We also beg leave to report that the Senate adopted the report of the Joint Committees of the Senate and Assembly on the University Investigation by the following vote: Yeas, 14; nays, 1; absent, 2.

Also, to return to your honorable body Assembly Bill No. 96, which passed: Yeas, 15; nays, none; absent, 2.

F. BUCKINGHAM,
Assistant Secretary of the Senate.

SPECIAL ORDER OF BUSINESS

At 2:15 p. m.

Assembly Bill No. 94.

Mr. David moved the adoption of the amendment to section 11.

Amendment adopted.

Remarks by Messrs. David, Oldham, Germain, Conine, Kennett, Brooks, Cahill, Case, Hazard, Curtis, Loomis, Fee, and Russell.

Roll call on Assembly Bill No. 94:

YEAS—Amodei, Bernard, Brown, Cahill, Carroll, Coleman, Cooper, Curtis, David, Drumm, Fee, Fisher, Germain, Hazard, Kennett, Lynch, Richard, Sampson, Shelly, Sloan, Smith, Springer, and Williams—23.

NAYS—Barr, Brooks, Burke, Case, Conine, Hussman, Loomis, McCuiston, McElroy, Murphy, Oldham, Russell, and Sowers—13.

Absent—Caldwell and Talcott—2.

Not voting—Davidson and Mr. Speaker—2.

Assembly Bill No. 94 having received a constitutional majority, Mr. Speaker declared it passed.

INTRODUCTION AND FIRST READING

Unanimous consent given Washoe County Delegation to introduce bills.

By Washoe County Delegation:

Assembly Bill No. 235—An Act to amend an Act entitled "An Act to amend section 2 of an Act entitled 'An Act providing for the supervision, management, government, control, and maintenance of county hospitals, county isolation hospitals, county homes for the indigent sick, county workhouses for indigents, and county poorfarms in each county where a tax has been or is hereafter authorized by the voters to establish and maintain a public hospital,' approved March 11, 1931."

On motion of Mr. Shelly, duly seconded, all rules were suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution, and placed on third reading and final passage.

By Washoe County Delegation:

Assembly Bill No. 236—An Act relating to the duties and powers of County Commissioners in the several counties of this State relative to the operation, management, improvement, and maintenance of public parks, golf courses, and other public recreational centers and areas.

On motion of Mr. Shelly, duly seconded, all rules were suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution, and placed on third reading and final passage.

By Washoe County Delegation :

Assembly Bill No. 237—An Act to empower County Commissioners of counties in the State of Nevada having a population of fifteen thousand or more to employ a county statistician and appraiser, defining his duties and authorizing the County Commissioners to fix his compensation, and such other matters pertaining thereto.

On motion of Mr. Shelly, duly seconded, all rules were suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution, and placed on third reading and final passage.

By Washoe County Delegation :

Assembly Bill No. 238—An Act authorizing County Commissioners in the various counties of the State of Nevada to cooperate with city fire departments for the protection of property and the prevention of fires; providing for the funds necessary therefor, and defining the duties of City Councils and Boards of County Commissioners in relation thereto.

On motion of Mr. Shelly, duly seconded, all rules were suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution, and placed on third reading and final passage.

Unanimous consent given to Mr. Springer to introduce a request measure.

By Mr. Springer (by request) :

Assembly Bill No. 239—An Act for the relief of I. M. Springer, Sr.

Mr. Springer moved that 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.

Unanimous consent was given to Mr. Burke to introduce a bill.

By Mr. Burke :

Assembly Bill No. 240—An Act to amend an Act entitled "An Act to incorporate the town of Reno and to establish a city government therefor," approved March 16, 1903, together with the Acts amendatory thereof or supplemental thereto.

Mr. Burke moved that 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.

Unanimous consent was given to Mr. Loomis to introduce a bill.

By Mr. Loomis :

Assembly Bill No. 241—An Act to amend section 10e of article XII 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 March 13, 1905, and as amended from time to time thereafter.

Mr. Loomis 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 of Washoe County Delegation.

Carried.

Unanimous consent was given to Mr. Cooper to introduce a bill.

By Mr. Cooper:

Assembly Bill No. 242—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada; to control, license, and regulate the importation and sale of wines, beers, and intoxicating liquors into and within the State of Nevada; to provide for the issuance of importers' and wholesalers' licenses; to impose a stamp tax on the sale of such wines, beers, and intoxicating liquors; to provide for State licenses; designating the type of licenses to be issued, the fee for such licenses, and persons to pay the same, the manner of collection thereof, and prescribing the duties to be performed by State and county officials in connection therewith; the disposition and apportionment of the funds derived therefrom; and all other matters relating thereto; to provide penalties for the violation thereof; and to repeal all Acts or parts of Acts in conflict herewith,' approved March 30, 1935," as amended March 26, 1937.

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 Taxation.

Carried.

Unanimous consent was given to Mr. Sloan to introduce a bill.

By Mr. Sloan:

Assembly Bill No. 243—An Act relating to and providing for the regulation of fishing in Lake Mead and that portion of the Colorado River below Boulder Dam where it forms the boundary between the States of Arizona and Nevada; supplementing the general fish and game laws of the State of Nevada in that regard; authorizing a visitors' special fishing license and a uniform open season and other uniform regulations for fishing in and upon the waters of said lake and that portion of said river; and providing for reciprocal recognition by each of said two States of fishing licenses issued to residents of the other in fishing in and upon said waters, and other matters relating thereto.

Mr. Sloan moved that 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.

Unanimous consent was given to Mr. Amodei to introduce a bill.

By Mr. Amodei:

Assembly Bill No. 244—An Act authorizing the Board of Directors of the Nevada State Orphans' Home, in the name of the State of Nevada, to issue its quitclaim deed and to receive a reciprocal quitclaim deed for the purpose of clearing title to certain lands obtained under the provisions of chapter 93 Statutes of Nevada 1925.

Mr. Amodei moved that 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.

Unanimous consent was given to Mr. Amodei to introduce a joint resolution.

By Mr. Amodei:

Assembly Joint Resolution No. 12, memorializing Congress to cause to be issued a special three-cent stamp to commemorate Nevada's Diamond Jubilee of seventy-five years statehood.

WHEREAS, On the 31st day of October of the present year the State of Nevada will have completed seventy-five years of statehood; and

WHEREAS, The admission of Nevada into statehood was an event of great significance in the maintenance of the Union; and

WHEREAS, During her statehood the State of Nevada has contributed great wealth to the Nation by the development of its mining industry; and

WHEREAS, The people of the State of Nevada feel justly proud of the position occupied by the State of Nevada in the Union; and

WHEREAS, The State of Nevada is now planning an extensive program for the celebration of its Diamond Jubilee; and

WHEREAS, We feel that the State of Nevada is entitled to the distinction of an issue of stamps made in commemoration of this important event; now, therefore, be it

Resolved by the Assembly and the Senate of the State of Nevada, That the Congress of the United States be and it is hereby memorialized to issue, or cause to be issued, a special stamp containing appropriate reference to the admission of the State of Nevada, as a testimonial to Nevada's status in the Union, and commemorative of her proposed celebration in the nature of a Diamond Jubilee; and be it further

Resolved, That our Senators in the United States Senate and our Representative in Congress be urged to use all legitimate means in the furtherance of the object of this resolution; and be it further

Resolved, That duly certified copies of this resolution be transmitted by the Secretary of State of the State of Nevada to each of our Senators and to our Representative in Congress and to the President of the United States Senate and to the Speaker of the House of Representatives.

Mr. Amodei 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.

Unanimous consent was given to the Committee on Labor to introduce a bill.

By Committee on Labor:

Assembly Bill No. 245—An Act providing for voluntary apprenticeship.

Mr. Hazard moved that 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.

Unanimous consent was given to Mr. Fee to introduce a bill.

By Mr. Fee:

Assembly Bill No. 246—An Act prohibiting employment by State or its subdivisions of more than one member of the same family and fixing punishment for violation thereof.

Mr. Fee moved that 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.

Unanimous consent was given Mr. Amodei to introduce a bill.

By Mr. Amodei :

Assembly Bill No. 247—An Act to amend an Act entitled “An Act concerning slot machines, gambling games, and gambling devices; providing for the operating therefor under license; providing for certain license fees and the use of the money obtained therefrom; prohibiting minors from playing and loitering about such games; designating the penalties for violations of the provisions thereof; and other matters properly relating thereto,” approved March 19, 1931.

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

Carried.

Unanimous consent was given to Mr. Barr to introduce a bill.

By Mr. Barr :

Assembly Bill No. 248—An Act to amend 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 20, 1929, as amended.

Mr. Barr moved that 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.

Unanimous consent was given to Mr. Barr to introduce a concurrent resolution.

By Mr. Barr :

Assembly Concurrent Resolution No. 6, requiring the Public Service Commission of the State of Nevada to reduce consumers rates in White Pine County, Nevada, as established by the Ely Light and Power Company.

WHEREAS, The rates to consumers charged by the Ely Light and Power Company for its product is higher than a fair rate of income that the business of said company justifies; and

WHEREAS, The rates so fixed and charged to consumers by said power company are unfair, unjust, and unnecessary; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring,

That the Public Service Commission of the State of Nevada be required to readjust and reduce the rates of the said Ely Light and Power Company to its consumers in White Pine County, Nevada.

Mr. Barr moved that rules be suspended, reading so far had considered first reading, rules further suspended, resolution read second time by title, and referred to a Select Committee of White Pine Delegation.

Carried.

Unanimous consent was given to the Committee on Roads and Highways to introduce bills.

By Committee on Roads and Highways:

Assembly Bill No. 249—An Act to amend sections 6 and 8 of 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, and adding thereto a new section to be designated as section 6 $\frac{1}{2}$, and repealing all Acts or parts of Acts in conflict or inconsistent with this Act.

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 Roads and Highways.

Carried.

By Committee on Roads and Highways:

Assembly Bill No. 250—An Act to amend sections 17 and 19 of 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, and repealing all Acts or parts of Acts in conflict or inconsistent with this Act.

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 Roads and Highways.

Carried.

By Committee on Roads and Highways:

Assembly Bill No. 251—An Act to amend sections 1, 3, 4, 6, 8, and 9, and to add eight new sections to an Act entitled "An Act providing for the licensing and registration of automobile operators and chauffeurs," approved March 25, 1931.

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 Roads and Highways.

Carried.

Senate Bill No. 46.

Mr. Oldham moved that 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. 23.

Mr. Oldham moved that 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. 48.

Mr. Oldham moved that 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.

There being no objections the Speaker and the Chief Clerk signed Senate Bill No. 20.

REPORTS OF COMMITTEES

Mr. Speaker:

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 204, 216, 223, 209, 205, 214, and 210, hereto attached, are correct copies of the triplicates thereof in its possession.

Also, that bound copy of Assembly Bill No. 222, hereto attached, is a correct copy of the triplicate thereof in its possession, except that in line 2 in title, the word "compensation" is misspelled.

L. K. DRUMM, *Chairman.*

Mr. Speaker:

Your Committee of Washoe County Delegation has had Assembly Bill No. 176 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

CARL SHELLEY, *Chairman.*

Mrs. Drumm moved that the Chief Clerk be authorized to make the necessary corrections on Assembly Bill No. 222.

Carried.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Amodei moved that Assembly Bill No. 102 be withdrawn from the general file for tomorrow and rereferred to a Joint Committee on Ways and Means, Public Printing, and Ormsby County Delegation.

Carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 238.

Remarks by Mr. Shelly.

Roll call on Assembly Bill No. 238:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Drumm, Fee, Fisher, Germain, Hazard, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, and Williams—35.

NAYS—None.

Absent—Caldwell, Davidson, Hussman, and Talcott—4.

Not voting—Mr. Speaker.

Assembly Bill No. 238, having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 237.

Remarks by Mr. Shelly.

Roll call on Assembly Bill No. 237:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Carroll, Case, Coleman, Conine, Cooper, David, Drumm, Fee, Fisher, Germain, Hazard, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard,

Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, and Williams—34.

NAYS—None.

Absent—Caldwell, Curtis, Davidson, Hussman, and Talcott—5.

Not voting—Mr. Speaker.

Assembly Bill No. 237 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 236.

Roll call on Assembly Bill No. 236:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, and Springer—35.

NAYS—None.

Absent—Caldwell, Davidson, Talcott, and Williams—4.

Not voting—Mr. Speaker.

Assembly Bill No. 236 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 235.

Roll call on Assembly Bill No. 235:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, and Springer—34.

NAYS—None.

Absent—Caldwell, Davidson, Oldham, Talcott, and Williams—5.

Not voting—Mr. Speaker.

Assembly Bill No. 235 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 Substitute for Assembly Bill No. 56 under consideration, and begs leave to report same with a substitute therefor, with the recommendation that the substitute be adopted, and that the same do pass.

WM. KENNETT, *Chairman.*

Mr. Speaker:

The minority of your Committee on Judiciary has had Assembly Substitute for Assembly Bill No. 56 under consideration, and begs leave to report same with a substitute therefor, with the recommendation that the substitute be not adopted, and that the same do not pass.

WM. KENNETT, *Chairman.*

Mr. Kennett moved that Assembly Substitute for Assembly Bill No. 56 be adopted.

Carried.

Mr. Loomis moved that the Assembly adjourn until Tuesday, February 28, 1939, at 10 a. m.

Carried.

Assembly adjourned at 3:50 p. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE FORTY-FOURTH DAY

CARSON CITY (Tuesday), February 28, 1939.

Assembly called to order at 10 a. m.

Mr. Speaker in the Chair.

Roll called.

All present.

Prayer by the Chaplain, Rev. J. L. Harvey.

Mr. Oldham moved the reading of the Journal be dispensed with, and the Speaker and the Chief Clerk be authorized to make the necessary corrections and additions.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary has had Assembly Bills Nos. 161, 162, 204, 205, and 206 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

Also, Assembly Bill No. 166, and reports same without recommendation.

WM. KENNETT, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

By Mr. Burke:

Assembly Resolution No. 13.

WHEREAS, Our esteemed fellow member, Robbins Cahill, has been the victim of an unfortunate accident as a result of generous interest in the welfare of the Assembly stenographers; and

WHEREAS, Said accident resulted in an embarrassment to the standing of our esteemed fellow member; therefore, be it

Resolved by the Assembly of the State of Nevada, That the sum of 50¢ be set aside from the General Legislative Fund for the purpose of restoring to usefulness that portion of Robbins Cahill's clothing rendered useless by the above-mentioned accident.

Mr. Bunker 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.

MESSAGES FROM THE SENATE

To the Honorable the Assembly:

I have the honor herewith to return to your honorable body Assembly Bill No. 127, which passed the Senate by the following vote: Yeas, 16; nays, none; absent, 1.

Also, Assembly Bill No. 202, which was declared an emergency measure and passed by the following vote: Yeas, 16; nays, none; absent, 1.

Also, to present for the consideration of your honorable body Senate Bill No. 57, which passed the Senate by the following vote: Yeas, 16; nays, none; absent, 1.

Also, Senate Bill No. 52, which passed: Yeas, 16; nays, none; absent, 1.

Also, Senate Bill No. 13, which passed, as amended: Yeas, 12; nays, 4; absent, 1. Amend as follows: Amend section 1 by inserting on page 1, line 6, after the word "dollars" the following: "or so much thereof as may be necessary."

Also, Senate Bill No. 14, which passed, as amended: Yeas, 12; nays, 4; absent, 1. Amend as follows: Amend section 1, page 1, line 6, by striking out the words and figures "twenty thousand (\$20,000)" and insert in lieu thereof the words and figures "five thousand (\$5,000)"; further amend on page 1, line 10 of the printed bill, by striking out the words and figures "five thousand (\$5,000)" and insert in lieu thereof the words and figures "twenty thousand (\$20,000)"; further amend, page 2, line 3, after the word "said" strike the words "five thousand," and insert in lieu thereof the words "twenty thousand"; amend, page 2, line 4, by striking the figures "(\$5,000)" and insert in lieu thereof the figures "(\$20,000)."

F. BUCKINGHAM,
Assistant Secretary of the Senate.

There being no objections the Speaker and the Chief Clerk signed Assembly Bill No. 96.

INTRODUCTION AND FIRST READING

Senate Bill No. 52.

Mr. Germain 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 Nye County Delegation.

Carried.

Senate Bill No. 13.

Mr. Oldham moved that 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. 57.

Mr. Kennett 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 Nye County Delegation.

Carried.

Senate Bill No. 14.

Mr. Oldham 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 State Publicity.

Carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 154.

Remarks by Messrs. Barr, Lynch, and Germain.

Roll call on Assembly Bill No. 154:

YEAS—Barr, Cooper, Drumm, Fee, Hazard, McElroy, Murphy, Richard, Russell, Sampson, Sloan, and Smith—12.

NAYS—Brooks, Cahill, Caldwell, Carroll, Coleman, Conine, Curtis, David, Davidson, Fisher, Germain, Kennett, Loomis, Lynch, Oldham, Shelly, Springer, and Williams—18.

Absent—Burke and Talcott—2.

Not voting—Amodei, Bernard, Brown, Case, Hussman, McCuiston, Sowers, and Mr. Speaker—8.

Assembly Bill No. 154 having failed to receive a constitutional majority, Mr. Speaker declared the bill lost.

Assembly Bill No. 25.

Amendment proposed by Mr. Shelly: Amend section 1 of Assembly Bill No. 25 by striking out in line 4 the words "prescribing for." Further amend by striking out in line 5 the words "the pathological conditions of the feet," and inserting in lieu thereof the words "foot ailments." Further amend by inserting in line 10 after the word "foot" a comma and the word "toe." Further amend in line 13 by inserting before the word "examiners" the word "medical." Further amend in lines 14 and 15 by striking out the words "by cobblers or shoe stores," and inserting in lieu thereof the words "and remedies by retailers."

Mr. Shelly moved the adoption of the amendment to section 1.

Remarks by Messrs. Kennett, Shelly, and Loomis.

Amendment adopted.

Mr. Oldham moved that Assembly Bill No. 25 be tabled.

Carried.

Assembly Bill No. 111.

Remarks by Messrs. Curtis, Hussman, and Richards.

Roll call on Assembly Bill No. 111:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, and Williams—38.

NAYS—None.

Absent—Talcott.

Not voting—Mr. Speaker.

Assembly Bill No. 111 having received a constitutional majority, Mr. Speaker declared it passed.

REPORTS OF COMMITTEES

Mr. Speaker:

The majority of the membership of your committee appointed to determine whether or not there should be an investigation of the State Highway Department begs leave to report the following:

In pursuance of our appointment we held a conference with Mr. Allen, and during said conference other officers and employees of the Highway Department were interviewed, and as a result thereof we find the following:

That the books and accounts of the department, on account of a Federal contribution to the State Highway Department, are audited each month by a Federal auditor.

That some of the criticism regarding extravagance of the department is a result of the requirements of the Federal regulations to perform all State work according to Federal approval, and the failure to comply with the Federal requirements would result in the loss of the Federal contribution.

We find that in order to comply with the Federal standard of highway construction that the Department of Highways of the State of Nevada must have additional funds, or a loss of Federal contribution.

We find that the Highway Engineer has no authority in the fixing of salaries of highway employees.

We respectfully submit that a careful reading of the report of the Highway Engineer, which contains a detailed report of all the affairs of the Highway Department, will be sufficient to satisfy this body that the affairs of the Highway Department are being conducted in an economical and businesslike manner.

In conclusion we feel that the thought which inspired the introduction of Resolution No. 4 grew out of reports and whisperings not well founded.

Respectfully submitted,

GEO. HUSSMAN, HENRY S. COLEMAN,
H. E. SPRINGER, CHAS. V. WILLIAMS.

Mr. Speaker:

The minority of your special committee appointed to determine whether or not an investigation should be made under the provisions of Assembly Concurrent Resolution No. 4 begs leave to report as follows:

It is the belief of the special committee that an investigation of the Highway Department of the State of Nevada should be made, with a view to determine whether or not a system of economy may be determined by which the affairs of the department may be conducted efficiently. Your committee believes that conditions, income, and disbursements, the manner of selecting personnel, regulation thereof, and the system of employing and discharging of employees should be investigated. These specifications are not intended to limit the investigation in any other direction, but are suggested as necessary.

On account of the popular demand for a complete report of the matters hereinbefore set forth we feel that a full, fair, and impartial investigation of the department is necessary.

JOE S. COOPER, *Chairman.*

Mr. Hussman moved the adoption of the majority report on Assembly Concurrent Resolution No. 4.

Majority report adopted.

GENERAL FILE AND THIRD READING

Assembly Bill No. 131.

Amendment proposed by Mr. Loomis: Amend section 1 of Assembly Bill No. 131 by inserting after the word "any" in line 14, page 2 of the printed bill, the following: "president, manager, or any other officer, trustee, agent, association, or combination thereof, or."

Mr. Loomis moved the adoption of the amendment to section 1.

Remarks by Messrs. Loomis and Kennett.

Mr. Russell moved that Assembly Bill No. 131 be tabled.

Carried.

Assembly Bill No. 164.

Amendment proposed by Mr. Kennett: Amend section 1 of Assembly Bill No. 164 by inserting after the comma following the word "nurse" in line 8, page 1 of the printed bill, the following: "licensed embalmer" and a comma.

Mr. Kennett moved the adoption of the amendment to section 1.

Amendment adopted.

Remarks by Messrs. Kennett and Richard.

Roll call on Assembly Bill No. 164:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, and Williams—37.

NAYS—None.

Absent—Talcott.

Not voting—Hussman and Mr. Speaker—2.

Assembly Bill No. 164 having received a constitutional majority, Mr. Speaker declared it passed.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Enrollment has carefully compared Assembly Enrolled Bill No. 96 authorizing the sale of less than an acre of ground in Reno to R. R. Prescott by the University of Nevada for the sum of \$75 with the engrossed copy, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. R. GERMAIN, *Chairman.*

Mr. Speaker:

The Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 227, 219, 225, 228, 218, 226, 197, 224, 220, 212, and 189, hereto attached, are correct copies of the triplicates thereof in its possession.

Also, that bound copy of Assembly Bill No. 192, hereto attached, is a correct copy of the triplicate thereof in its possession, as corrected: Page 4, line 7, word "or" used in place of word "of."

L. K. DRUMM, *Chairman.*

Mrs. Drumm moved that the Chief Clerk be authorized to make the necessary corrections on Assembly Bill No. 192.

Carried.

There being no objections the Speaker and the Chief Clerk signed Senate Concurrent Resolution No. 4.

GENERAL FILE AND THIRD READING

Assembly Bill No. 126.

Amendment proposed by Committee on Social Welfare: Amend section 1 of Assembly Bill No. 126 by striking out after the period in line 8, page 2, the balance of the section.

Mr. Shelly moved the adoption of the amendment to section 1.

Amendment adopted.

Remarks by Messrs. Shelly, Loomis, Conine, and Case.

Roll call on Assembly Bill No. 126:

YEAS—Amodei, Barr, Bernard, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Williams, and Mr. Speaker—36.

NAYS—Brooks.

Absent—Talcott.

Not voting—Davidson and Loomis—2.

Assembly Bill No. 126 having received a constitutional majority, Mr. Speaker declared the bill passed.

Assembly Bill No. 148.

Amendment proposed by Committee on Labor: Amend section 3 of Assembly Bill No. 148 by striking out the word "two" in line 16, page 1 of the printed bill, and inserting the word "five"; and striking out the words "a ten-mile radius" in line 16, and inserting the words "five miles from the town or city limits in any direction."

Mr. Hazard moved the adoption of the amendment to section 3.

Remarks by Messrs. Curtis and Kennett.

Amendment adopted.

Remarks by Messrs. Hazard, Kennett, Loomis, and Davidson.

Mr. Smith moved that Assembly Bill No. 148 be rereferred to the Committee on Labor.

Carried.

Mr. Talcott asked to be recorded present.

Assembly Bill No. 184.

Remarks by Mr. Coleman.

Roll call on Assembly Bill No. 184:

YEAS—Barr, Bernard, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Cooper, Fee, Fisher, Germain, Hazard, Kennett, Lynch, McElroy, Oldham, Richard, Russell, Sampson, Sloan, Smith, Sowers, Springer, Talcott, and Williams—26.

NAYS—Hussman, Murphy, and Shelly—3.

Absent—Amodei and Curtis—2.

Not voting—Brooks, Brown, Conine, David, Davidson, Drumm, Loomis, McCuiston, and Mr. Speaker—9.

Assembly Bill No. 184 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 171.

Remarks by Messrs. Coleman, Kennett, Cahill, Shelly, Hussman, Hazard, and Cooper.

Roll call on Assembly Bill No. 171:

YEAS—Amodei, Barr, Bernard, Brown, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Loomis, Lynch, McElroy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—33.

NAYS—Brooks, Hussman, and Murphy—3.

Absent—Burke.

Not voting—Kennett, McCuiston, and Mr. Speaker—3.

Assembly Bill No. 171 having received a constitutional majority, Mr. Speaker declared it passed.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Kennett moved that on the consideration of appropriation bills Rule No. 9 be suspended for the remainder of the session.

Remarks by Messrs. Shelly and Kennett.

Motion lost.

GENERAL FILE AND THIRD READING

Senate Bill No. 43.

Mr. Oldham moved that the Assembly resolve itself into a Committee of the Whole to consider Senate Bill No. 43, and that the Speaker remain in the Chair as chairman.

COMMITTEE OF THE WHOLE

At 11:50 a. m.

Mr. Speaker in the Chair.

HOUSE IN SESSION

At 11:55 a. m.

Mr. Speaker in the Chair.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee of the Whole has had Senate Bill No. 43 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

BERKELEY L. BUNKER, *Chairman.*

GENERAL FILE AND THIRD READING

Senate Bill No. 43.

Roll call on Senate Bill No. 43:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—39.

NAYS—None.

Not voting—Mr. Speaker.

Senate Bill No. 43 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 176.

Remarks by Messrs. Davidson and Conine.

Roll call on Assembly Bill No. 176:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Kennett, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Smith, Sowers, Springer, Talcott, and Williams—34.

NAYS—None.

Absent—Loomis.

Not voting—Coleman, Conine, Hussman, Sloan, and Mr. Speaker—5.

Assembly Bill No. 176 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Kennett moved the Assembly recess until 2 p. m.

Carried.

Assembly in recess at 12 noon.

HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the Chair.

Quorum present.

There being no objections the Speaker and the Chief Clerk signed Assembly Bills Nos. 202 and 127, and Senate Bill No. 17.

SPECIAL ORDER OF BUSINESS

At 2 p. m.

Assembly Bill No. 12.

Mr. Brooks moved that Assembly Bill No. 12 be tabled.

Carried.

GENERAL FILE AND THIRD READING

Assembly Substitute for Assembly Bill No. 56.

Amendment proposed by Judiciary Committee: Amend section 1 of Substitute for Assembly Bill No. 56 by striking out after the word "affidavit," at the top of page 2, line 10, of the printed bill, the following: "shall state the facts and the reasons for the belief that such bias or prejudice exists, and"; further amend section 1 by inserting after the word "faith" in line 19 of the printed bill the following: "and not for delay."

Mr. Kennett moved the adoption of the amendment to section 1.
Amendment adopted.

Remarks by Messrs. Kennett and Davidson.

Roll call on Assembly Substitute for Assembly Bill No. 56:

YEAS—Amodei, Barr, Brooks, Brown, Cahill, Carroll, Case, Cooper, Curtis, Davidson, Drumm, Fisher, Germain, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, and Talcott—29.

NAYS—Bernard, Burke, Fee, and Hazard—4.

Not voting—Caldwell, Coleman, Conine, David, Hussman, Williams, and Mr. Speaker—7.

Assembly Substitute for Assembly Bill No. 56 having received a constitutional majority, Mr. Speaker declared it passed.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Enrollment has carefully compared Assembly Enrolled Bills Nos. 127 and 202 with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. R. GERMAIN, *Chairman.*

Mr. Speaker:

Your Committee on Mines and Mining 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.

H. E. SPRINGER, *Chairman.*

Mr. Speaker:

Your Committee on Labor has had Assembly Bill No. 118 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

H. E. HAZARD, *Chairman.*

Mr. Speaker:

Your Select Committee of Nye County Delegation has had Senate Bills Nos. 52 and 57 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

LEROY DAVID,
WM. KENNETT,
R. R. GERMAIN.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Kennett moved that the rule concerning the consideration of bills reported out of committee on the following legislative day be suspended for the day only, and that Senate Bills Nos. 52 and 57 be declared emergency measures under the Constitution and placed on top of the general file.

Carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 52.

Remarks by Mr. Kennett.

Roll call on Senate Bill No. 52:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—40.

NAYS—None.

Senate Bill No. 52 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 57.

Remarks by Mr. Kennett.

Roll call on Senate Bill No. 57:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—39.

NAYS—None.

Absent—Burke.

Senate Bill No. 57 having received a constitutional majority, Mr. Speaker declared it passed.

Under Rule No. 63 Mr. Hazard protested the action of the House on Assembly Bill No. 12.

INTRODUCTION AND FIRST READING

By Mr. Fee:

Assembly Bill No. 252—An Act prohibiting any employees of the State of Nevada or its subdivisions receiving an annual salary exceeding two thousand dollars from engaging in private industry or accepting employment, and fixing punishment for violation thereof.

Mr. Fee moved that 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.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Kennett moved that Assembly Bill No. 152 be withdrawn from the Committee on Elections and returned to the Chief Clerk's desk.

Carried.

Mr. Oldham moved the assembly adjourn until 11 a. m., Wednesday, March 1, 1939.

Carried.

Assembly adjourned at 2:30 p. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE FORTY-FIFTH DAY

CARSON CITY (Wednesday), March 1, 1939.

Assembly called to order at 11 a. m.

Mr. Speaker in the Chair.

Roll called.

All present.

Prayer by the Chaplain, Rev. J. L. Harvey.

Mr. Oldham moved the reading of the minutes be dispensed with and the Speaker and the Chief Clerk be authorized to make the necessary corrections and additions.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation has had Assembly Bill No. 180 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

A. J. RICHARD, *Chairman.*

Mr. Speaker:

Your Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 213, 211, 201, 193, 200, 198, and 203, hereto attached, are correct copies of the triplicates thereof in its possession.

Also, that bound copy of Assembly Bill No. 215, as corrected, page 2, line 8 "impervious" misspelled.

Also, that bound copy of Assembly Bill No. 208, hereto attached, as corrected, page 1, line 14, the word "Saturday" misspelled, is a correct copy of the triplicate thereof in its possession.

Also, that bound copy of Assembly Bill No. 183, hereto attached, as corrected, line 7, page 7, word "bearing" used in place of "hearing," is a correct copy of the triplicate thereof in its possession.

L. K. DRUMM, *Chairman.*

Mrs. Drumm moved that the Chief Clerk be authorized to make the necessary corrections on Assembly Bills Nos. 208, 215, and 183.

Carried.

Mr. Speaker:

Your Committee on 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.

R. E. CAHILL, *Chairman.*

Mr. Speaker:

Your Committee on Judiciary has had Assembly Bill No. 149 under consideration, and begs leave to report same with an amendment thereto, with the recommendation that the amendment be adopted and that the bill do pass, as amended: Amend section 2 of Assembly Bill No. 149 by striking the comma following the word "soap," in line 21, page 2 of the printed bill, and inserting a period in lieu thereof, and striking the balance of that line which reads "intended for cleansing purposes only."

Also, Assembly Bill No. 182 under consideration, and reports unfavorably on the same, with the recommendation that it do not pass.

WM. KENNETT, *Chairman.*

Mr. Speaker:

Your Committee on Roads and Highways has had Assembly Bill No. 22 under consideration, and begs leave to report on the same without recommendation.

Also, Assembly Bills Nos. 167, 197, and Assembly Joint Resolution No. 10, and reports favorably on the same, with the recommendation that they do pass.

Also, Assembly Bill No. 199, and reports unfavorably on the same, with the recommendation that it do not pass.

CLAUDE SMITH, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Hazard moved that Assembly Bill No. 12 be taken from the table and placed on top of the general file for third reading and final passage.

Roll call requested by Messrs. Hazard, Fee, and Cooper.

Roll call on Mr. Hazard's motion.

YEAS—Amodel, Barr, Brown, Burke, Cahill, Cooper, Curtis, David, Fee, Fisher, Germain, Hazard, Lynch, McElroy, Murphy, Richard, Russell, Sampson, and Sloan—19.

NAYS—Bernard, Brooks, Carroll, Case, Coleman, Conine, Davidson, Drumm, Hussman, Loomis, McCuiston, Oldham, Shelly, Smith, Sowers, and Talcott—16.

Not voting—Caldwell, Kennett, Springer, Williams, and Mr. Speaker—5.

Having received a favorable majority of the votes cast, the motion was carried.

Mr. Cahill moved that Assembly Bill No. 131 be taken from the table and returned to the Chief Clerk's desk.

Mr. Cahill moved that Assembly Bill No. 131 be rereferred to the Committee on Insurance.

Carried.

Mr. Smith moved that Assembly Bill No. 199, now on the Chief Clerk's desk be returned to the Committee on Roads and Highways for correction.

Carried.

Mr. Burke moved that Senate Bill No. 13, now in the Ways and Means Committee, be returned to the Chief Clerk's desk and be rereferred to a Joint Committee on Ways and Means and State Publicity.

Carried.

Mr. Russell moved that Assembly Bill No. 218, now in the Committee on Roads and Highways, be returned to the Chief Clerk's desk and rereferred to a Select Committee of White Pine County Delegation.

Carried.

Mr. Loomis moved that Assembly Bill No. 226 be withdrawn from a Select Committee of Washoe County Delegation, returned to the Chief Clerk's desk and rereferred to the Committee on Judiciary.

Carried.

Unanimous consent was given to Mr. Hussman to introduce a bill.

By Mr. Hussman:

Assembly Bill No. 253—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, together with the Acts amendatory thereof or supplemental 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 Taxation.

Carried.

Unanimous consent was given Mr. Cooper to introduce a bill.

By Mr. Cooper:

Assembly Bill No. 254—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, by amending section 23 thereof, and by adding a new section thereto to be known as section 23½.

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 Ways and Means.

Carried.

Unanimous consent was given to Mr. Oldham to introduce a bill.

By Mr. Oldham:

Assembly Bill No. 255—An Act to provide for the reimbursement of certain persons for the payment of licenses that were reduced after the payment thereof.

Mr. Oldham moved that 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.

Unanimous consent was given to Mr. Fee to introduce a bill.

By Mr. Fee:

Assembly Bill No. 256—An Act prohibiting employment by State of Nevada or its subdivisions at a salary of more than one hundred dollars a month of any person having an income of any description from any source averaging more than thirty dollars a month, and fixing punishment for violation thereof.

Mr. Fee moved that 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.

GENERAL FILE AND THIRD READING

Assembly Bill No. 12.

Remarks by Messrs. Hazard, Brooks, Cooper, Smith, Cahill, and Loomis.

Roll call on Assembly Bill No. 12:

YEAS—Barr, Brown, Burke, Cahill, Cooper, Curtis, David, Fee, Fisher, Germain, Kennett, Lynch, McElroy, Murphy, Richard, Russell, Sampson, Sloan, and Springer—19.

NAYS—Bernard, Brooks, Caldwell, Carroll, Case, Coleman, Conine, Davidson, Drumm, Hazard, Hussman, Loomis, McCuistion, Oldham, Shelly, Smith, Sowers, Talcott, and Williams—19.

Absent—Amodai.

Not voting—Mr. Speaker.

Assembly Bill No. 12 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Mr. Hazard gave notice that he will ask for reconsideration of Assembly Bill No. 12 on the next legislative day.

Mr. Germain moved the Assembly recess until 1 p. m.
Carried.

Assembly in recess at 12 noon.

HOUSE IN SESSION

At 1 p. m.

Mr. Speaker in the Chair.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 161.

Remarks by Mr. Springer.

Roll call on Assembly Bill No. 161:

YEAS—Bernard, Brooks, Brown, Caldwell, Carroll, Case, Curtis, David, Davidson, Drumm, Fee, Germain, Hazard, Hussman, Kennett, Loomis, McCuistion, McElroy, Oldham, Russell, Sampson, Sloan, Smith, Sowers, Springer, Talcott, and Williams—28.

NAYS—Conine.

Absent—Amodei, Barr, Burke, Cahill, Cooper, Fisher, Lynch, and Shelly—8.
Not voting—Coleman, Richard, and Mr. Speaker—3.

Assembly Bill No. 161 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 162.

Remarks by Messrs. Brooks and Oldham.

Mr. Oldham moved that Assembly Bill No. 162 be rereferred to the Judiciary Committee.

Carried.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Springer moved that Assembly Bill No. 166 be made a special order of business for March 2, 1939, at 2 p. m.

Carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 204.

Remarks by Messrs. Loomis, Hussman, and Kennett.

Roll call on Assembly Bill No. 204:

YEAS—Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Coleman, Conine, Curtis, David, Davidson, Drumm, Fee, Germain, Hussman, Kennett, Loomis, McElroy, Murphy, Oldham, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—28.

NAYS—Case and Hazard—2.

Absent—Amodei, Barr, Burke, Cooper, Fisher, Lynch, and Russell—7.

Not voting—McCuistion, Richard, and Mr. Speaker—3.

Assembly Bill No. 204 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 205.

Remarks by Mr. Loomis.

Roll call on Assembly Bill No. 205 :

YEAS—Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Coleman, Conine, Curtis, David, Davidson, Drumm, Germain, Hussman, Kennett, Loomis, McElroy, Murphy, Oldham, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—27.

NAYS—None.

Absent—Amodei, Barr, Burke, Cooper, Fisher, Lynch, and Russell—7.

Not voting—Case, Fee, Hazard, McCuistion, Richard, and Mr. Speaker—6.

Assembly Bill No. 205 having received a constitutional majority, Mr. Speaker declared it passed.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Loomis moved that Assembly Bill No. 206 be withdrawn from the general file, placed on the Chief Clerk's desk, and rereferred to the Committee on Judiciary.

Carried.

Mr. Hazard moved that Assembly Bill No. 118 be withdrawn from general file, placed on the Chief Clerk's desk, and referred to Committee on Judiciary.

Carried.

Assembly Joint Resolution No. 11.

Remarks by Mr. Germain.

Roll call on Assembly Joint Resolution No. 11 :

YEAS—Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Curtis, David, Davidson, Drumm, Fee, Germain, Hazard, Hussman, Kennett, Loomis, McCuistion, McElroy, Murphy, Oldham, Richard, Sampson, Shelly, Sloan, Sowers, Springer, Talcott, Williams, and Mr. Speaker—32.

NAYS—None.

Absent—Amodei, Barr, Burke, Cooper, Fisher, Lynch, Russell, and Smith—8.

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

Mr. Hazard moved the Assembly adjourn until Thursday, March 2, 1939, at 11 a. m.

Assembly adjourned at 1:40 p. m.

Approved :

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest : E. C. MULCAHY,

Chief Clerk of the Assembly.

THE FORTY-SIXTH DAY

CARSON CITY (Thursday), March 2, 1939.

Assembly called to order at 11 a. m.

Mr. Speaker in the Chair.

Roll called.

All present except Mrs. Drumm and Mr. Sloan, who were excused.

Prayer by the Chaplain, Rev. A. S. Kean.

Mr. Oldham moved the reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Carried.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Hazard moved reconsideration of Assembly Bill No. 12 under Rule No. 48, pursuant to his notice of the previous day.

Roll call requested by Messrs. Hazard, Fee, and Cooper:

Roll call on motion to reconsider Assembly Bill No. 12:

YEAS—Barr, Brown, Burke, Cahill, Cooper, Curtis, David, Fee, Fisher, Germain, Hazard, Kennett, Lynch, Murphy, Richard, Russell, Sampson, and Mr. Speaker—18.

NAYS—Amodei, Bernard, Brooks, Caldwell, Carroll, Case, Coleman, Conine, Davidson, Hussman, Loomis, McCuiston, Oldham, Shelly, Smith, Sowers, Springer, and Talcott—18.

Absent—Drumm, McElroy, Sloan, and Williams—4.

Having failed to receive a majority of the votes cast, the motion was declared lost.

Mr. Hazard asked that his remarks on Assembly Bill No. 12, included in the Journal of the previous day, be expunged therefrom.

There being no objections it was so ordered.

Mr. Davidson moved that the special order of business set for March 3 at 2 p. m. be vacated, and that Assembly Bill No. 158 be made a special order for today at 2:15 p. m.

Carried.

Mr. Smith moved that action on Assembly Bill No. 22, now on general file, be deferred until the next legislative day.

Carried.

INTRODUCTION AND FIRST READING

By Mr. Brooks:

Assembly Bill No. 257—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, together with the Acts amendatory thereof or supplemental thereto.

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

Carried.

By Mr. Brooks:

Assembly Bill No. 258—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 disbursements 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, together with the Acts amendatory thereof or supplemental thereto.

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

Carried.

By Mr. Fisher:

Assembly Resolution No. 14—Assembly resolution relative to distinguishing lobbyists from members of the Assembly.

WHEREAS, During the present session of the Legislature there have been numerous lobbyists flitting about from place to place adjacent to the legislative halls; and

WHEREAS, Some of them have a slight resemblance to members of the Legislature; and

WHEREAS, By reason of such similarity great confusion and numerous unpleasant incidents have occurred; and

WHEREAS, It appears that such lobbyists are increasing both in numbers and in activities, and there is grave apprehension of serious consequences by reason thereof; now, therefore, be it

Resolved by the Assembly of the State of Nevada, That every lobbyist be required to register with the Sergeant-at-Arms, be allotted a number and immediately provided with a uniform, at the expense of the Sergeant-at-Arms, by which such lobbyists may be distinguished from members of the Assembly, and the Assembly may thereby be enabled to accomplish its purpose and adjourn without further serious consequences.

Mr. Fisher 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 State Prison.

Carried.

Unanimous consent given to Nye County Delegation to introduce bills.

By Nye County Delegation:

Assembly Bill No. 259—An Act authorizing and empowering the Board of Trustees of Round Mountain School District, Nye County, Nevada, to transfer moneys from the Round Mountain School District

Fund to the Round Mountain School Bonds, Redemption, and Interest Fund.

Mr. Germain 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 Nye County Delegation.

Carried.

By Nye County Delegation :

Assembly Bill No. 260—An Act authorizing and empowering the Board of Trustees of Round Mountain School District, Nye County, Nevada, to transfer moneys from the Round Mountain High School District Fund to the Round Mountain School Bonds, Redemption, and Interest Fund.

Mr. Germain 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 Nye County Delegation.

Carried.

Unanimous consent was given to Committee on Irrigation to introduce a bill.

By Committee on Irrigation :

Assembly Bill No. 261—An Act to encourage the construction of diversion works and structures on adjudicated streams and stream systems in this State and to provide for cooperation of the State Engineer with the Civilian Conservation Corps of the United States or other Federal Agency in such construction, and defining the powers and duties of the State Engineer with respect thereto; providing for the conveying of sites for such works and structures to the State and dedicating the use thereof to water users; and other matters properly relating thereto.

Mr. Case moved that 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.

Unanimous consent was given Clark County Delegation to introduce a bill.

By Clark County Delegation :

Assembly Bill No. 262—An Act to amend an Act entitled "An Act authorizing and directing the Boards of County Commissioners of the State of Nevada to fix the salary or compensation of township officers, and repealing all Acts or parts of Acts in conflict therewith," approved February 21, 1929.

Mr. Hazard 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 Clark County Delegation.

Carried.

By Mr. Oldham :

Assembly Joint Resolution No. 13 proposing an amendment to article II of the Constitution.

Resolved by the Senate and Assembly of the State of Nevada, That section 1

of article II of the Constitution of the State of Nevada shall be amended to read as follows:

SECTION 1. Section 1 of article II of the Constitution is hereby amended to read as follows:

Section 1. All citizens of the United States not laboring under the disabilities named in this Constitution of the age of twenty-one and upwards, who shall show proof of payment of annual poll tax, and who shall have actually, and not constructively, resided in the State six months, and in the district or county thirty days next preceding any election, shall be entitled to vote for all officers that now or hereafter may be elected by the people, and upon all questions submitted to the electors at such election; *provided*, that no person who has been or may be convicted of treason or felony in any State or Territory of the United States, unless restored to civil rights, and no idiot or insane person shall be entitled to the privilege of an elector. There shall be no denial of the elective franchise at any election on account of sex.

Mr. Germain 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. 180.

Amendment proposed by Mr. Cahill: Amend section 1 of Assembly Bill No. 180, page 2, between lines 5 and 6, by adding a line to read as follows: "Wine Importer and Wholesale License, \$50."

Mr. Cahill moved the adoption of the amendment to section 1.

Remarks by Messrs. Cahill, Cooper, David, and Kennett.

Amendment lost.

Mr. Shelly moved that Assembly Bill No. 180 be placed on general file for the next legislative day.

Remarks by Messrs. Kennett, Shelly, Germain, and Cooper.

Motion lost.

Roll call on Assembly Bill No. 180:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Fee, Fisher, Germain, Hussman, Kennett, Loomis, Lynch, McCustion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Smith, Sowers, Springer, and Talcott—35.

NAYS—None.

Absent—Drumm, Sloan, and Williams—3.

Not voting—Hazard and Mr. Speaker—2.

Assembly Bill No. 180 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 return to your honorable body Assembly Bill No. 50, which passed the Senate by the following vote: Yeas, 16; nays, 1.

Also, Assembly Bill No. 111, which passed: Yeas, 15; nays, 1; absent, 1.

Also, Assembly Bill No. 237, which passed: Yeas, 17; nays, none.

Also, Assembly Bill No. 238, which passed: Yeas, 17; nays, none.

Also, to present for the consideration of your honorable body Senate Bill No. 50, which passed the Senate by the following vote: Yeas, 17; nays, none.

Also, Senate Joint Resolution No. 5, which passed: Yeas, 17; nays, none.

Also, Senate Joint Resolution No. 6, which passed: Yeas, 17; nays, none.

Also, Senate Substitute for Assembly Substitute for Assembly Bill No. 52, which passed, as amended: Yeas, 16; nays, 1. Amend section 1 by inserting

after the word "premiums" on page 1, line 13, the words "received for reinsurance."

Also, Senate Bill No. 32, which passed, as amended: Yeas, 17; nays, none. Amend section 1 by striking the words "its equivalent" in line 12, and inserting in lieu thereof the words "lawful money of the United States."

Also, Senate Bill No. 41, which passed: Yeas, 17; nays, none.

Also, Senate Bill No. 42, which passed: Yeas, 17; nays, none.

Also, Senate Bill No. 44, which passed: Yeas, 17; nays, none.

Also, Senate Bill No. 54, which passed: Yeas, 16; nays, none; absent, 1.

Also, Senate Bill No. 62, which passed: Yeas, 17; nays, none.

Also, Senate Bill No. 68, which passed: Yeas, 17; nays, none.

Also, Senate Bill No. 69, which passed: Yeas, 17; nays, none.

Also, Senate Bill No. 72, which passed: Yeas, 15; nays, 1; not voting, 1.

Also, Senate Substitute for Senate Bill No. 3, which passed: Yeas, 17; nays, none.

Also, Senate Substitute for Senate Bill No. 60, which passed: Yeas, 16; nays, 1.

Also, Senate Resolution No. 9, which was adopted.

Also, to return Assembly Bill No. 59, which passed, as amended: Yeas, 17; nays, none. Amend section 2 by striking out the word "any" after the word "of," in line 14, page 2, and inserting in lieu thereof the words "State Highway."

Also, Assembly Bill No. 123, which passed: Yeas, 16; nays, none; not voting, 1.

F. BUCKINGHAM,

Assistant Secretary of the Senate.

Mr. Brown moved that the Assembly concur in the Senate amendments to Assembly Bill No. 59.

Carried.

MOTIONS, RESOLUTIONS, AND NOTICES

Senate Resolution No. 9.

Mr. Oldham moved that Senate Substitute for Senate Bill No. 23 be withdrawn from the Committee on Labor and returned to the Chief Clerk's desk.

Carried.

Mr. Oldham moved that Senate Substitute for Senate Bill No. 23 be returned to the Senate in accordance with their request in Senate Resolution No. 9.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 188, 233, 229, 190, and 230, hereto attached, are correct copies of the triplicates thereof in its possession.

Also, that bound copy of Assembly Bill No. 186, as corrected on page 2, line 13, the word "of" used in place of the word "or," hereto attached, is a correct copy of the triplicate thereof in its possession.

R. R. GERMAIN, *Chairman.*

Mr. Speaker:

Your Committee on Roads and Highways has had Assembly Bill No. 199 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

CLAUDE H. SMITH, *Chairman.*

Mr. Germain moved that the Chief Clerk be authorized to make the necessary corrections on Assembly Bill No. 186.

GENERAL FILE AND THIRD READING

Assembly Bill No. 210.

Remarks by Mr. Cahill.

Roll call on Assembly Bill No. 210:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Russell, Sampson, Shelly, Smith, Sowers, Springer, Talcott, and Williams—37.

NAYS—None.

Absent—Drumm and Sloan—2.

Not voting—Mr. Speaker.

Assembly Bill No. 210 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 209.

Mr. Kennett moved the Assembly resolve itself into a Committee of the Whole to consider Assembly Bill No. 209, and that the Speaker remain in the Chair as chairman.

Carried.

COMMITTEE OF THE WHOLE

At 11:45 a. m.

Mr. Speaker in the Chair.

HOUSE IN SESSION

At 11:55 a. m.

Mr. Speaker in the Chair.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee of the Whole has had Assembly Bill No. 209 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

BERKELEY L. BUNKER, *Chairman.*

GENERAL FILE AND THIRD READING

Assembly Bill No. 209.

Roll call on Assembly Bill No. 209:

YEAS—Amodei, Barr, Brooks, Brown, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Curtis, David, Davidson, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Smith, Sowers, Springer, Talcott, and Williams—33.

NAYS—Cooper and Fee—2.

Absent—Burke, Drumm, and Sloan—3.

Not voting—Bernard and Mr. Speaker—2.

Assembly Bill No. 209 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 149.

Mr. Kennett moved the adoption of the amendment to section 2.

Amendment adopted.

Remarks by Messrs. Kennett, Cooper, and Davidson.

Roll call on Assembly Bill No. 149 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, David, Davidson, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Russell, Sampson, Shelly, Smith, Sowers, Springer, Talcott, and Williams—30.

NAYS—None.

Absent—Drumm, Curtis, Oldham, and Sloan—4.

Not voting—Fee, Fisher, Germain, Hazard, Richard, and Mr. Speaker—6.

Assembly Bill No. 149 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Davidson moved that the Assembly recess until 1 : 55 p. m.
Carried.

Assembly recessed at 12 : 15 p. m.

HOUSE IN SESSION

Assembly called to order at 2 p. m.

Mr. Speaker in the Chair.

Quorum present.

SPECIAL ORDER OF BUSINESS

At 2 p. m.

Assembly Bill No. 166.

Remarks by Messrs. Springer, Loomis, Russell, Sampson, Hussman, and Case.

Roll call on Assembly Bill No. 166 :

YEAS—Barr, Bernard, Brooks, Brown, Burke, Cahill, Carroll, Coleman, Conine, Cooper, Curtis, David, Davidson, Fee, Fisher, Germain, Hazard, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Sampson, Shelly, Smith, Sowers, Springer, and Mr. Speaker—31.

NAYS—Amodei, Case, Hussman, Russell, and Talcott—5.

Absent—Drumm, Sloan, and Williams—3.

Not voting—Caldwell.

Assembly Bill No. 166 having received a constitutional majority, Mr. Speaker declared it passed.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means has had Assembly Bill No. 112 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass, as amended.

Amendment proposed by Committee on Ways and Means: Amend section 1 of Assembly Bill No. 112, page 1, line 3 of the printed bill, by striking out the words and figures "thirty thousand (\$30,000)" and inserting in lieu thereof the words and figures "twenty thousand (\$20,000)."

Also, your Joint Committee on Ways and Means and Mines and Mining has had Senate Bill No. 9 under consideration, and reports favorably on the same, with the recommendation that it do pass.

Also, your Committee on Ways and Means has had Senate Bill No. 48 under consideration, and reports favorably on the same, with the recommendation that it do pass.

Also, Senate Bill No. 46 under consideration, and reports favorably on the same, with the recommendation that it do pass.

Also, Assembly Bill No. 214, and reports favorably on the same, with the recommendation that it do pass.

R. E. CAHILL, *Chairman.*

Mr. Speaker:

Your Committee on Labor has had Assembly Bill No. 148 under consideration, and begs leave to offer a substitute, with the recommendation that the substitute bill be adopted, and that it do pass.

H. E. HAZARD, *Chairman.*

Mr. Hazard moved the adoption of Assembly Substitute for Assembly Bill No. 148, and that the substitute be ordered printed.

Carried.

MESSAGES FROM THE SENATE

To the Honorable the Assembly:

I have the honor herewith to return to your honorable body Assembly Bill No. 236, which passed the Senate, as amended, by the following vote: Yeas, 15; nays, none; absent, 2. Amend as follows: Strike out the words "wherein there were cast at the biennial election 1938, for Congressman, 14,382," and inserting in lieu thereof the words "having a population of 15,000 or more."

F. BUCKINGHAM,
Assistant Secretary of the Senate.

Mr. Shelly moved that the Assembly concur in the Senate amendments to Assembly Bill No. 236.

Carried.

Mr. Oldham gave notice that on the next legislative day he will introduce a resolution changing Rule No. 26.

There being no objections the Speaker and the Chief Clerk signed Senate Bill No. 43.

MOTIONS, RESOLUTIONS, AND NOTICES

Assembly Resolution No. 16, expressing sympathy to Hon. Louella K. Drumm on the death of her husband.

WHEREAS, It has come to the knowledge of this body that our fellow member, Hon. Louella K. Drumm, has been stricken with the loss of her husband, A. D. Drumm, Sr.; and

WHEREAS, This said occurrence has terminated the relation of husband and wife that has continued for these many years, bringing sadness and loneliness where peace and happiness have been wont to exist in the past; and

WHEREAS, This body is desirous of expressing appropriate expressions of comfort and sympathy to our fellow member; now, therefore, be it

Resolved by the Assembly of the State of Nevada, That the Assembly of Nevada of the Thirty-ninth Session does hereby express to Hon. Louella K. Drumm our sentiment of profound sorrow and sympathy in this hour of bereavement; and be it further

Resolved, That as a token of the sentiment of this body that this resolution be spread upon the minutes of the Assembly; and be it further

Resolved, That the Speaker of the Assembly do appoint a committee of the members of this body to act as the representative hereof in attendance at the funeral services of A. D. Drumm, Sr.; and be it further

Resolved, That properly certified copies of this resolution be transmitted by the Chief Clerk of this Assembly to the family of said A. D. Drumm, Sr.

Mr. Smith moved the adoption of the resolution.

Carried.

INTRODUCTION AND FIRST READING

Unanimous consent was given to Mr. Oldham to introduce a bill.

By Mr. Oldham:

Assembly Bill No. 263—An Act to amend an Act entitled "An Act

relating to elections," approved March 24, 1917, together with the Acts amendatory thereof or supplemental thereto.

Mr. Oldham moved that 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. 50.

Mr. Oldham moved that 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.

SPECIAL ORDER OF BUSINESS

At 2:15 p. m.

Assembly Bill No. 158.

Mr. Loomis moved that the Assembly resolve itself into a Committee of the Whole to consider Assembly Bill No. 158, and that the Speaker remain in the Chair.

COMMITTEE OF THE WHOLE

At 2:18 p. m.

Mr. Speaker in the Chair.

HOUSE IN SESSION

At 2:40 p. m.

Mr. Speaker in the Chair.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee of the Whole has had Assembly Bill No. 158 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

BERKELEY L. BUNKER, *Chairman.*

GENERAL FILE AND THIRD READING

Assembly Bill No. 158.

Roll call on Assembly Bill No. 158:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sowers, Springer, Talcott, and Mr. Speaker—35.

NAYS—None.

Absent—Cahill, Drumm, Sloan, and Williams—4.

Not voting—Smith.

Assembly Bill No. 158 having received a constitutional majority, Mr. Speaker declared it passed.

INTRODUCTION AND FIRST READING

Senate Joint Resolution No. 5.

Mr. Oldham moved that 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. 6.

Mr. Oldham 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 Substitute for Assembly Substitute for Assembly Bill No. 52.

Mr. Oldham moved that 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. 32.

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

Carried.

Senate Bill No. 41.

Mr. Oldham moved that 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. 42.

Mr. Oldham moved that 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. 44.

Mr. Oldham moved that 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. 54.

Mr. Oldham 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 Claims.

Carried.

Senate Bill No. 62.

Mr. Oldham moved that 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. 68.

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.

Senate Bill No. 69.

Mr. Oldham moved that 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. 72.

Mr. Oldham moved that 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. 3.

Mr. Oldham moved that 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. 60.

Mr. Oldham moved that 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.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Murphy moved that Assembly Bill No. 182 be withdrawn from the general file and placed on the Chief Clerk's desk.

Carried.

GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 10.

Remarks by Mr. Germain.

Roll call on Assembly Joint Resolution No. 10:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Case, Coleman, Conine, David, Davidson, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Smith, Sowers, Springer, Talcott, and Mr. Speaker—34.

NAYS—None.

Absent—Burke, Cooper, Curtis, Drumm, Sloan, and Williams—6.

Assembly Joint Resolution No. 10 having received a constitutional majority, Mr. Speaker declared it adopted.

Assembly Bill No. 167.

Remarks by Messrs. Oldham and Loomis.

Roll call on Assembly Bill No. 167:

YEAS—Amodei, Barr, Bernard, Brown, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, David, Davidson, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Smith, Sowers, Springer, Talcott, and Mr. Speaker—34.

NAYS—Brooks.

Absent—Burke, Curtis, Drumm, Sloan, and Williams—5.

Assembly Bill No. 167 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 197.

Remarks by Messrs. Smith, David, Davidson, and Springer.

Mr. Springer moved that Assembly Bill No. 197 be rereferred to Committee on Roads and Highways.

Carried.

The Speaker appointed Messrs. Cooper, Talcott, and Smith as a committee to represent the Assembly at the funeral of the late A. D. Drumm, Sr.

Mr. Germain moved the Assembly adjourn until Friday, March 3, 1939, at 10 a. m.

Carried.

Assembly adjourned at 3:18 p. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE FORTY-SEVENTH DAY

CARSON CITY (Friday), March 3, 1939.

Assembly called to order at 11 a. m.

Mr. Speaker in the Chair.

Roll called.

All present except Mrs. Drumm, who was excused.

Prayer by the Chaplain, Rev. J. L. Harvey.

Mr. Oldham moved the reading of the Journal be dispensed with, and the Speaker and the Chief Clerk be authorized to make the necessary corrections and additions.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Irrigation has had Assembly Bill No. 215 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

IRVIN CASE, *Chairman.*

Mr. Speaker:

Your Committee on Ways and Means has had Assembly Bill No. 185 under consideration, and begs leave to report a substitute favorably on the same, with the recommendation that the substitute do pass and not be printed.

R. E. CAHILL, *Chairman.*

Mr. Speaker:

The majority of your Joint Committee on Ways and Means and Agriculture has had Assembly Bill No. 120 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass. Majority members were: Messrs. Cahill, Brooks, Hussman, Talcott, Williams, Springer, Mrs. Drumm, Messrs. Smith, Murphy, McCuiston, and Russell.

R. E. CAHILL, *Chairman.*

Mr. Speaker:

The minority of your Committee on Ways and Means has had Assembly Bill No. 120 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass. Minority member was Mr. Carroll.

R. E. CAHILL, *Chairman.*

Mr. Speaker:

Your Committee on Ways and Means has had Senate Bill No. 19 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

R. E. CAHILL, *Chairman.*

Mr. Speaker:

Your Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 254, 244, 231, 243, 255, 253, 256, and 247, hereto attached, are correct copies of the triplicates thereof in its possession.

R. R. GERMAIN, *Chairman.*

Mr. Speaker:

Your Committee on Engrossment hereby certifies that bound copy of Assembly Bill No. 249, as corrected, on page 2, line 18, word "be" omitted between "will" and "in"; page 9, line 6, "automatically" misspelled, hereto attached, is a correct copy of the triplicate thereof in its possession.

Also, that bound copy of Assembly Bill No. 245, as corrected, on page 2, line 15, the word "commission" used in place of "commissioner," is a correct copy of the triplicate thereof in its possession.

R. R. GERMAIN, *Chairman.*

Mr. Speaker:

Your Committee on Labor has had Assembly Bill No. 228 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

H. E. HAZARD, *Chairman.*

Mr. Germain moved the Chief Clerk be authorized to make the necessary corrections on Assembly Bills Nos. 249 and 245.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Cahill moved that Rule 9, relative to the consideration of appropriation bills in Committee of the Whole, be suspended for the remainder of this legislative day.

Carried.

Mr. Russell moved that the Assembly rescind its action on Senate Substitute for Senate Bill No. 23.

Remarks by Messrs. Oldham, Russell, Kennett, and Cooper.

Motion carried.

Mr. Russell moved that Senate Bill No. 23, now on the Chief Clerk's desk, be rereferred to the Committee on Labor.

Carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 22.

Amendment proposed by Mr. Smith: Amend section 3 of Assembly Bill No. 22 by striking out on page 2, line 22, the words "an incident to" and inserting the words "a part of."

Mr. Smith moved the adoption of the amendment to section 3.

Amendment adopted.

Amendment proposed by Mr. Russell: Amend section 3 of Assembly Bill No. 22 by adding a new paragraph as subdivision (e) following subdivision (d), on page 2 of the printed bill, to read as follows: Those using such vehicles for the transportation, sale and delivery at retail of any particular group of products having a common trademark, tradename, or brand, as agents, employees, or retail dealers of the manufacturers or wholesale distributors of such products through whom they market the same.

Mr. Russell moved the adoption of the amendment.

Remarks by Messrs. Kennett, Russell, Hussman, and Case.

Mr. Kennett moved that Assembly Bill No. 22 be rereferred to the Committee on Roads and Highways for correction.

Carried.

Assembly Bill No. 199.

Roll call on Assembly Bill No. 199:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—38.

NAYS—None.

Absent—Drumm.

Not voting—Mr. Speaker.

Assembly Bill No. 199 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 112.

Amendment proposed by Committee on Ways and Means: Amend section 3 of Assembly Bill No. 112 by inserting after the word "and" in line 11, page 2, the word "if." Further amend by striking the word "and" in line 12, page 2, and inserting a comma in lieu thereof.

Mr. Cahill moved the adoption of the amendment to section 3.

Amendment adopted.

Mr. Cahill moved that Assembly Bill No. 112 be placed on the bottom of the general file.

Carried.

Senate Bill No. 9.

Remarks by Messrs. Springer and Cooper.

Roll call on Senate Bill No. 9:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Curtis, David, Fee, Fisher, Germain, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—34.

NAYS—Cooper.

Absent—Burke, Drumm, and Hazard—3.

Not voting—Davidson and Mr. Speaker—2.

Senate Bill No. 9 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 48.

Remarks by Mr. Amodei.

Roll call on Senate Bill No. 48:

YEAS—Amodei, Barr, Bernard, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Davidson, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—34.

NAYS—None.

Absent—Brooks, Cooper, Curtis, David, and Drumm—5.

Not voting—Mr. Speaker.

Senate Bill No. 48 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 46.

Remarks by Messrs. Cahill, Loomis, and Williams.

Roll call on Senate Bill No. 46:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, David, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—35.

NAYS—Davidson.

Absent—Drumm.

Not voting—David, Loomis, and Mr. Speaker—3.

Senate Bill No. 46 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Speaker pro tempore in the Chair.

Assembly Bill No. 214.

Remarks by Messrs. Carroll, Oldham, and Cooper.

Roll call on Assembly Bill No. 214:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Coleman, Curtis, David, Davidson, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Smith, Sowers, Springer, Talcott, and Williams—35.

NAYS—Conine.

Absent—Case and Drumm—2.

Not voting—Sloan and Mr. Speaker—2.

Assembly Bill No. 214 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Speaker in the Chair.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Smith moved that Assembly Bill No. 197 be withdrawn from the Committee on Roads and Highways, returned to the Chief Clerk's desk, and placed on the bottom of general file.

Carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 112.

Mr. Cahill moved the adoption to the amendment to section 3.

Amendment adopted.

Remarks by Messrs. Curtis, Brooks, and Richard.

Roll call on Assembly Bill No. 112:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Fisher, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—32.

NAYS—Curtis, David, Fee, and Hazard—4.

Absent—Drumm.

Not voting—Davidson, Germain, and Mr. Speaker—3.

Assembly Bill No. 112 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 197.

Amendment proposed by Committee on Roads and Highways: Amend section 4 of Assembly Bill No. 197 by striking out all of section 4, striking out the figure 5 in line 14, page 3, and inserting therein the figure 4, and striking out the figure 6, line 22, and inserting therein the figure 5.

Mr. Smith moved the adoption of the amendment to section 4.

Remarks by Mr. Smith.

Roll call on Assembly Bill No. 197:

YEAS—Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Smith, Sowers, Springer, Talcott, and Williams—34.

NAYS—Sloan.

Absent—Drumm and Fisher—2.

Not voting—Amodei, Fee, and Mr. Speaker—3.

Assembly Bill No. 197 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Kennett moved the Assembly recess until 2 p. m.
Carried.

Assembly in recess at 11:10 a. m.

HOUSE IN SESSION

At 2 p. 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. 246, as corrected, on page 1, line 11, word "benefited" misspelled, Page 2, line 11, the word "pail" used in place of the word "jail," hereto attached, is a correct copy of the triplicate thereof in its possession.

Also, that bound copies of Assembly Bills Nos. 240, 241, 248, 242, 232, 239, 234, and 252, and Assembly Joint Resolution No. 12, and Assembly Concurrent Resolution No. 6, hereto attached, are correct copies of the triplicates thereof in its possession.

L. K. DRUMM, *Chairman.*

Mr. Speaker:

Your Committee on Public Morals has had Assembly Bill No. 190 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 Labor has had Assembly Bill No. 172 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

H. E. HAZARD, *Chairman.*

Mr. Speaker:

Your Committee on Fish and Game has had Assembly Bill No. 174 under consideration, and begs leave to report favorably on the same, with the recommendation it do pass, as amended.

Amend section 2 of Assembly Bill No. 174 by inserting after the word "include" in line 14, page 2 of the printed bill, the following: "all forms of migratory birds which are considered to be, and defined as, game birds by the Washington Migratory Bird Treaty and by the Federal Migratory Bird Act, to wit."

Amend section 5 of Assembly Bill No. 174 by striking out after the word "designated" in line 15, page 4 of the printed bill, the following: "in this Act," and insert in lieu thereof the words "by the commission."

Amend section 10 of Assembly Bill No. 174 by striking out the period at the end of line 7, page 10 of the printed bill, insert in lieu thereof a semicolon and the following: "resident trappers license, five (\$5) dollars."

Amend section 25 of Assembly Bill No. 174 by striking out after the comma following the word "department" in line 14, page 15 of the printed bill, all of the remainder of section 25, and insert in lieu thereof the following: "shall pass to the control of the commission herein created."

Amend section 30 of Assembly Bill No. 174 by inserting after the word "shall" in line 23, page 16 of the printed bill, the word "annually."

Amend section 62 of Assembly Bill No. 174 by striking out in line 16, page 31 of the printed bill, the words "and when appropriately tagged."

Also, Assembly Bill No. 243 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

C. H. SLOAN, *Chairman.*

Mr. Speaker:

Your Committee on Roads and Highways has had Assembly Bill No. 22 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

CLAUDE H. SMITH, *Chairman.*

Mr. Speaker:

Your Joint Committee on Agriculture and Livestock has had Assembly Bill No. 92 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. 92 by inserting after the word "include" in line 3, page 1 of the printed bill, the following: "cocoanut oils or fats or"; further amend section 1 by striking out the word "of" in line 3, page 1 of the printed bill, and inserting in lieu thereof the word "including"; further amend section 1 by striking out after the word "fats" where it occurs the first time in line 4, page 1 of the printed bill, all of the following: "in combination with animal or vegetable fats, milk, butter, or any product of milk or butter."

A. J. RICHARD, *Chairman.*

Mr. Speaker:

Your Committee on Banks and Banking has had Assembly Bill No. 203 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

J. W. OLDHAM, *Chairman.*

Mr. Speaker:

Your Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 247, 260, 259, 262, and 263, and of Assembly Substitute for Assembly Bill No. 148, hereto attached, are correct copies of the triplicates thereof in its possession.

Also, that bound copy of Assembly Bill No. 250, as corrected, on page 3, line 17, word "imposed" omitted after word "weight," hereto attached, is a correct copy of the triplicate thereof in its possession.

Also, that bound copy of Assembly Bill No. 251, as corrected, on page 7, line 13, word "or" used in place of word "of," hereto attached, is a correct copy of the triplicate thereof in its possession.

FRED J. BROWN, *Chairman.*

Mr. Brown moved the Chief Clerk make the necessary corrections on Assembly Bills Nos. 246, 250, and 251.

Carried.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Russell moved that Senate Substitute for Senate Bill No. 23 be withdrawn from the Committee on Labor, returned to the Chief Clerk's desk, and rereferred to the Senate, pursuant to Senate Resolution No. 9.

Carried.

Mr. Hussman moved that Assembly Bill No. 253 be withdrawn from the Committee on Taxation, returned to the Chief Clerk's desk, and rereferred to the Committee on Ways and Means.

Carried.

Mr. Shelly moved that the rules of the Assembly requiring bills reported out of committees to be considered on the next legislative day be temporarily suspended, and that Assembly Bill No. 22 be placed on general file.

Carried.

Mr. Case moved that the Committee on State Prison report Assembly Resolution No. 14 out as an emergency measure.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary has had Assembly Bill No. 162 under consideration, and begs leave to report same with a substitute and recommends that the substitute therefor be adopted and that the same do pass.

Also, Senate Substitute for Senate Bill No. 3, reports favorably on the same, with the recommendation that it do pass.

Also, Senate Bills Nos. 50, 68, 69, and Assembly Bills Nos. 118 and 244 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

Also, Assembly Bill No. 206, reports same with an amendment thereto, with the recommendation that the amendment be adopted, and that the bill do pass, as amended. Amend section 2 of Assembly Bill No. 206 by striking the lines 11 and 12 on page 2 of the printed bill, and insert in lieu thereof the following: "SEC. 2. All Acts and parts of Acts insofar as they are in conflict with the provisions of this Act, are hereby repealed. Further amend Assembly Bill No. 206 by adding a new section to be designated as section 3, and to read as follows: "SEC. 3. This Act shall be in full force and effect from and after its passage and approval."

WM. KENNETT, *Chairman.*

Mr. Oldham moved that Assembly Substitute for Assembly Bill No. 162 be adopted and ordered printed.

Carried.

INTRODUCTION AND FIRST READING

By Mr. Oldham.

Assembly Joint Resolution No. 14, proposing amendment to article XI of the Constitution.

Resolved by the Senate and the Assembly of the State of Nevada, That section 6 of article XI of the Constitution of the State of Nevada shall be amended to read as follows:

SECTION 1. Section 6 of article XI of the Constitution is hereby amended to read as follows:

Section 6. The Legislature shall provide a special tax, which shall not exceed three mills on the dollar of all taxable property in the State, in addition to the other means provided for the support and maintenance of said State University and common schools.

Mr. Oldham moved that 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.

Unanimous consent was given to Mr. Cahill to introduce bills.

By Mr. Cahill:

Assembly Bill No. 264—An Act supplementing an Act entitled "An Act to provide an excise tax on the distribution of motor vehicle fuel and on the use of any other inflammable or combustible liquids used to propel motor vehicles on the highways of this State; to provide for the payment and 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 and imposing duties on such carriers and on consumers; to provide for the administration and enforcement thereof by the Nevada Tax Commission and fixing its duties in relation thereto; to fix penalties for the violation of

the provisions of this Act; to provide for the disposition of said tax; to provide for refunds; to define certain words, terms, and phrases herein; to prohibit political subdivisions from imposing similar taxes; and to repeal all other Acts or parts of Acts in conflict herewith," approved March 21, 1935, being chapter 74, Statutes of Nevada 1935, and providing for the licensing of dealers and a tax on aircraft motor fuels, payable monthly, providing for the aeronautic fund to be expended on publicly owned airports, airport feeder roads, and expenses of administration, and other matters properly connected therewith.

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. Cahill:

Assembly Bill No. 265—An Act providing for the regulation of aeronautics within this State, for uniformity in certain regards with Federal laws regulating aeronautics, and to make uniform the law with reference 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. Cahill:

Assembly Bill No. 266—An Act to amend the title and section 2 of an Act entitled "An Act authorizing and empowering any city or county or any town or any municipal corporation in the State of Nevada to acquire land and construct and complete improvements thereon necessary or convenient to the maintenance or operation of airports, the flying and landing of aircraft, and the maintenance and operation of hangers for storing aircraft; permitting use for said purposes of property owned for park purposes; providing for the incurring of indebtedness and the issuing of bonds for said purposes, and for the levying of taxes therefor; declaring such use to be a public use; and matters in connection therewith," approved January 31, 1928, and by the addition thereto of a new section.

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.

Unanimous consent was given Mr. Davidson to introduce bills.

By Mr. Davidson:

Assembly Bill No. 267—An Act to amend an Act entitled "An Act relating to unemployment compensation, creating unemployment compensation and administration funds, and providing for the administration thereof; making an appropriation therefor; defining unemployment and providing compensation therefor; requiring contributions by employers to the unemployment compensation fund; creating the office of director, a board of review, and providing for other officers

and employees, and defining their powers and duties; and other matters relating thereto," approved March 23, 1937.

Mr. Davidson moved that 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. Davidson:

Assembly Bill No. 268—An Act to prohibit the employment of married women, whose husbands are gainfully employed, in any State, county, or municipal employment, or by any board, commission, or institution of the State of Nevada or any of its political subdivisions.

Mr. Davidson 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 Labor.

Carried.

By Mr. Davidson:

Assembly Bill No. 269—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, together with the Acts amendatory thereof or supplementary thereto.

Mr. Davidson moved that 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. 22.

Remarks by Messrs. Russell, Hazard, Smith, and Sloan.

Roll call on Assembly Bill No. 22:

YEAS—Amodai, Barr, Bernard, Brown, Burke, Cahill, Caldwell, Carroll, Conine, Cooper, Curtis, Davidson, Fee, Fisher, Hussman, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Russell, Shelly, Smith, Sowers, Springer, Talcott, and Williams—29.

NAYS—Hazard, Richard, and Sloan—3.

Absent—David, Drumm, Germain, and Kennett—4.

Not voting—Brooks, Coleman, Sampson, and Mr. Speaker—4.

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

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary has had Assembly Bill No. 226 under consideration, and begs leave to report same with an amendment thereto, with the recommendation that the amendment be adopted, and that the bill do pass, as amended. Amend section 1 of Assembly Bill No. 226 by adding after the period at the end of line 6, page 2 of the printed bill, the following: "The provisions of this Act shall be applicable in any proceeding now pending in any of the courts of this State."

WM. KENNETT, *Chairman.*

Mr. Oldham gave notice that on the next legislative day he will ask consideration of his resolution relative to amending the rules of the Assembly.

Mr. Oldham moved the Assembly adjourn until Monday, March 6, 1939, at 10 a. m.

Motion carried.

Assembly adjourned at 2:40 p. m.

Approved:

BERKELEY L. BUNKER,
Speaker of the Assembly.

Attest: E. C. MULCAHY,
Chief Clerk of the Assembly.

THE FIFTIETH DAY

CARSON CITY (Monday), March 6, 1939.

House in session at 10 a .m.

Mr. Speaker in the Chair.

Roll called.

All present except Mr. Germain, who was excused.

Prayer by the Chaplain, Rev. C. H. Sloan.

Mr. Oldham moved the reading of the Journal be dispensed with, and the Speaker and the Chief Clerk be authorized to make the necessary corrections and additions.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 258 and 261, hereto attached, are correct copies of the triplicates thereof in its possession.

L. K. DRUMM, *Chairman.*

Mr. Speaker:

Your Committee on Labor has had Senate Bill No. 24 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

H. E. HAZARD, *Chairman.*

Mr. Speaker:

Your Joint Committee on Ways and Means and Livestock has had Assembly Bill No. 121 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

R. E. CAHILL, *Chairman.*

Mr. Speaker:

Your Committee on Ways and Means has had Senate Bills Nos. 41, 42, and 44, and Assembly Bill No. 168 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

Also, Assembly Bill No. 188, and reports unfavorably on the same, with the recommendation that it do not pass.

R. E. CAHILL, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Cahill moved that Assembly Bill No. 120 be tabled.

Carried.

Mr. Cahill moved that Senate Bill No. 19 be tabled.

Carried.

Mrs. Drumm asked that the following remarks be entered in the Journal: "I wish to thank the members of this Assembly for your kindness and consideration, and for your beautiful floral offering."

Mr. Oldham moved that Assembly Bill No. 174, now on general file, be rereferred to the Committee on Fish and Game.

Carried.

INTRODUCTION AND FIRST READING

By Mr. David :

Assembly Bill No. 270—An Act in relation to loan, credit, and finance companies, and persons engaged in the business of financing or loaning money upon personal property, goods, or chattels; requiring a license therefor; providing for the registration of persons, companies or corporations so engaged; defining the duties of certain persons in relation thereto; providing a penalty for the violation hereof; exempting certain persons and institutions from the provisions hereof, and other matters properly relating thereto.

Mr. David moved that 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.

Unanimous consent given to Mr. Burke to introduce bills.

By Mr. Burke :

Assembly Bill No. 271—An Act to amend an Act entitled "An Act relating to officers, their qualifications, times of election, terms of office, official duties, resignations, removals, vacancies in office, and the mode of supplying the same, misconduct in office, and to enforce official duty," approved March 9, 1866, together with the Acts amendatory thereof or supplemental thereto.

Mr. Burke moved that 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. Burke :

Assembly Bill No. 272—An Act to create a "Civil Service Commission" in the city of Reno, Nevada; for the regulation of the police and fire departments of the city of Reno, Nevada; defining the powers of said commission and regulating the personnel of the police and fire department of the city of Reno, Nevada; and other matters relating thereto.

On motion of Mr. Burke, duly seconded, rules were suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution, and placed on third reading and final passage.

There being no objections, the Speaker and the Chief Clerk signed Assembly Bills Nos. 59, 123, 111, 50, 236, 237, and 238.

GENERAL FILE AND THIRD READING

Assembly Substitute for Assembly Bill No. 148.

Amendment proposed by Mr. Loomis: Amend section 2 of Assembly Substitute for Assembly Bill No. 148 by striking out the comma after the word "hires" in line 8, page 1 of the printed bill, and inserting in lieu thereof the word "or"; further amend section 2, line 8, page 1 of the printed bill, by striking out after the comma following the word "employs," the words "or uses."

Mr. Loomis moved the adoption of the amendment.

Amendment adopted.

Remarks by Messrs. Cooper, Hazard, Loomis, Curtis, and Sampson.
Roll call on Assembly Substitute for Assembly Bill No. 148:

YEAS—Amodei, Barr, Brooks, Brown, Burke, Cahill, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Hazard, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Russell, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—34.

NAYS—Oldham and Sampson—2.

Absent—Bernard and Germain—2.

Not voting—Caldwell and Richard—2.

Assembly Substitute for Assembly Bill No. 148 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Bill No. 272.

Remarks by Messrs. Burke, Barr, and Cooper.

Roll call on Assembly Bill No. 272:

YEAS—Amodei, Barr, Bernard, Brooks, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Sowers, Springer, Talcott, Williams, and Mr. Speaker—37.

Absent—None.

Absent—Germain and Smith—2.

Not voting—Conine.

Assembly Bill No. 272 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 215.

Mr. Hussman moved that Assembly Bill No. 215 be placed on the bottom of the general file.

Carried.

Mr. Cahill moved that Assembly Substitute for Assembly Bill No. 185 be adopted.

Carried.

Assembly Substitute for Assembly Bill No. 185.

Remarks by Messrs. Loomis, Cahill, and Cooper.

Roll call on Assembly Substitute for Assembly Bill No. 185:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—37.

NAYS—None.

Absent—Germain and Hazard—2.

Not voting—Mr. Speaker.

Assembly Substitute for Assembly Bill No. 185 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 228.

Remarks by Messrs. Cooper and Kennett.

Roll call on Assembly Bill No. 228:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee,

Fisher, Hazard, Kennett, Loomis, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Talcott, and Williams—35.

NAYS—None.

Absent—Germain.

Not voting—Hussman, McCuistion, Springer, and Mr. Speaker—4.

Assembly Bill No. 228 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 190.

Mr. Springer moved that Assembly Bill No. 190 be rereferred to the Committee on Public Morals for an amendment.

Carried.

Assembly Bill No. 172.

Remarks by Messrs. Cooper, Amodei, Smith, Kennett, Hazard, Loomis, and Shelly.

Amendment proposed by Mr. Oldham: Amend section 1 of Assembly Bill No. 172 by striking "or to deputy sheriffs or jailers," in lines 24 and 25.

Mr. Oldham moved the adoption of the amendment to section 1.

Remarks by Messrs. Cooper, Barr, Oldham, and Kennett.

Amendment lost.

Roll call on Assembly Bill No. 172:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Caldwell, Carroll, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Hazard, Loomis, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, and Talcott—32.

NAYS—None.

Absent—Germain and Williams—2.

Not voting—Cahill, Case, Hussman, Kennett, McCuistion, and Mr. Speaker—6.

Assembly Bill No. 172 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 243.

Remarks by Messrs. Sloan, Barr, and Cooper.

Roll call on Assembly Bill No. 243:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Mr. Speaker—38.

NAYS—None.

Absent—Germain and Williams—2.

Assembly Bill No. 243 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 92.

Mr. Smith moved the adoption of the committee amendment to section 1.

Amendment adopted.

Mr. Smith moved the adoption of the further amendment to section 1.

Amendment adopted.

Mr. Smith moved the adoption of the amendment to section 1.

Amendment adopted.

Mr. Loomis moved that Assembly Bill No. 92 be made a special order of business for Thursday, March 9, 1939, at 2 p. m.

Remarks by Messrs. McCuistion, Smith, Hazard, and Loomis.

Motion lost.

Remarks by Messrs. Smith, Hazard, Kennett, McCuistion, Cooper, Barr, Brooks, and Loomis.

Roll call on Assembly Bill No. 92:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Caldwell, Davidson, Drumm, Hussman, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Shelly, Smith, Sowers, Springer, Talcott, and Williams—21.

NAYS—Carroll, Conine, Cooper, Curtis, Fisher, Hazard, Kennett, Loomis, and Lynch—9.

Absent—Germain.

Not voting—Burke, Cahill, Case, Coleman, David, Fee, Sampson, Sloan, and Mr. Speaker—9.

Assembly Bill No. 92 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Bill No. 203.

Remarks by Mr. Davidson.

Roll call on Assembly Bill No. 203:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Curtis, David, Davidson, Drumm, Fee, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Sloan, Smith, Sowers, Springer, Talcott, and Williams—34.

NAYS—None.

Absent—Fisher and Germain—2.

Not voting—Cooper, Hazard, Shelly, and Mr. Speaker—4.

Assembly Bill No. 203 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Substitute for Senate Bill No. 3.

Remarks by Messrs. Hussman, Kennett, Cooper, Shelly, Loomis, and Barr.

Roll call on Assembly Substitute for Senate Bill No. 3:

YEAS—Brown, Burke, Caldwell, Carroll, Cooper, Davidson, Kennett, Sampson, and Mr. Speaker—9.

NAYS—Amodei, Barr, Bernard, Brooks, Cahill, Case, Coleman, Conine, Curtis, David, Drumm, Fee, Fisher, Hazard, Hussman, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Shelly, Smith, Sowers, Springer, Talcott, and Williams—29.

Absent—Germain.

Not voting—Sloan.

Senate Substitute for Senate Bill No. 3 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Mr. Loomis gave notice that he will move reconsideration for Senate Substitute for Senate Bill No. 3.

Mr. Oldham moved the Assembly adjourn until 1:30 p. m.

Carried.

Assembly adjourned at 12:12 p. m.

HOUSE IN SESSION

At 1:30 p. m.

Mr. Speaker in the Chair.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 269, 267, 266, and 268, hereto attached, are correct copies of the triplicates thereof in its possession.

Also, that bound copy of Assembly Bill No. 264, hereto attached, is a correct copy of the triplicate thereof in its possession, as corrected, page 2, line 5, word "compounded" misspelled.

L. K. DRUMM, *Chairman.*

Mrs. Drumm moved that the Chief Clerk be authorized to make the necessary corrections on Assembly Bill No. 264.

Motion carried.

Mr. Speaker:

Your Committee on Judiciary has had Assembly Bill No. 105 under consideration, and begs leave to report with an amendment, with the recommendation that the amendment be adopted, and that the bill, as amended, do pass.

Amendment proposed by Committee on Judiciary: Amend section 1 of Assembly Bill No. 105 by striking out in line 6, page 1 of the printed bill, the figures "\$200," and inserting in lieu thereof "\$100"; further amend section 1 by striking out at the beginning of line 9, page 1 of the printed bill, the word "shall," and inserting in lieu thereof the word "may"; further amend section 1 by striking out after the comma following the word "provided" in line 9, page 1 of the printed bill, all the remainder of line 9, and insert in lieu thereof a semicolon and the following: "provided, that when an action is brought upon an assigned claim for a sum under \$100 the action shall be maintained in the small claims division of the justice court. The plaintiff shall file his assignment and the fee therefor shall be \$5, which sum shall not be taxed as costs against the defendant."

WM. KENNETT, *Chairman.*

Mr. Speaker:

Your Committee of Nye County Delegation has had Assembly Bills Nos. 259 and 260 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

WM. KENNETT,
LEROY DAVID.

Mr. Speaker:

Your Committee on Mines and Mining has had Senate Joint Resolutions Nos. 5 and 6 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

H. E. SPRINGER, *Chairman.*

Mr. Speaker:

Your Committee on Roads and Highways has had Assembly Bills Nos. 249, 250, and 251 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

CLAUDE SMITH, *Chairman.*

Mr. Speaker:

Your Committee on Labor has had Assembly Bill No. 201 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. 201 by striking out in line 24, page 2 of the printed bill, the word "district," and insert in lieu thereof the word "county"; further amend section 1 by striking out in line 33, page 2 of the printed bill, the word "district," and inserting in lieu thereof the word "county"; further amend section 1 by striking out after the

word "such" in line 2, page 3 of the printed bill, the word "district," and inserting in lieu thereof the word "county"; further amend section 1 by striking out at the beginning of line 3, page 3 of the printed bill, the following "or any portion thereof"; amend section 2 of Assembly Bill No. 201 by striking out on page 3 of the printed bill, all of lines 24 to 31, inclusive.

H. E. HAZARD, *Chairman.*

Mr. Speaker:

Your Select Committee of White Pine County Delegation has had Assembly Bill No. 218 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

CHARLES RUSSELL, *Chairman.*

Mr. Speaker:

Your Committee on Education has had Assembly Bill No. 181 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

HENRY S. COLEMAN, *Chairman.*

Mr. Speaker:

Your Committee on Judiciary has had Assembly Bill No. 156 under consideration, and begs leave to report same with amendment thereto, with the recommendation that the amendment be adopted, and that the bill do pass, as amended. Amend section 11 of Assembly Bill No. 156 by adding after the period following the word "proper" in line 33, page 17 of the printed bill, the following: "upon the hearing, the burden of proof shall be upon the complaining party." Further amend section 11 by adding at the end of line 27, page 18 of the printed bill, the following: "The court in its discretion may hear further evidence from either party. In any hearing before the District Court the burden of proof shall be upon the registrar to sustain the correctness of his decision."

WM. KENNETT, *Chairman.*

Mr. Speaker:

Your Committee on Education has had Assembly Bill No. 234 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

HENRY S. COLEMAN, *Chairman.*

GENERAL FILE AND THIRD READING

Senate Bill No. 50.

Remarks by Messrs. Davidson, Kennett, Cooper, and Loomis.

Roll call on Senate Bill No. 50:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Cooper, Curtis, David, Davidson, Drumm, Fisher, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Talcott, Williams, and Mr. Speaker—36.

NAYS—None.

Absent—Conine, Fee, Germain, and Springer—4.

Senate Bill No. 50 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 118.

Remarks by Messrs. Davidson and Loomis.

Roll call on Assembly Bill No. 118:

YEAS—Barr, Bernard, Burke, Cahill, Caldwell, Carroll, Coleman, Cooper, Curtis, David, Davidson, Fisher, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Talcott, and Williams—30.

NAYS—None.

Absent—Conine, Fee, Germain, and Springer—4.

Not voting—Amodei, Brooks, Brown, Case, Drumm, and Mr. Speaker—6.

Assembly Bill No. 118 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 244.

Remarks by Mr. Amodei.

Roll call on Assembly Bill No. 244:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Hazard, Hussman, Kennett, Loomis, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Sowers, Talcott, and Williams—35.

NAYS—None.

Absent—Germain, McCuiston, Smith, and Springer—4.

Not voting—Mr. Speaker.

Assembly Bill No. 244 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Shelly moved the adoption of the preamble to Assembly Bill No. 244.

Preamble adopted.

Senate Bill No. 68.

Remarks by Mr. Loomis.

Roll call on Senate Bill No. 68:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Hazard, Hussman, Kennett, Loomis, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—37.

NAYS—None.

Absent—Germain and McCuiston—2.

Not voting—Mr. Speaker.

Senate Bill No. 68 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 69.

Remarks by Mr. Davidson.

Roll call on Senate Bill No. 69:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Hazard, Hussman, Kennett, Loomis, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—35.

NAYS—None.

Absent—Burke, Cahill, Germain, and McCuiston—4.

Not voting—Mr. Speaker.

Senate Bill No. 69 having received a constitutional majority, Mr. Speaker declared it passed.

There being no objections, the Speaker and the Chief Clerk signed Senate Bill No. 57.

Assembly Bill No. 206.

Mr. Loomis moved the adoption of the committee amendment to section 2.

Amendment adopted.

Mr. Loomis moved the adoption of the committee amendment to section 3.

Amendment adopted.

Remarks by Mr. Loomis.

Roll call on Assembly Bill No. 206 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Hazard, Hussman, Kennett, Loomis, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—36.

NAYS—None.

Absent—Burke, Germain, and McCuiston—3.

Not voting—Mr. Speaker.

Assembly Bill No. 206 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Bill No. 226.

Mr. Loomis moved the adoption of the amendment to section 1.

Amendment adopted.

Remarks by Mr. Loomis.

Roll call on Assembly Bill No. 226 :

YEAS—Amodei, Barr, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Hussman, Kennett, Loomis, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—33.

NAYS—None.

Absent—Germain.

Not voting—Bernard, Coleman, Hazard, McCuiston, Sampson, and Mr. Speaker—6.

Assembly Bill No. 226 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Bill No. 215.

Remarks by Mr. Sloan.

Roll call on Assembly Bill No. 215 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, David, Davidson, Drumm, Fee, Fisher, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—38.

NAYS—None.

Absent—Curtis and Germain—2.

Assembly Bill No. 215 having received a constitutional majority, Mr. Speaker declared it passed.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Joint Committee on Ways and Means and Roads and Highways has had Assembly Bill No. 128 under consideration, and begs leave to offer a substitute therefor, with the recommendation that the substitute do pass.

R. E. CAHILL, *Chairman.*

Mr. Speaker:

Your Joint Committee on Ways and Means and Education has had Assembly Bill No. 200 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass, as amended. Amend section 2 of Assembly Bill No. 200 on page 2, lines 25 and 26, by striking out after the word "compensation," the words "as the committee may provide." and insert in lieu thereof the words "not to exceed one hundred twenty-five (\$125) dollars per month during the period of actual employment"; amend section

5, page 3, line 16, by adding after the comma following the word "instruction," the words "the Attorney-General"; amend section 7, page 4, line 12 of the printed bill, by striking out the period after the figures "1940," and insert a comma in lieu thereof, and add the words "and as a committee shall be available for conference, with their publication, to the call of the Education Committee of either house of the Legislature of 1941"; amend by adding a new section after section 7 to be numbered "Section 7½" to read as follows: "Sec. 7½. Any vacancies occurring in the committee by death or resignation shall be appointed by the Governor from the personnel of the branch of the Legislature whence the vacancy occurred"; amend section 9, page 4, line 21 of the printed bill, by striking out the words and figures "fifteen thousand (\$15,000)," and inserting in lieu thereof the words and figures "ten thousand (\$10,000)."

R. E. CAHILL, *Chairman*.

Mr. Speaker:

Your Committee on Education has had Assembly Bill No. 193 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

HENRY S. COLEMAN, *Chairman*.

Mr. Speaker:

Your Committee on Education has had Assembly Bill No. 208 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass, as amended. Amend section 64 of Assembly Bill No. 208 by changing in line 7, page 1, the word "April" to read "March."

Also, Assembly Bill No. 211, and reports favorably on the same, with the recommendation that it do pass.

HENRY S. COLEMAN, *Chairman*.

Mr. Speaker:

Your Select Committee of Washoe County Delegation has had Assembly Bills Nos. 225 and 241 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

CARL SHELLY, *Chairman*.

MOTIONS, RESOLUTIONS, AND NOTICES

Assembly Resolution No. 15, amending Assembly Rule No. 26.

Resolved by the Assembly of the State of Nevada, That Rule No. 26 of the Assembly Rules be and the same is hereby amended for the remainder of the present session so as to read as follows:

When a principal or main question is under debate or before the House, no subsidiary or secondary motion shall be received except the following, which will have precedence in the following order:

1. To lay on the table.
2. The previous question.
3. To postpone to a day certain.
4. To commit.
5. To strike out the enacting clause.
6. To amend.
7. To postpone indefinitely.

But the first two shall be decided without debate. And no motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall again be allowed on the same day and at the same stage of the proceedings. A motion to strike out the enacting clause of a bill or resolution, if carried, shall be considered equivalent to its rejection; a matter once laid on the table may be taken therefrom only by suspension of the rules.

Mr. Oldham moved the adoption of Assembly Resolution No. 15.

Remarks by Messrs. Oldham, Kennett, Hazard, Loomis, Russell, and Cooper.

Standing vote taken on the resolution.

Resolution lost.

Mr. Oldham asked for a ruling of the Chair as to whether or not a two-thirds vote of the Assembly is necessary to take a bill from the table.

The Speaker announced that if Mr. Oldham would make a request in writing, the Chair would rule on the next legislative day.

Mr. Shelly gave notice that on the next legislative day he would introduce a resolution amending the House rules to the effect that a majority vote be made necessary to take a bill from the table.

Mr. Cahill moved that Assembly Substitute for Assembly Bill No. 128 be adopted and ordered printed.

Carried.

INTRODUCTION AND FIRST READING

Unanimous consent was given to Mr. Barr to introduce a bill.

By Mr. Barr :

Assembly Bill No. 273—An Act to amend an Act entitled "An Act concerning crimes and punishments, and repealing certain Acts relating thereto," approved March 17, 1911, together with the Acts amendatory thereof or supplemental thereto.

Mr. Barr moved that 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.

Unanimous consent was given to Mr. Coleman to introduce a bill.

By Mr. Coleman :

Assembly Bill No. 274—An Act to provide for the safety of school children at railroad crossings transported to and from school in vehicles; providing a penalty for the violation of this Act, and other matters relating thereto.

On motion of Mr. Coleman, duly seconded, all rules were suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution, and placed on third reading and final passage.

Unanimous consent was given to Mrs. Drumm to introduce a bill.

By Mrs. Drumm :

Assembly Bill No. 275—An Act to amend an Act entitled "An Act relating to elections," approved March 24, 1917, together with the Acts amendatory thereof and supplemental thereto.

Mrs. Drumm moved that 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.

Unanimous consent was given to Committee on State Institutions to introduce bills.

By Committee on State Institutions :

Assembly Bill No. 276—An Act to provide for an appropriation for the Nevada School of Industry situated at Elko, Nevada, and other matters properly connected therewith.

Mr. McElroy moved that 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 Committee on State Institutions:

Assembly Bill No. 277—An Act authorizing the directors of the State Orphans' Home to purchase certain described lands, and providing an appropriation therefor; authorizing the directors to remove, repair, or sell buildings situate on said land, and other matters properly connected therewith.

Mr. McElroy moved that 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.

Unanimous consent was given to the University Investigating Committee to introduce a bill.

By University Investigation Committee:

Assembly Bill No. 278—An Act to provide for the erection, equipping, and furnishing of a gymnasium and an engineering building upon the grounds of the University of Nevada at Reno, Nevada; defining the duties of the Board of Control in respect thereto; providing for the issuance of bonds therefor; the manner of their sale and redemption, making an appropriation therefor, and other matters properly 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 a Joint Committee on Ways and Means and Education.

Carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 274.

Remarks by Messrs. Coleman and Kennett.

Roll call on Assembly Bill No. 274:

YEAS—Amodei, Barr, Bernard, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—38.

NAYS—None.

Absent—Brooks and Germain—2.

Assembly Bill No. 274 having received a constitutional majority, Mr. Speaker declared it passed.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Enrollment has carefully compared Assembly Enrolled Bills Nos. 59, 123, 111, 50, 236, 237, and 238 with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. R. GERMAIN, *Chairman.*

Mr. Speaker:

Your Committee on Engrossment hereby certifies that bound copies of Assembly Joint Resolutions Nos. 14 and 13, hereto attached, are correct copies of the triplicates thereof in its possession.

Also, that bound copy of Assembly Bill No. 265, hereto attached, is a correct copy of the triplicate thereof in its possession, as corrected: Page 7, line 24, the word "provisions" misspelled.

L. K. DRUMM, *Chairman.*

Mrs. Drumm moved that the Chief Clerk be authorized to make the necessary correction on Assembly Bill No. 265.

Carried.

Mr. Oldham moved the Assembly adjourn until Tuesday, March 7, 1939, at 10 a. m.

Carried.

Assembly adjourned at 2:55 p. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE FIFTY-FIRST DAY

CARSON CITY (Tuesday), March 7, 1939.

House in session at 10 a. m.

Mr. Speaker in the Chair.

Roll called.

All present except Mr. Amodei, who was excused.

Prayer by Monsignor H. J. Wientjes.

Mr. Oldham moved the reading of the Journal be dispensed with, and the Speaker and the Chief Clerk be authorized to make the necessary corrections and additions.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation has had Assembly Bill No. 233 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

Also, Assembly Bill No. 247, and reports unfavorably on the same, with the recommendation that it do not pass.

ANDY J. RICHARD, *Chairman.*

Mr. Speaker:

Your Committee on Ways and Means has had Senate Substitute for Senate Bill No. 60 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

Also, Assembly Bill No. 255, and reports favorably on the same, with the recommendation that it do pass.

R. E. CAHILL, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Cahill moved that Assembly Bill No. 188, which was reported out of committee unfavorably, be tabled.

Carried.

Mr. Cahill moved that Assembly Bill No. 121, which was reported out of committee unfavorably, be tabled.

Carried.

Mr. Oldham moved that Assembly Bills Nos. 259, 260, 218, 241, and 225, all local measures, be placed on top of the general file.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

The majority of your Committee on Fish and Game has had Assembly Bill No. 174 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass, as amended. Amend the title of Assembly Bill No. 174 by striking out in line 12 as it appears in the printed bill the word "condemnation," and insert in lieu thereof the word "acquisition." Further amend section 6 of Assembly Bill No. 174 by striking out in line 12, page 5 of the printed bill, the word "condemnation," and insert in lieu thereof the word "acquisition."

JOHN DAVIDSON,
FRED J. BROWN,

HENRY S. COLEMAN,
C. H. SLOAN.

Mr. Speaker:

The minority of your Committee on Fish and Game has had Assembly Bill No. 174 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

A. C. BARR,
J. F. McELROY,
LUELLA K. DRUMM,

Mr. Speaker:

Your Committee on Fish and Game has had Assembly Bills Nos. 109, 175, and 248 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

C. H. SLOAN, *Chairman.*

Mr. Speaker:

Your Committee on Judiciary has had Assembly Bills Nos. 157, 229, 230, and 231 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

Also, Assembly Bill No. 5, and reports unfavorably on the same, with the recommendation that it do not pass.

Also, Assembly Bill No. 90 under consideration, and reports same with an amendment, and the recommendation that the amendment be adopted, and that the bill, as amended, do pass. Amend section 1 of Assembly Bill No. 90 by inserting in line 32, page 2 of the printed bill, the following: "If shares having a par value are retired, an amount not exceeding the aggregate par value of such shares, or if the shares be preference stock, the redemption price thereof including dividends necessary to be paid upon redemption, may be charged against or paid out of the capital surplus or other surplus of the corporation in respect of such shares having a par value and, if shares having no par value are retired, an amount not exceeding that part of the capital of the corporation represented by such shares as computed under section 24 of this Act, or, if the same shall have been reduced, then an amount not exceeding that part of the aggregate amount of the capital, as reduced, represented by such shares, or if the shares be preference stock, the redemption price thereof including dividends necessary to be paid upon redemption, may be charged against or paid out of the capital surplus or other surplus of the corporation in respect of such shares having no par value."

WM. KENNETT, *Chairman.*

INTRODUCTION AND FIRST READING

Unanimous consent was given to Mr. Hazard to introduce a bill.

By Mr. Hazard:

Assembly Bill No. 279—An Act to amend the title of and to amend an Act entitled "An Act concerning slot machines, gambling games, and gambling devices; providing for the operation thereof under license; providing for certain license fees and the use of the money obtained therefrom; prohibiting minors from playing and loitering about such games; designating the penalties for violations of the provisions thereof; and other matters properly relating thereto," approved March 19, 1931.

Mr. Hazard moved that 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 Bill No. 259.

Remarks by Mr. Kennett.

Roll call on Assembly Bill No. 259:

YEAS—Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Case, Conine,

Cooper, Curtis, David, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—36.

NAYS—None.

Absent—Amodei and Davidson—2.

Not voting—Burke and Coleman—2.

Assembly Bill No. 259 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 260.

Remarks by Mr. Kennett.

Roll call on Assembly Bill No. 260:

YEAS—Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Sowers, Springer, Talcott, Williams, and Mr. Speaker—38.

NAYS—None.

Absent—Amodei and Smith—2.

Assembly Bill No. 260 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 218.

Remarks by Mr. Russell.

Roll call on Assembly Bill No. 218:

YEAS—Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—39.

NAYS—None.

Absent—Amodei.

Assembly Bill No. 218 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 241.

Remarks by Mr. Loomis.

Roll call on Assembly Bill No. 241:

YEAS—Barr, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—36.

NAYS—None.

Absent—Amodei.

Not voting—Bernard, Hazard, and Sampson—3.

Assembly Bill No. 241 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 225.

Amendment proposed by Mr. Loomis: Amend section 1 of Assembly Bill No. 225 by striking out in line 6, page 1 of the printed bill, the following: "or dangerous place at or," and in the same line by striking the word "crosswalk."

Mr. Loomis moved the adoption of the amendment to section 1.

Amendment adopted.

Further amend section 1 by striking out in line 8, page 1 of the printed bill, the word "drain," and inserting in lieu thereof the word "or."

Mr. Loomis moved the adoption of the further amendment to section 1.

Amendment adopted.

Further amend section 1 by striking out, line 7, page 1 of the printed bill, the words "bridge, public grounds, public buildings, sewer."

Mr. Loomis moved the adoption of the further amendment to section 1.

Amendment adopted.

Further amend section 1 of Assembly Bill No. 225 by striking out the comma after the word "gutter" in line 8, page 1 of the printed bill, and substituting a period in lieu thereof, and further amend by striking out the words "on way" in the same line.

Mr. Loomis moved the adoption of the further amendment to section 1.

Carried.

Mr. Davidson moved that Assembly Bill No. 225 be rereferred to a Joint Committee of Washoe County Delegation and Judiciary.

Carried.

Senate Bill No. 24.

Amendment proposed by Mr. Shelly: Amend section 1 of Senate Bill No. 24 by adding a comma and the words "except those in the communication business," after the word "employers" in line 23, page 2 of the printed bill.

Mr. Shelly moved the adoption of the amendment to section 1.

Remarks by Messrs. Hazard, Shelly, and Brooks.

Roll call on motion to adopt the amendment requested by Messrs. Hazard, Oldham, and Fee.

Roll call on amendment to Senate Bill No. 24:

YEAS—Bernard, Brooks, Brown, Cahill, Caldwell, Coleman, Curtis, David, Davidson, Germain, Hussman, Kennett, Loomis, Murphy, Shelly, and Williams—16.

NAYS—Barr, Burke, Carroll, Case, Conine, Cooper, Drumm, Fee, Fisher, Hazard, Lynch, McElroy, Oldham, Richard, Russell, Sampson, Sloan, Smith, Sowers, Springer, Talcott, and Mr. Speaker—22.

Absent—Amodei.

Not voting—McCuisition.

Amendment declared lost.

Further amend section 1 in line 1 of page 3 of the printed bill by striking the word "twelve" and substitute therefor the word "fourteen."

Mr. Shelly moved the adoption of the further amendment to section 1.

Remarks by Messrs. Hazard, Shelly, and Cooper.

Roll call on motion to adopt the amendment requested by Messrs. Hazard, Barr, and Fee.

Roll call on amendment :

YEAS—Brooks, Burke, Coleman, Curtis, Hussman, Murphy, and Shelly—7.

NAYS—Barr, Cahill, Carroll, Conine, Cooper, Drumm, Fee, Fisher, Hazard, Lynch, McElroy, Oldham, Richard, Russell, Sampson, Sloan, Smith, Sowers, Talcott, and Mr. Speaker—20.

Absent—Amodei.

Not voting—Bernard, Brown, Caldwell, Case, David, Davidson, Germain, Kennett, Loomis, McCuistion, Springer, and Williams—12.

Amendment declared lost.

Remarks on the bill by Messrs. Hazard and Cooper.

Roll call on Senate Bill No. 24 :

YEAS—Barr, Bernard, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Drumm, Fee, Fisher, Germain, Hazard, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—36.

NAYS—None.

Absent—Amodei.

Not voting—Brooks, Davidson, and Hussman—3.

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

There being no objections, the Speaker and the Chief Clerk signed Senate Bills Nos. 46 and 9.

Senate Bill No. 44.

Remarks by Mr. Cahill.

Roll call on Senate Bill No. 44 :

YEAS—Barr, Bernard, Brown, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, David, Davidson, Drumm, Fee, Fisher, Hazard, Hussman, Kennett, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Talcott, and Williams—32.

NAYS—None.

Absent—Amodei, Burke, and Curtis—3.

Not voting—Brooks, Germain, Loomis, Springer, and Mr. Speaker—5.

Senate Bill No. 44 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 42.

Mr. Kennett moved the Assembly resolve itself into a Committee of the Whole to consider Senate Bill No. 42, with the Speaker remaining in the Chair as chairman.

Carried.

COMMITTEE OF THE WHOLE

At 11:05 a. m.

Mr. Speaker in the Chair.

HOUSE IN SESSION

At 11:10 a. m.

Mr. Speaker in the Chair.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Select Committee of the Whole has had Senate Bill No. 42 under consideration, and begs leave to report favorably on the same, with the recommendation that the bill pass.

BERKELEY L. BUNKER, *Chairman.*

GENERAL FILE AND THIRD READING

Senate Bill No. 42.

Roll call on Senate Bill No. 42:

YEAS—Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—36.

NAYS—None.

Absent—Amodei, Burke, Hussman, and Oldham—4.

Senate Bill No. 42 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Shelly moved the adoption of the preamble to Senate Bill No. 42. Preamble adopted.

Mr. Shelly moved that Assembly Rule No. 9 be suspended for the rest of the legislative day.

Carried.

Senate Bill No. 41.

Remarks by Messrs. Brooks, Cahill, Springer, Coleman, Davidson, and Cooper.

Roll call on Senate Bill No. 41:

YEAS—Barr, Bernard, Burke, Cahill, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Drumm, Fee, Fisher, Germain, Hazard, Kennett, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Smith, Sowers, Springer, Talcott, and Williams—31.

NAYS—None.

Absent—Amodei and Sloan—2.

Not voting—Brooks, Brown, Caldwell, Davidson, Hussman, Loomis, and Mr. Speaker—7.

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

Mr. Shelly moved the adoption of the preamble to Senate Bill No. 41. Preamble adopted.

Assembly Bill No. 168.

Remarks by Messrs. Loomis, Cahill, and Springer.

Roll call on Assembly Bill No. 168:

YEAS—Barr, Bernard, Burke, Cahill, Carroll, Case, Coleman, Conine, Curtis, David, Fee, Fisher, Germain, Hazard, Kennett, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—29.

NAYS—None.

Absent—Amodei, Cooper, and McCuiston—3.

Not voting—Brooks, Brown, Caldwell, Davidson, Drumm, Hussman, Loomis, and Mr. Speaker—8.

Assembly Bill No. 168 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Kennett moved the adoption of the preamble to Assembly Bill No. 168.

Preamble adopted.

Assembly Bill No. 105.

Mr. Kennett moved the adoption of the committee amendment to section 1.

Amendment adopted.

Mr. Kennett moved the adoption of the further amendment to section 1.

Amendment adopted.

Mr. Loomis moved the adoption of the further committee amendment to section 1.

Remarks by Messrs. Loomis, Kennett, Hazard, and Russell.

Mr. Russell moved that Assembly Bill No. 105 be rereferred to the Committee on Labor.

Carried.

Senate Joint Resolution No. 6.

Remarks by Mr. Kennett.

Roll call on Senate Joint Resolution No. 6:

YEAS—Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Coleman, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—36.

NAYS—None.

Absent—Amodei, Case, and Shelly—3.

Not voting—Conine.

Senate Joint Resolution No. 6 having received a constitutional majority, Mr. Speaker declared it adopted.

Senate Joint Resolution No. 5.

Roll call on Senate Joint Resolution No. 5:

YEAS—Barr, Bernard, Brown, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—36.

NAYS—Brooks.

Absent—Amodei, Burke, and Cahill—3.

Senate Joint Resolution No. 5 having received a constitutional majority, Mr. Speaker declared it adopted.

Assembly Bill No. 250.

Remarks by Mr. Smith.

Roll call on Assembly Bill No. 250:

YEAS—Barr, Bernard, Brooks, Burke, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, Drumm, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—34.

NAYS—None.

Absent—Amodei and Cahill—2.

Not voting—Brown, David, Davidson, and Fee—4.

Assembly Bill No. 250 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 251.

Remarks by Messrs. Smith, Kennett, and Loomis.

Mr. Smith moved that Assembly Bill No. 251 be rereferred to the Committee on Roads and Highways and Judiciary.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Engrossment hereby certifies that bound copy of Assembly Bill No. 191, hereto attached, is a correct copy of the triplicate thereof in its possession, as corrected: Page 4, line 22, word "on" used in place of word "of."

L. K. DRUMM, *Chairman.*

Mrs. Drumm moved that the Chief Clerk be authorized to make the necessary correction to Assembly Bill No. 191.

PRESENTATION OF PETITIONS

The Honorable, The Nevada State Assembly, Assembly Chambers, Carson City, Nevada.

DEAR ASSEMBLYMEN: You are each of you hereby cordially invited to be a special guest of the Reno Rotary Club, Monday evening, March 13, 1939, at 7 p. m., at the dining room of the Golden Hotel in Reno. At that time and place, the biennial Legislative Session De Luxe will be held. Rotary's Famous One-House and One-Horse Legislature will be in fool action, and it is imperative that you be there to protect the State of Nevada from dire destruction.

Incidentally, we believe you will enjoy it. Come and hear the latest song hits.

Yours, for beggar and butter laws,

ROTARY CLUB OF RENO,

JACK HOWELL, *President.*

EARL T. ROSS, *Chairman of Program.*

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Education has had Assembly Bill No. 191 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

HENRY S. COLEMAN, *Chairman.*

Mr. Oldham moved the Assembly recess until 1:30 p. m.

Carried.

Assembly in recess at 12:05 p. m.

HOUSE IN SESSION

At 1:30 p. m.

Mr. Speaker in the Chair.

Quorum present.

Mr. Amodei asked to be marked present.

GENERAL FILE AND THIRD READING

Mr. Smith moved that Assembly Bill No. 129 be placed on the bottom of the general file.

Carried.

Assembly Bill No. 201.

Mr. Hazard moved the adoption of the committee amendment to section 1.

Amendment adopted.

Mr. Hazard moved the adoption of the further committee amendment to section 1.

Amendment adopted.

Amendment proposed by Committee on Labor: Amend section 1 of Assembly Bill No. 201 by striking out at the end of line 28, page 2 of the printed bill, the word "district" and inserting in lieu thereof the word "county."

Mr. Burke moved the adoption of the further amendment to section 2.

Amendment adopted.

Remarks by Messrs. Kennett, Burke, McElroy, Smith, Hazard, Loomis, Coleman, and Case.

Roll call on Assembly Bill No. 201:

YEAS—Amodei, Barr, Bernard, Burke, Cahill, Carroll, Coleman, Cooper, Curtis, David, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Sowers, Springer, and Mr. Speaker—29.

NAYS—Brooks, Conine, Drumm, Loomis, Smith, and Talcott—6.

Absent—Davidson.

Not voting—Brown, Caldwell, Case, and Williams—4.

Assembly Bill No. 201 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 181.

Remarks by Messrs. Coleman, Kennett, and Cahill.

Roll call on Assembly Bill No. 181:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—39.

NAYS—None.

Not voting—Mr. Speaker.

Assembly Bill No. 181 having received a constitutional majority, Mr. Speaker declared it passed.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Loomis moved for reconsideration of Senate Substitute for Senate Bill No. 3.

Remarks by Messrs. Loomis and Shelly.

Carried.

Mr. Kennett moved that Assembly Bill No. 193 be made a special order of business for Wednesday, March 8, at 2 p. m.

Carried.

Mr. Shelly moved that Assembly Bill No. 191 be made a special order of business for Wednesday, March 8, at 2:15 p. m.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 162, 270, 271, 275, 276, 277, and 273, hereto attached, are correct copies of the triplicates thereof in its possession.

L. K. DRUMM, *Chairman.*

Mr. Speaker:

Your Joint Committee on Ways and Means and Claims has had Senate Bill

No. 54 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

R. E. CAHILL, *Chairman*.

Mr. Speaker:

Your Select Committee of White Pine County Delegation 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.

WM. FISHER, *Chairman*.

Mr. Speaker:

Your Committee on Federal Relations 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.

WM. FISHER, *Chairman*.

GENERAL FILE AND THIRD READING

Assembly Bill No. 156.

Amendment proposed by Mr. Coleman: Amend section 2 of Assembly Bill No. 156 by adding, after first comma in line 11, page 2 of the printed copy, the following words: "power districts."

Mr. Coleman moved the adoption of the amendment to section 2.

Remarks by Messrs. Germain, Kennett, and Davidson.

Amendment adopted.

Amendment proposed by Mr. Burke: Amend section 2 of Assembly Bill No. 156 by adding after the semicolon following the word "state" in line 12, page 2 of the printed bill, the following: "nor to Federal aid highway projects, nor to contractors while engaged thereon."

Mr. Burke moved the adoption of the further amendment to section 2.

Amendment adopted.

Amendment proposed by Nye County Delegation: Amend section 2 of Assembly Bill No. 156 by striking out the word "incorporated" in lines 9 and 10 on page 2.

Mr. Kennett moved the adoption of the further amendment to section 2.

Amendment adopted.

Mr. Loomis moved the adoption of the committee amendment to section 11.

Amendment adopted.

Mr. Loomis moved the adoption of the further committee amendment to section 11.

Amendment adopted.

Remarks by Messrs. Burke, Brooks, Kennett, Loomis, and Coleman.

Roll call on Assembly Bill No. 156:

YEAS—Amodel, Barr, Bernard, Brown, Burke, Carroll, Case, Cooper, Curtis, Davidson, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—31.

NAYS—Brooks, Conine, and Drumm—3.

Absent—Caldwell and McCuiston—2.

Not voting—Cahill, Coleman, David, and Shelly—4.

Assembly Bill No. 156 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Bill No. 234.

Amendment proposed by Mr. Russell:

Amend section 1 of Assembly Bill No. 234 on page 2, lines 4 and 5, by striking out after the word "districts" the words "having a school census population of three hundred or more and not exceeding one thousand," and insert in lieu thereof the words "of the second class regularly employing eight or more full-time elementary grade teachers." Further amend section 1, page 2, line 9, by striking out all of that line and insert in lieu thereof the words "of the first class regularly employing ten or more full-time elementary grade teachers."

Mr. Russell moved the adoption of the amendment to section 1.

Amendment adopted.

Roll call on Assembly Bill No. 234:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—37.

NAYS—None.

Absent—Burke, Curtis, and McCuiston—3.

Assembly Bill No. 234 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 200.

Mr. Cahill moved the adoption of the committee amendment to section 2.

Amendment adopted.

Mr. Shelly moved the adoption of the committee amendment to section 5.

Amendment adopted.

Mr. Cahill moved the adoption of the committee amendment to section 7.

Amendment adopted.

Mr. Cahill moved the adoption of the committee amendment adding a new section to the bill.

Amendment adopted.

Mr. Cahill moved the adoption of the committee amendment to section 9.

Amendment adopted.

Remarks by Messrs. Cahill, Oldham, Coleman, Cooper, and Shelly.

Roll call on Assembly Bill No. 200:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—39.

NAYS—None.

Absent—David.

Assembly Bill No. 200 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Oldham moved the adoption of the preamble to Assembly Bill No. 200.

Preamble adopted.

Assembly Bill No. 208.

Mr. Shelly moved the adoption of the committee amendment to section 1.

Amendment adopted.

Remarks by Messrs. Brown and Coleman.

Roll call on Assembly Bill No. 208:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Caldwell, Carroll, Case, Coleman, Conine, Curtis, Davidson, Drumm, Fee, Fisher, Germain, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—32.

NAYS—None.

Absent—Burke, Cahill, Cooper, David, Hazard, Hussman, Russell, and Sampson—8.

Assembly Bill No. 208 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Bill No. 211.

Remarks by Mr. Coleman.

Roll call on Assembly Bill No. 211:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, Davidson, Drumm, Fee, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—36.

NAYS—None.

Absent—Burke, David, Fisher, and Sloan—4.

Assembly Bill No. 211 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Substitute for Assembly Substitute for Assembly Bill No. 52.

Amendment proposed by Committee on Ways and Means: Amend Senate Substitute for Assembly Substitute for Assembly Bill No. 52 by striking out in the title after the word "March" the figures "17," and insert in lieu thereof the figures "28." Amend section 1 of Senate Substitute for Assembly Substitute for Assembly Bill No. 52 by adding after the word "reinsurance" in line 13, page 1 of the printed bill, the following: "the premiums received for reinsurance and dividends."

Mr. Cahill moved the adoption of the amendment to section 1.

Carried.

Remarks by Messrs. Cahill, Hussman, and Oldham.

Roll call on Senate Substitute for Assembly Substitute for Assembly Bill No. 52:

YEAS—Amodei, Barr, Bernard, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—37.

NAYS—None.

Absent—Curtis and David—2.

Not voting—Brooks.

Senate Substitute for Assembly Substitute for Assembly Bill No. 52 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Mr. Cahill moved the adoption of the amendment to the title.
Amendment adopted.

Assembly Bill No. 249.

Amendment proposed by Committee on Roads and Highways: Amend section 1 of Assembly Bill No. 249 on page 1, line 12 of the printed bill, by adding the sentence "The lights of all motor vehicles herein mentioned shall be in conformity with Interstate Commerce Commission rulings."

Mr. Smith moved the adoption of the amendment to section 1.

Amendment adopted.

Remarks by Messrs. Smith and Coleman.

Mr. Smith moved that Assembly Bill No. 249 be rereferred to the Committee on Roads and Highways.

Carried.

Senate Substitute for Senate Bill No. 3.

Amendment proposed by Mr. Loomis: Amend section 3 of Senate Substitute for Senate Bill No. 3 by striking out all of section 3, beginning at line 15, page 3 of the printed bill, to and including line 28, page 4.

Mr. Loomis moved the adoption of the amendment to section 3.

Amendment adopted.

Further amend by changing "Section 4," page 4, line 29 of the printed bill, to read "Section 3."

Mr. Loomis moved the adoption of the amendment.

Amendment adopted.

Further amend by changing "Section 5," page 4, line 31 of the printed bill, to read "Section 4."

Mr. Loomis moved the adoption of the amendment.

Amendment adopted.

Remarks by Messrs. Loomis, Hazard, Shelly, and Germain.

Roll call on Senate Substitute for Senate Bill No. 3:

YEAS—Amodei, Barr, Bernard, Brown, Burke, Cahill, Caldwell, Carroll, Cooper, Curtis, Davidson, Drumm, Hussman, Kennett, Loomis, Lynch, McCuisition, Murphy, Oldham, Russell, Sampson, Shelly, Sloan, Smith, Talcott, Williams, and Mr. Speaker—27.

NAYS—Conine, Fee, Germain, and Richard—4.

Absent—David, McElroy, and Sowers—3.

Not voting—Brooks, Case, Coleman, Fisher, Hazard, and Springer—6.

Senate Substitute for Senate Bill No. 3 having received a constitutional majority, Mr. Speaker declared it passed.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Engrossment hereby certifies that bound copies of Assembly Bill No. 27, and Assembly Substitute for Assembly Bill No. 128, hereto attached, are correct copies of the triplicates thereof in its possession.

L. K. DRUMM, *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. 56, which passed the Senate by the following vote: Yeas, 17; nays, none.

Also, Senate Bill No. 64, which passed, as amended: Yeas, 17; nays, none. Amend as follows: Strike out in section 2 the words "Class B" on page 2, line 11, and insert after the word "chiropody," the words "of at least a class B rating."

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

Also, to return Assembly Bill No. 57, which passed the Senate by the following vote: Yeas, 17; nays, none.

Also, Assembly Bill No. 176, which passed: Yeas, 17; nays, none.

Also, Assembly Bill No. 135, which passed, as amended: Yeas, 17; nays, none. Amend as follows: Amend section 2 on page 2, lines 19 and 20, after the word "district," insert the words "or county," and after the word "concerned" insert the words "as the case may be." On page 7 strike out all of sections 8 and 9, and on page 8 renumber section 10 as 8 and renumber section 11 as 9.

F. BUCKINGHAM,

Assistant Secretary of the Senate.

Mr. McCuiston moved that the Assembly concur in the Senate amendments to Assembly Bill No. 135.

Carried.

INTRODUCTION AND FIRST READING

Senate Concurrent Resolution No. 5.

Mr. Oldham moved that the resolution be referred to the Committee on Contingent Expenses.

Carried.

Senate Bill No. 56.

Mr. Oldham moved that 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. 64.

Mr. Shelly moved that 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.

Unanimous consent was given to the Lyon County Delegation to introduce a bill.

By Lyon County Delegation:

Assembly Bill No. 280—An Act authorizing the City Council of the city of Yerington, Lyon County, Nevada, to issue and sell bonds for the construction and improvement of the streets of the city of Yerington, Lyon County, Nevada; providing for the payment thereof by levy and collection of taxes and by other means, and other matters relating thereto.

Mr. Bernard 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 Lyon County Delegation.
Carried.

Unanimous consent was given to Mr. Oldham to introduce a bill.

By Mr. Oldham:

Assembly Bill No. 281—An Act to amend 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. Oldham moved that 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.

Assembly Joint Resolution No. 15, memorializing Congress to discontinue the moratorium on annual labor requirements for owners of mining claims.

WHEREAS, The Congress of the United States has for a number of years last past made provision for relief from the performance of annual labor upon mining claims under certain conditions; and

WHEREAS, The original intention of Congress in this connection was to relieve the owner of mining claims from the burden of providing funds to do annual work thereon as previously required by law; and

WHEREAS, Bona fide miners and prospectors find the continuation of the moratorium a barrier to incentive for prospecting on the part of the small claim holder who continues to hold his ground from year to year without developing the same to make it more valuable, or permitting the same to be located by another who may have the means and incentive to make the same a producing property; and

WHEREAS, Prior to the adoption of the moratorium system large sums of money were paid to miners by those who were endeavoring to develop mining properties to the extent of profitable production; and

WHEREAS, There are many areas and districts of known mineral content that are lying idle, and have lain idle, during the entire period of this moratorium, detrimental to the industry of mining; and

WHEREAS, The purposes originally intended have been perverted and brought about results that have been detrimental to the development of the mining resources of this State; now, therefore, be it

Resolved by the Assembly and the Senate of the State of Nevada, That the Congress of the United States be memorialized to discontinue the relief to mine owners from performing annual labor upon their mining claims; and be it further

Resolved, That our Senators in the United States Senate and our Representative in Congress be requested to use all proper efforts to bring about a discontinuance of such relief; and be it further

Resolved, That the Secretary of State be and he is hereby directed to transmit properly certified copies of this resolution to the President of the United States Senate, the Speaker of the House in Congress, and to each of our Senators and our Representative in Congress.

Mr. Oldham 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.

Mr. Oldham moved that the Assembly adjourn until 10 a. m., Wednesday, March 8, 1939.

Carried.

Assembly adjourned at 3:50 p. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE FIFTY-SECOND DAY

CARSON CITY (Wednesday), March 8, 1939.

Assembly called to order at 10 a. m.

Mr. Speaker in the Chair.

Roll called.

All present except Mr. Fisher, who was excused.

Prayer by Monsignor H. J. Wientjes.

Mr. Oldham moved the reading of the Journal be dispensed with, and the Speaker and the Chief Clerk be authorized to make the necessary corrections.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary has had Assembly Bills Nos. 269 and 273 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

Also, the majority of your Committee on Judiciary has had Assembly Joint Resolution No. 4 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it not be adopted.

Also, the minority of your Committee on Judiciary has had Assembly Joint Resolution No. 4 under consideration, and begs leave to report favorably on the same, with the recommendation that it be adopted.

Also, the majority of your Committee on Judiciary has had Assembly Bill No. 55 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

Also, the minority of your Committee on Judiciary has had Assembly Bill No. 55 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

WM. KENNETT, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Kennett moved that Assembly Bill No. 151 be withdrawn from the Committee on Judiciary and placed on the Chief Clerk's desk.

Carried.

Mr. Kennett moved that Assembly Bill No. 151 be indefinitely postponed.

Carried.

Mrs. Drumm moved that Assembly Bill No. 5 be made a special order of business for Monday, March 13, at 2 p. m.

Carried.

Mr. Shelly moved that Assembly Rule No. 9 be suspended for the remainder of the legislative day.

Carried.

Mr. Amodei moved that Assembly Bill No. 188 be taken from the table.

Roll call on the motion requested by Messrs. Amodei, Hazard, and Russell.

Roll call on motion to take Assembly Bill No. 188 from the table:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Case, Coleman, Cooper, Curtis, David, Davidson, Drumm, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—36.

NAYS—Burke and Conine—2.

Absent—Fee and Fisher—2.

Motion carried.

Mr. Amodei moved that Assembly Bill No. 188 be rereferred to the Committee on Ways and Means.

Carried.

Mr. Cahill moved that Senate Substitute for Senate Bill No. 60 be rereferred to the Committee on Ways and Means.

Carried.

Mr. Oldham moved that Assembly Bill No. 174 be indefinitely postponed.

Remarks by Messrs. Sloan and Germain.

Roll call on motion requested by Messrs. Shelly, Cahill, and Brown.

Roll call on motion to indefinitely postpone Assembly Bill No. 174:

YEAS—Barr, Bernard, Caldwell, Case, Drumm, McCuistion, McElroy, Murphy, Oldham, Russell, Sowers, Talcott, and Williams—13.

NAYS—Amodei, Brooks, Brown, Burke, Cahill, Carroll, Coleman, Conine, Cooper, Curtis, David, Davidson, Fee, Germain, Hazard, Kennett, Loomis, Lynch, Richard, Shelly, Sloan, Smith, Springer, and Mr. Speaker—24.

Absent—Fisher.

Not voting—Hussman and Sampson—2.

Motion lost.

INTRODUCTION AND FIRST READING

Unanimous consent was given to Mr. Davidson to introduce a bill.

By Mr. Davidson:

Assembly Bill No. 282—An Act to amend an Act entitled “An Act for the protection of proprietors of hotels and lodging houses,” approved March 2, 1867.

Mr. Davidson moved that 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 Substitute for Assembly Bill No. 162.

Remarks by Messrs. Springer, Loomis, and Hazard.

Roll call on Assembly Substitute for Assembly Bill No. 162:

YEAS—Amodei, Barr, Bernard, Brown, Carroll, Coleman, Conine, Cooper, David, Davidson, Drumm, Germain, Hazard, Loomis, McElroy, Murphy, Oldham, Russell, Sampson, Sloan, Smith, Sowers, Springer, Talcott, and Williams—26.

NAYS—Cahill, Hussman, Kennett, Lynch, Richard, and Shelly—6.

Absent—Burke, Case, Curtis, Fisher, and McCuistion—5.

Not voting—Brooks, Caldwell, and Mr. Speaker—3.

Assembly Substitute for Assembly Bill No. 162 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Substitute for Assembly Bill No. 128.

Amendment proposed by Mr. Williams: Amend section 21 of Assembly Substitute for Assembly Bill No. 128 on page 8, lines 21 and 22 of the printed bill, by striking out the words and figures "one hundred sixty thousand (\$160,000) dollars," and insert in lieu thereof the words and figures "one hundred ten thousand (\$110,000) dollars."

Mr. Williams moved the adoption of the amendment to section 21.

Amendment adopted.

Remarks by Messrs. Williams, Davidson, Brooks, and Cahill.

Roll call on Assembly Substitute for Assembly Bill No. 128:

YEAS—Amodei, Barr, Bernard, Cahill, Caldwell, Carroll, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Germain, Hussman, Kennett, Loomis, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—32.

NAYS—Fee.

Absent—Fisher.

Not voting—Brooks, Brown, Burke, Case, Hazard, and Lynch—6.

Assembly Substitute for Assembly Bill No. 128 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 225.

Remarks by Mr. Kennett.

Roll call on Assembly Bill No. 225:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, David, Davidson, Drumm, Fee, Germain, Hazard, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—37.

NAYS—None.

Absent—Curtis, Fisher, and Hussman—3.

Assembly Bill No. 225 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 247.

Amendment proposed by Mr. Amodei: Amend section 1 of Assembly Bill No. 247 by inserting after the word "unit" in line 27, page 2 of the printed bill, a comma and the following: "paying in identical denominations."

Mr. Amodei moved the amendment to section 1 be adopted.

Amendment adopted.

Remarks by Messrs. Amodei, Kennett, and Davidson.

Roll call on Assembly Bill No. 247:

YEAS—Amodei, Bernard, Brooks, Brown, Burke, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Germain, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Smith, Springer, Talcott, and Williams—33.

NAYS—Barr and Hazard—2.

Absent—Cahill, Fisher, and Sowers—3.

Not voting—Sloan and Mr. Speaker—2.

Assembly Bill No. 247 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 255.

Remarks by Messrs. Oldham, Shelly, and Kennett.

Mr. Shelly moved that Assembly Bill No. 255 be placed on the bottom of the general file.

Carried.

Assembly Bill No. 174.

Mr. Brown moved the adoption of the committee amendment to section 2.

Amendment adopted.

Mr. Brown moved the adoption of the committee amendment to section 5.

Amendment adopted.

Amendment proposed by Mr. Brown: Amend section 6 of Assembly Bill No. 174 by striking out the word "condemnation" on page 5, line 12 of the printed bill, and adding in lieu thereof the word "acquisition."

Mr. Brown moved the adoption of the amendment to section 6.

Amendment adopted.

Mr. Brown moved the adoption of the committee amendment to section 10.

Amendment adopted.

Mr. Brown moved the adoption of the committee amendment to section 25.

Amendment adopted.

Mr. Brown moved the adoption of the Committee amendment to section 30.

Amendment adopted.

Mr. Brown moved the adoption of the committee amendment to section 62.

Amendment adopted.

Remarks on the bill by Messrs. Kennett and Brown.

Amendment proposed by Mr. Kennett: Amend Assembly Bill No. 174 by adding a new section to be known as section 66½ to read as follows: "SEC. 66½. Nothing in this Act shall be construed to permit the killing of mountain sheep or mountain goats at any time except under permit from the proper department of the Federal Government and then only for scientific purposes."

Mr. Kennett moved the adoption of the amendment to the bill as a whole.

Remarks by Messrs. Kennett and Sloan.

Amendment adopted.

Remarks by Messrs. Oldham, Curtis, and Barr.

Mr. Germain moved that the Assembly recess until 1:15 p. m.

Carried.

Assembly in recess at 12:15 p. m.

HOUSE IN SESSION

At 1:15 p. m.

Mr. Speaker in the Chair.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 174.

Previous question moved by Messrs. Smith, Hussman, and Germain.

Roll call on Assembly Bill No. 174:

YEAS—Amodei, Brooks, Cahill, Carroll, Coleman, Conine, Cooper, Curtis, David, Davidson, Germain, Hazard, Kennett, Loomis, Richard, Shelly, Sloan, and Mr. Speaker—18.

NAYS—Barr, Bernard, Brown, Burke, Caldwell, Case, Drumm, Fee, Hussman, Lynch, McCuistion, McElroy, Murphy, Oldham, Russell, Sampson, Smith, Springer, Talcott, and Williams—20.

Absent—Fisher and Sowers—2.

Assembly Bill No. 174 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Mr. Burke moved that Assembly Bill No. 229 be made a special order of business for 2:30 p. m. today.

Carried.

Mr. Burke moved that Assembly Bill No. 230 be made a special order of business for 2:45 p. m. today.

Carried.

Mr. Burke moved that Assembly Bill No. 231 be made a special order of business for 3 p. m. today.

Carried.

There being no objections, the Speaker and the Chief Clerk signed Assembly Bills Nos. 57, 135, and 176.

Assembly Bill No. 248.

Remarks by Messrs. Barr and Brown.

Roll call on Assembly Bill No. 248:

YEAS—Barr, Bernard, Brooks, Burke, Caldwell, Case, Cooper, Drumm, Fee, Hazard, Hussman, Lynch, McCuistion, McElroy, Murphy, Oldham, Russell, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—24.

NAYS—Brown, Conine, and Curtis—3.

Absent—Fisher.

Not voting—Amodei, Cahill, Carroll, Coleman, David, Davidson, Germain, Kennett, Loomis, Richard, Sampson, and Mr. Speaker—12.

Assembly Bill No. 248 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 157.

Remarks by Mr. Bernard.

Roll call on Assembly Bill No. 157:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Germain, Hazard, Hussman, Kennett, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—37.

NAYS—None.

Absent—Fisher.

Not voting—Loomis and Mr. Speaker—2.

Assembly Bill No. 157 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 90.

Mr. Davidson moved the adoption of the committee amendment to section 1.

Amendment adopted.

Remarks by Mr. Davidson.

Roll call on Assembly Bill No. 90:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Coleman, Cooper, David, Davidson, Drumm, Fee, Germain, Hussman, Kennett, Lynch, McCuistion, McElroy, Russell, Shelly, Sloan, Smith, and Williams—25.

NAYS—Murphy and Richard—2.

Absent—Burke, Curtis, Fisher, and Oldham—4.

Not voting—Case, Conine, Hazard, Loomis, Sampson, Sowers, Springer, Talcott, and Mr. Speaker—9.

Assembly Bill No. 90 having received a constitutional majority, Mr. Speaker declared it passed.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 279, 280, and 281, hereto attached, are correct copies of the triplicates thereof in its possession.

L. K. DRUMM, *Chairman.*

Mr. Speaker:

Your Committee on Enrollment has carefully compared Assembly Enrolled Bills Nos. 57, 135, and 176 with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. R. GERMAIN, *Chairman.*

Mr. Speaker:

The majority of your Select Committee of White Pine, Clark, Elko, Humboldt, and Nye Counties has had Assembly Bill No. 69 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

CHARLES RUSSELL, *Chairman.*

Mr. Speaker:

Your Committee on Roads and Highways has had Assembly Bill No. 249 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. 249 in line 15, page 2 of the printed bill, by striking out subdivision (d).

CLAUDE SMITH, *Chairman.*

There being no objections, the Speaker and the Chief Clerk signed Senate Bill No. 69.

GENERAL FILE AND THIRD READING

Assembly Bill No. 109.

Remarks by Mrs. Drumm.

Roll call on Assembly Bill No. 109:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Caldwell, Carroll, Case, Conine, Cooper, David, Davidson, Drumm, Fee, Germain, Hazard, Hussman, Kennett, Lynch, McElroy, Murphy, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—32.

NAYS—None.

Absent—Cahill, Curtis, Fisher, Loomis, and Oldham—5.

Not voting—Coleman, McCuistion, and Richard—3.

Assembly Bill No. 109 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 54.

Roll call on Senate Bill No. 54:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Caldwell, Carroll, Case, Coleman, Conine, Cooper, David, Drumm, Germain, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—33.

NAYS—None.

Absent—Cahill, Curtis, and Fisher—3.

Not voting—Davidson, Fee, Hazard, and Mr. Speaker—4.

Senate Bill No. 54 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Kennett moved the adoption of the preamble to Senate Bill No. 54.

Preamble adopted.

Assembly Concurrent Resolution No. 6.

Remarks by Messrs. Barr, Russell, and Kennett.

Mr. Shelly moved that Assembly Concurrent Resolution No. 6 be tabled.

Carried.

There being no objections the Speaker and the Chief Clerk signed Senate Bill No. 50.

SPECIAL ORDER OF BUSINESS

At 2 p. m.

Assembly Bill No. 193.

Amendment proposed by Mr. Kennett: Amend section 2 of Assembly Bill No. 193 by inserting after the word "taxpayers," in line 10, the words "representing three-fifths ($\frac{3}{5}$) of the assessed valuation of said district."

Mr. Kennett moved the adoption of the amendment to section 2.

Remarks by Messrs. Shelly, Coleman, Case, and Kennett.

Amendment lost.

Roll call on Assembly Bill No. 193:

YEAS—Amodei, Barr, Bernard, Caldwell, Carroll, Coleman, Conine, Curtis, David, Drumm, Hazard, Lynch, McCuistion, McElroy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Williams, and Mr. Speaker—22.

NAYS—Case, Murphy, and Talcott—3.

Absent—Burke, Cahill, Fisher, and Smith—4.

Not voting—Brooks, Brown, Cooper, Davidson, Fee, Germain, Hussman, Kennett, Loomis, Sowers, and Springer—11.

Assembly Bill No. 193 having received a constitutional majority, Mr. Speaker declared it passed.

At 2:15 p. m.

Assembly Bill No. 191.

Remarks by Messrs. Coleman and Shelly.

Roll call on Assembly Bill No. 191:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Coleman, Conine, Curtis, David, Davidson, Drumm, Fee, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham,

Richard, Russell, Sampson, Shelly, Sloan, Sowers, Springer, Talcott, Williams, and Mr. Speaker—36.

NAYS—None.

Absent—Fisher and Smith—2.

Not voting—Case and Cooper—2.

Assembly Bill No. 191 having received a constitutional majority, Mr. Speaker declared it passed.

GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 12.

Remarks by Mr. Amodei.

Roll call on Assembly Joint Resolution No. 12:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Sowers, Springer, Talcott, Williams, and Mr. Speaker—37.

NAYS—None.

Absent—Cahill, Fisher, and Smith—3.

Assembly Joint Resolution No. 12 having received a constitutional majority, Mr. Speaker declared it adopted.

Assembly Bill No. 255.

Amendment proposed by Mr. Oldham: Amend section 1 of Assembly Bill No. 255 by inserting after the word "having" on page 1, line 15 of the printed bill, the following: "paid for and obtained 1935 license plates and."

Mr. Oldham moved the adoption of the amendment to section 1.

Amendment adopted.

Roll call on Assembly Bill No. 255:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Sampson, Shelly, Sloan, Sowers, Springer, Talcott, Williams, and Mr. Speaker—36.

NAYS—None.

Absent—Cahill, Fisher, Russell, and Smith—4.

Assembly Bill No. 255 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Mr. Oldham moved the adoption of the preamble.

Preamble adopted.

SPECIAL ORDER OF BUSINESS

At 2:30 p. m.

Assembly Bills Nos. 229, 230, and 231.

Mr. Burke moved that the Assembly resolve itself into a Committee of the Whole to consider Assembly Bills Nos. 229, 230, and 231, with the Speaker remaining in the Chair as chairman.

Carried.

COMMITTEE OF THE WHOLE

At 2:31 p. m.

Mr. Speaker in the Chair.

HOUSE IN SESSION

At 2:55 p. m.

Mr. Speaker in the Chair.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Select Committee of the Whole has Assembly Bills Nos. 229, 230, and 231 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

BERKELEY L. BUNKER, *Chairman*.

GENERAL FILE AND THIRD READING

Assembly Bill No. 229.

Roll call on Assembly Bill No. 229:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—39.

NAYS—None.

Absent—Fisher.

Assembly Bill No. 229 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 230.

Roll call on Assembly Bill No. 230:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—39.

NAYS—None.

Absent—Fisher.

Assembly Bill No. 230 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 231.

Roll call on Assembly Bill No. 231:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—38.

NAYS—None.

Absent—Cahill and Fisher—2.

Assembly Bill No. 231 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. 77, which passed the Senate by the following vote: Yeas, 16; nays, none; absent, 1.

Also, to return Assembly Bill No. 141, which passed: Yeas, 16; nays, none; absent, 1.

Also, to present Senate Bill No. 112, which was declared an emergency measure under the Constitution, placed on third reading and final passage, and passed: Yeas, 16; nays, none; absent, 1.

F. BUCKINGHAM,
Assistant Secretary of the Senate.

Mr. Brown gave notice that on the next legislative day he would move reconsideration of Assembly Bill No. 174.

INTRODUCTION AND FIRST READING

Senate Bill No. 112.

On motion of Mr. Oldham, duly seconded, all rules were suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution, and placed on third reading and final passage.

Senate Bill No. 77.

Mr. Oldham moved that 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. Coleman:

Assembly Joint Resolution No. 16, authorizing the Governor of the State of Nevada to accept grants-in-aid, allotments for public relief and public welfare, and any other funds which may be made available to the State of Nevada by the United States Government during such period as the Legislature of the State of Nevada shall not be in session and to administer the same in accordance with the requirements of the United States Government.

WHEREAS, There will become available to the State of Nevada loans, grants-in-aid for relief and public welfare, and other public funds for the use of the State in alleviating distress, improving living, housing, and working conditions and generally promoting the welfare of the citizens of this State upon acceptance of the terms and conditions of such Federal loans or grants-in-aid by the Legislature of this State; and

WHEREAS, The present session of the Congress of the United States, having under consideration welfare legislation and appropriation measures, will extend for an indefinite period beyond the closing of the present session of the Legislature of the State of Nevada; now, therefore, be it

Resolved by the Assembly of the Thirty-ninth Session of the Legislature of the State of Nevada, the Senate concurring, That the Governor of the State of Nevada be and he is hereby authorized during such period as the Legislature be not in session, to receive and accept, if he deem it advantageous, on behalf of the Legislature and on behalf of the State of Nevada, any and all Federal funds, loans, grants-in-aid, relief and welfare allotments, and any and all other public funds, benefits, and contributions which may be made available to the State of Nevada by the United States Government, and to make on behalf of the Legislature and of the people of the State of Nevada any and all agreements and guarantees which may be required by the Government of the United States in order to receive the full benefits of such Federal loans, grants-in-aid, or other allotments of public funds, under the terms and conditions provided by the laws of the United States Government, which acceptance and which agreements so made by the Governor of the State of Nevada shall be effective until the close of the next session of the Legislature or until the Legislature shall otherwise enact.

Mr. Coleman 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.

Unanimous consent was given to the Committee on State Publicity to introduce bills.

By Committee on State Publicity:

Assembly Bill No. 283—An Act to provide for the recognition of the seventy-fifth anniversary of Nevada's admission to the Union, designating the same as Nevada's Diamond Jubilee, making an appropriation therefor, and other matters properly relating thereto.

Mr. Burke moved that 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 Committee on State Publicity:

Assembly Bill No. 284—An Act to amend an Act entitled "An Act providing for the participation by the State of Nevada in the New York World's Fair to be held in New York City, New York, in 1939; providing for the creation of the State World's Fair Commission, defining the powers and duties of said commission, and making an appropriation therefor, and other matters properly connected therewith," approved March 26, 1937.

Mr. Burke moved that 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 Publicity.

Carried.

Unanimous consent was given to Mr. McCuiston to introduce a bill.

By Mr. McCuiston:

Assembly Bill No. 285—An Act defining and limiting the liability of owners of livestock in and upon unfenced or illegally fenced lands in this State.

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

Carried.

By Mr. Hussman:

Assembly Joint Resolution No. 17, memorializing Congress to change the open season on doves in the zone in which Nevada is situated.

WHEREAS, In that part of the zone regulated by Federal regulations in which Nevada is situated, the open season on doves being set September first, the birds have almost entirely disappeared by such date; and

WHEREAS, By reason thereof, there is practically no dove shooting available in this State; now, therefore, be it

Resolved, That Congress be memorialized to change the date of opening the dove season in the zone in which Nevada is situated to August first of each year; and be it further

Resolved, That each of our Senators and our Representative in Congress be and they are hereby directed to use all honorable and legitimate means to have the open season on doves in the State of Nevada changed in conformity with the conditions described in the preamble hereof; and be it further

Resolved, That properly certified copies of this resolution be transmitted by the Secretary of State of the State of Nevada to our Senators and our Representative in Congress in Washington.

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 Fish and Game.

Carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 112.

Roll call on Senate Bill No. 112:

YEAS—Amodei, Bernard, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Cooper, Curtis, David, Drumm, Fee, Germain, Hazard, Hussman, Kennett, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Smith, Sowers, Springer, Williams, and Mr. Speaker—31.

NAYS—Talcott.

Absent—Barr, Fisher, McCuiston, and Sloan—4.

Not voting—Brooks, Conine, Davidson, and Loomis—4.

Senate Bill No. 112 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Oldham moved that the Assembly adjourn until Thursday, March 9, 1939, at 10 a. m.

Carried.

Assembly adjourned at 3:25 p. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE FIFTY-THIRD DAY

CARSON CITY (Thursday), March 9, 1939.

Assembly called to order at 10 a. m.

Mr. Speaker in the Chair.

Roll called.

All present except Mr. Smith, who was excused.

Prayer by Monsignor H. J. Wientjes.

Mr. Oldham moved the reading of the Journal be dispensed with, and the Speaker and the Chief Clerk be authorized to make the necessary corrections and additions.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Insurance has had Assembly Bills Nos. 32, 101, 131, 257, 258, and Senate Bill No. 32 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 Taxation has had Assembly Bill No. 242 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. 242, page 2, line 2 of the printed bill, by striking out the words and figures "thirty-six (36%)," and insert in lieu thereof the word and figures "forty (40%)." Amend section 1, page 2, line 3 of the printed bill, by striking out the word and figure "nine (9%)," and insert in lieu thereof the word and figure "ten (10%)."

ANDY J. RICHARD, *Chairman.*

Mr. Speaker:

Your Joint Select Committees of Ways and Means, Ormsby County Delegation, and Public Printing has had Assembly Bill No. 102 under consideration, and begs leave to report on the same without recommendation.

Also, Your Committee on Ways and Means has had Assembly Bill No. 116 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. 116, line 3, page 1 of the printed bill, by striking out the word "sum," and the words and figures "forty thousand (\$40,000)," and inserting in lieu thereof the words and figures "ten thousand (\$10,000)"; further amend in line 11, page 1 of the printed bill, by adding after the word "and" the word "if"; and further amend in line 12, page 1 of the printed bill, by striking out the word "and."

Also, your Joint Committee on Ways and Means and Roads and Highways has had Assembly Bills Nos. 222 and 223 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

Also, Assembly Bill No. 224, and reports the same with a substitute therefor, with the recommendation that the substitute be adopted.

R. E. CAHILL, *Chairman.*

Mr. Cahill moved the adoption of the substitute for Assembly Bill No. 224, and that the same be ordered printed.

Carried.

Mr. Speaker:

Your Joint Committee on Judiciary and Social Welfare has had Assembly Bill No. 159 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. 159, page 1, line 5, strike out the word "three" and substitute in lieu thereof the word "two."

Amend section 4 of Assembly Bill No. 159, page 3, line 1 of the printed bill, by inserting after the word "be" the words "a resident of Nevada for at least five years preceding the date of his appointment; he shall be," and further amend section 4, page 3, line 3, by striking out the word "five" and substituting therefor the word "three."

Amend section 6 of Assembly Bill No. 159, page 5, by striking out after the period in line 7 the balance of that line and all of lines 8, 9, and 10, and the word "state" and the period in line 11.

Amend section 7 of Assembly Bill No. 159, page 5, lines 31 and 32, by striking out the words "a bureau of maternal and child hygiene and crippled children," and further amend on page 5, line 32, and page 6, line 1, by striking out after the word "nursery" the comma and the words "a bureau of venereal disease control."

Amend section 7 of Assembly Bill No. 159, page 5, by inserting after line 27 the following: "5. Division of maternal and child health and crippled children, 6. Division of venereal disease control."

Amend section 8 of Assembly Bill No. 159, page 6, by striking out after the period in line 8 the balance of that line and all of line 9, and further amend section 8, page 6, line 21, by striking out the words "physician and."

Amend Assembly Bill No. 159 by inserting on page 5, after section 6, a new section to be numbered section 6½ to read as follows: "SEC. 6½. The State Department of Health is designated as the agency of this State to cooperate with the duly constituted Federal authorities in the administration of those parts of the Federal Social Security Act which relate to the maternal and child health services, care and treatment of crippled children, and the general promotion of public health, and is authorized to receive and expend all funds made available to the State Department of Health by the Federal Government, the State or its political subdivisions, or from any other source for the purposes provided in this Act."

WM. KENNETT, *Chairman.*

Mr. Speaker:

Your Committee on Elections has had Assembly Bills Nos. 271, 232, 207, 263, 275, and 195 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

Also, Assembly Bill No. 212, and reports same with an amendment thereto, with the recommendation that the amendment be adopted and that the bill, as amended, do pass. Amend section 1 of Assembly Bill No. 212 by striking out at the end of line 6, page 1 of the printed bill, the word "qualified," and insert in lieu thereof the word "registered." Further amend section 1 by striking out in line 13, page 1 of the printed bill, the word "qualified," and insert in lieu thereof the word "registered."

PETER A. BURKE, *Chairman.*

Mr. Speaker:

Your Select Committee of Lyon County Delegation has had Assembly Bill No. 280 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

CHAS. V. WILLIAMS, *Chairman.*

Mr. Speaker:

Your Committee on Social Welfare has had Assembly Bill No. 165 under consideration, and begs leave to report without recommendation.

Also, Assembly Bill No. 192, and reports favorably on the same, with the recommendation that it do pass.

HENRY S. COLEMAN, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Brooks moved that Assembly Bill No. 242 be rereferred to the Committee on Taxation.

Carried.

Mr. Williams moved that Assembly Bill No. 280 be placed on the general file.

Carried.

Mr. McCuistion moved that Assembly Bill No. 102 be made a special order of business for Friday, March 10, 1939, at 2 p. m.

Carried.

Mr. Brown moved reconsideration of Assembly Bill No. 174.

Roll call on the motion requested by Messrs. Loomis, Cahill, and Brown.

Roll call on motion to reconsider Assembly Bill No. 174:

YEAS—Amodei, Brooks, Brown, Burke, Cahill, Carroll, Coleman, Conine, Curtis, David, Davidson, Fee, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, Richard, Shelly, Sloan, and Mr. Speaker—22.

NAYS—Barr, Bernard, Caldwell, Drumm, Fisher, McCuistion, McElroy, Murphy, Oldham, Russell, Sampson, Sowers, Springer, Talcott, and Williams—15.
Absent—Case, Cooper, and Smith—3.

Motion carried.

Mr. Brown moved that Assembly Bill No. 174 be placed on top of the general file.

Carried.

INTRODUCTION AND FIRST READING

Unanimous consent was given the Committee on Labor to introduce a bill.

By Committee on Labor:

Assembly Bill No. 286—An Act to amend 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 of 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, together with the Acts amendatory thereof or supplemental thereto.

Mr. Hazard moved that 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.

Unanimous consent was given to Mr. Carroll to introduce a bill.

By Mr. Carroll:

Assembly Bill No. 287—An Act to establish Commissioner Districts in the county of Clark, and providing for the election therefrom of members of the Board of County Commissioners

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 a Select Committee of Clark County Delegation.

Carried.

Unanimous consent was given to Clark County Delegation to introduce a bill.

By Clark County Delegation :

Assembly Bill No. 288—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.

Mr. Hazard 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 Clark County Delegation, and ordered not printed.

Carried.

Unanimous consent was given to Mr. Curtis to introduce a bill.

By Mr. Curtis :

Assembly Bill No. 289—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, 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 violations of the provisions of this Act," approved March 27, 1931, together with the Acts amendatory thereof or supplemental thereto.

Mr. Curtis moved that 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.

Unanimous consent was given to Mr. Talcott to introduce a bill.

By Mr. Talcott :

Assembly Bill No. 290—An Act to amend an Act entitled "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," approved March 20, 1933.

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

Carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 174.

Remarks by Messrs. Kennett, Barr, Coleman, and Davidson.

Messrs. Oldham, Murphy, and McElroy moved the previous question.

Carried.

A call of the House was demanded by Mr. Brown.

Roll call on motion :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Curtis, David, Davidson, Drumm, Fee, Fisher,

Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Sowers, Springer, Talcott, Williams, and Mr. Speaker—38.

NAYS—None.

Absent—Cooper and Smith—2.

CALL OF THE HOUSE

The Sergeant-at-Arms was directed by the Speaker to escort all absent members to the Assembly Chamber.

The Sergeant-at-Arms returned with all absent members except Mr. Smith, who was excused.

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. 16, which passed the Senate by the following vote: Yeas, 17; nays, none.

Also, Senate Bill No. 73, which passed: Yeas, 17; nays, none.

Also, Senate Joint Resolution No. 11, which passed: Yeas, 11; nays, 6.

Also, to return Assembly Bill No. 11, which passed: Yeas, 17; nays, none.

Also, Assembly Bill No. 144, which passed, as amended: Yeas, 17; nays, none. Amend section 1 on page 1, lines 8 and 9, by striking the word "conclusive," and insert in lieu thereof the word "prima facie." Further amend the title by striking out the word "conclusive" after the word "conditions," and insert in lieu thereof the words "prima facie."

Also, Assembly Concurrent Resolution No. 5, which passed: Yeas, 17; nays, none.

F. BUCKINGHAM,

Assistant Secretary of the Senate.

Mr. Shelly moved that the Assembly concur in the Senate amendments to Assembly Bill No. 144.

Carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 174.

Roll call on Assembly Bill No. 174:

YEAS—Amodei, Brooks, Brown, Cahill, Carroll, Coleman, Conine, Cooper, Curtis, David, Davidson, Germain, Hazard, Kennett, Loomis, Richard, Shelly, Sloan, and Mr. Speaker—19.

NAYS—Barr, Bernard, Burke, Caldwell, Case, Drumm, Fisher, Hussman, Lynch, McCuiston, McElroy, Murphy, Oldham, Russell, Sampson, Sowers, Springer, Talcott, and Williams—19.

Absent—Smith.

Not voting—Fee.

Assembly Bill No. 174 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Assembly Bill No. 269.

Remarks by Messrs. Davidson, Shelly, and Loomis.

Roll call on Assembly Bill No. 269:

YEAS—Amodei, Bernard, Brooks, Brown, Caldwell, Carroll, Case, Coleman, Curtis, Davidson, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Richard, Russell, Sampson, Sloan, Sowers, Springer, Talcott, and Williams—29.

NAYS—Shelly.

Absent—Burke, Cahill, David, Oldham, and Smith—5.

Not voting—Barr, Conine, Cooper, Drumm, and Mr. Speaker—5.

Assembly Bill No. 269 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 273.

Remarks by Messrs. Barr, Case, Kennett, Curtis, Coleman, Conine, Brown, and Shelly.

Mr. Loomis moved that Assembly Bill No. 273 be rereferred to the Committee on Judiciary.

Carried.

There being no objections the Speaker and the Chief Clerk signed Assembly Bill No. 141.

Assembly Joint Resolution No. 4.

Remarks by Mr. Kennett.

Mr. Burke moved that Assembly Joint Resolution No. 4 be tabled.

Carried.

Assembly Bill No. 55.

Amendment proposed by Mr. Loomis: Amend section 1 of Assembly Bill No. 55 by striking out in line 12, page 1 of the printed bill, the words "twenty-five," and insert in lieu thereof the words "thirty-five."

Mr. Loomis moved the adoption of the amendment to section 1.

Amendment lost.

Mr. Burke moved that Assembly Bill No. 55 be tabled.

Carried.

Assembly Bill No. 69.

Remarks by Messrs. Russell, Brooks, Kennett, Coleman, Davidson, Case, Loomis, and Cooper.

Roll call on Assembly Bill No. 69:

YEAS—Amodei, Barr, Bernard, Carroll, Case, Conine, Cooper, Curtis, David, Drumm, Fisher, Germain, Kennett, Oldham, Richard, Russell, Sampson, Sow-ers, and Mr. Speaker—19.

NAYS—Brooks, Brown, Cahill, Loomis, Lynch, McCuistion, Murphy, Shelly, Talcott, and Williams—10.

Absent—Burke, Caldwell, Fee, McElroy, and Smith—5.

Not voting—Coleman, Davidson, Hazard, Hussman, Sloan, and Springer—6.

Assembly Bill No. 69 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Mr. McCuistion moved that Assembly Bill No. 249 now on top of general file be made a special order of business for Friday, March 10, at 2:30 p. m.

Carried.

Mr. Brown moved that Assembly Bill No. 175 be withdrawn from general file, placed on the Chief Clerk's desk, and rereferred to the Committee on Fish and Game.

Carried.

Assembly Bill No. 280.

Remarks by Mr. Williams.

Roll call on Assembly Bill No. 280:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Conine, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard,

Hussman, Kennett, Loomis, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Sowers, Springer, Talcott, Williams, and Mr. Speaker—35.

NAYS—None.

Absent—Case, McCuiston, and Smith—3.

Not voting—Coleman and Cooper—2.

Assembly Bill No. 280 having received a constitutional majority, Mr. Speaker declared it passed.

INTRODUCTION AND FIRST READING

Unanimous consent was given Mr. Loomis to introduce a bill.

By Mr. Loomis:

Assembly Bill No. 291—An Act empowering and authorizing the County Commissioners of Washoe County, Nevada, to make, execute, and deliver to the city of Reno, a municipal corporation, a deed in fee to certain real estate in Washoe County, Nevada.

Mr. Loomis 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 Washoe County Delegation.

Carried.

Unanimous consent was given to Mr. Oldham to introduce a resolution

By Mr. Oldham:

Assembly Joint Resolution No. 18, proposing an amendment to section 1 of article XVI of the Constitution of the State of Nevada.

Resolved by the Assembly and the Senate of the State of Nevada, That section 1 of article XVI of the Constitution of the State of Nevada be amended to read as follows:

SECTION 1. Any amendment or amendments to this Constitution may be proposed in the Senate or Assembly; and if the same shall be agreed to by a majority of all the members elected to each of the two houses, such proposed amendment or amendments shall be entered in their respective journals, with the yeas and nays taken thereon, and referred to the Legislature then next to be chosen, and shall be published for three months next preceding the time of making such choice. And if, in the Legislature next chosen as aforesaid, such proposed amendment or amendments shall be agreed to by a majority of all the members elected to each house, then it shall be the duty of the Legislature to submit such proposed amendment or amendments to the people in such manner and at such time as the Legislature shall prescribe; and if the people shall approve and ratify such amendment or amendments by a majority of the electors voting thereon, such amendment or amendments shall become a part of the Constitution.

Mr. Oldham 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Social Welfare has had Assembly Bill No. 3 under consideration, and begs leave to report with a substitute therefor, and recommend that the substitute be adopted and printed.

HENRY S. COLEMAN, *Chairman.*

Mr. Speaker:

Your Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 284, 282, 283, and 285, and Assembly Joint Resolutions Nos. 15, 16, and 17, hereto attached, are correct copies of the triplicates thereof in its possession.

L. K. DRUMM, *Chairman.*

Mr. Speaker:

Your Committee on Enrollment has carefully compared Assembly Enrolled Bill No. 141 with the engrossed copy, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. R. GERMAIN, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Coleman moved the adoption of the Substitute for Assembly Bill No. 3, and that the same be ordered printed.

Carried.

Mr. Oldham moved that the rule requiring all bills reported back from committee to be laid over until the next legislative day be suspended.

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. 115, which was this day declared an emergency measure and passed by the following vote: Yeas, 17; nays, none. We also wish to inform your honorable body that the Senate has this day refused to concur in the Assembly amendments to Senate Substitute to Assembly Substitute for Assembly Bill No. 52.

F. BUCKINGHAM,

Assistant Secretary of the Senate.

INTRODUCTION AND FIRST READING

Senate Bill No. 115.

On motion of Mr. Lynch, duly seconded, all rules suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution, and placed on third reading and final passage.

GENERAL FILE AND THIRD READING

Senate Bill No. 115.

Remarks by Mr. Lynch.

Roll call on Senate Bill No. 115:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McElroy, Murphy, Oldham, Russell, Sampson, Shelly, Sloan, Sowers, Springer, Talcott, Williams, and Mr. Speaker—36.

NAYS—None.

Absent—Conine, McCuiston, and Smith—3.

Not voting—Richard.

Senate Bill No. 115 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Lynch moved the adoption of the preamble to Senate Bill No. 115.

Preamble adopted.

Mr. Oldham moved the Assembly recess until 2 p. m.
Carried.

Assembly in recess at 12:15 p. m.

HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the Chair.

Quorum present.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Cahill moved that the Assembly refuse to recede from its action on Senate Substitute for Assembly Substitute for Assembly Bill No. 52, and that the Speaker appoint a Conference Committee to meet with a like committee from the Senate.

Carried.

The following Conference Committee was appointed by the Speaker: Messrs. Cahill, Hussman, and Carroll.

Mr. Loomis moved that Assembly Bill No. 192 be made a special order of business for Friday, March 10, 1939, at 2:45 p. m.

Carried.

Mr. Brooks moved that Assembly Bill No. 257 be withdrawn from general file, placed on the Chief Clerk's desk, and rereferred to the Committee on Insurance.

Carried.

There being no objections, the Speaker and the Chief Clerk signed Assembly Bills Nos. 11 and 144, and Assembly Concurrent Resolution No. 5.

Mr. Cahill moved that Rule No. 9 be suspended for the remainder of this legislative day.

Carried.

Mr. Cahill moved that Assembly Bill No. 222 be withdrawn from general file, placed on the Chief Clerk's desk, and rereferred to the Committee on Ways and Means.

Carried.

Mr. Cahill moved that Assembly Bill No. 223 be withdrawn from general file, placed on the Chief Clerk's desk, and rereferred to the Committee on Ways and Means.

Carried.

Mr. Shelly gave notice that on the next legislative day he would move reconsideration of Assembly Bill No. 69.

By Mr. Kennett:

Assembly Concurrent Resolution No. 7, requesting the State Board of Relief, Work Planning, and Pension Control to make a survey of the various counties of the State of Nevada, and report thereon to the Legislature to be convened in 1941.

Resolved by the Assembly of the State of Nevada, the Senate concurring. That the State Board of Relief, Work Planning and Pension Control is hereby

requested and directed to make a complete survey of all of the counties of the State of Nevada, on or before January 1, 1941, with the view of determining the feasibility or desirability to change the boundaries of any or all of said counties, to divide the same, or consolidate them, having in mind the purpose of economy, convenience, and the wishes of the inhabitants of the various counties, and upon the completion of said survey to report their findings, conclusions, and suggestions in relation thereto; and be it further

Resolved, That the Secretary of the State be and is hereby authorized and directed to prepare and transmit to the said State Board of Relief, Work Planning, and Pension Control a properly certified copy of this resolution.

Mr. Kennett moved that the resolution be referred to the Committee on County and County Boundaries.

Carried.

INTRODUCTION AND FIRST READING

By Mr. Richard:

Assembly Joint Resolution No. 19, memorializing Congress to maintain existing appropriations for agricultural extension work in the United States.

WHEREAS, Agriculture in the country today is more or less in a transition period, and farmers and stockmen have been beset with low prices and other adverse conditions beyond their control; and

WHEREAS, The Cooperative Agricultural Extension program of the United States Department of Agriculture has served well the agricultural people over a long period, and especially during this period of adjustment; therefore, be it

Resolved by the Assembly and the Senate of the State of Nevada, That Congress be memorialized to maintain all existing appropriations for the furtherance of the Cooperative Agricultural Extension program in the States and Territories; and be it further

Resolved, That our Senators and Representative in Washington be urged to use all honorable means to carry out the intent of this resolution for the benefit of farmers and stockmen in the United States; and be it further

Resolved, That the Secretary of State of the State of Nevada be and he is hereby authorized and directed to transmit properly certified copies of this resolution to our Senators and Representative in Washington, and to the President of the United States Senate, and to the Speaker of the House of Representatives.

Mr. Richard moved that 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.

Unanimous consent was given to Mr. Murphy to introduce a bill.

By Mr. Murphy:

Assembly Bill No. 292—An Act to provide revenue for the support of the government of the State of Nevada; to control, license and regulate the sale of cigarettes and tobaccos into and within the State of Nevada; to provide for the issuance of retailers and wholesalers licenses; to impose a stamp tax on the sale of cigarettes; to provide for State licenses, and persons to pay the same; the manner of collection thereof, and prescribing the duties to be performed by State and county officials in connection therewith, the disposition and apportionment of the funds derived therefrom; and all other matters properly relating thereto; to provide penalties for the violation thereof, and to repeal all Acts or parts of Acts in conflict herewith.

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 Ways and Means.

Carried.

Senate Bill No. 16.

Mr. Oldham moved that 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. 73.

Mr. Oldham moved that 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. 11.

Mrs. Drumm 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.

Unanimous consent was given to the Committee on Ways and Means to introduce a bill.

By Committee on Ways and Means:

Assembly Bill No. 293—An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada; to control, license and regulate the importation and sale of wines, beers, and intoxicating liquors into and within the State of Nevada; to provide for the issuance of importers' and wholesalers' licenses; to impose a stamp tax on the sale of such wines, beers, and intoxicating liquors; to provide for State licenses, designating the type of licenses to be issued, the fee for such licenses, and persons to pay the same, the manner of collection thereof, and prescribing the duties to be performed by State and county officials in connection therewith; the disposition and apportionment of the funds derived therefrom; and all other matters relating thereto; to provide penalties for the violation thereof; and to repeal all Acts or parts of Acts in conflict herewith," approved March 30, 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 Ways and Means.

Carried.

Unanimous consent was given to Clark County Delegation to introduce a bill.

Assembly Bill No. 294.

An Act for the relief of Boulder City School District Number One, Clark County, Nevada.

Mr. Sloan 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 Education.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Joint Committee on Labor, Military and Indian Affairs has had Senate Joint Resolution No. 1 under consideration, and begs leave to report on the same, without recommendation.

H. E. HAZARD, *Chairman.*

Mr. Speaker:

Your Committee on Public Printing has had Assembly Bill No. 187 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

Also, Assembly Bill No. 173, and reports unfavorably on the same, with the recommendation that it do not pass.

R. R. GERMAIN, *Chairman.*

Mr. Speaker:

Your Joint Select Committee of Washoe County Delegation and Judiciary has had Assembly Bill No. 225 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass, as amended.

CARL SHELLY, *Chairman.*

Mr. Speaker:

Your Committee on Judiciary has had Assembly Bill No. 273 under consideration, and begs leave to report same, with an amendment, with the recommendation that the amendment be adopted and that the bill, as amended, do pass. Amend section 1 of Assembly Bill No. 273 by inserting after the word "shall" in line 11, page 2 of the printed bill, the following: "for the first offense." Further amend by inserting in line 11, page 2 of the printed bill, a comma after the word "misdemeanor," and the following: "and for any subsequent offense shall be deemed guilty of a felony."

Also, Senate Bill No. 77, and reports same without recommendation.

Also, Assembly Joint Resolution No. 16, and reports same without recommendation.

Also, Assembly Bill No. 282, and reports favorably on the same, with the recommendation that it do pass.

WM. KENNETT, *Chairman.*

GENERAL FILE AND THIRD READING

Assembly Bill No. 32.

Remarks by Messrs. David and Carroll.

Roll call on Assembly Bill No. 32:

YEAS—Barr, Bernard, Burke, Cahill, Caldwell, Carroll, Case, Curtis, David, Davidson, Drumm, Fisher, Germain, Hazard, Hussman, Kennett, Lynch, McElroy, Murphy, Russell, Shelly, Sloan, Sowers, Springer, Talcott, and Williams—26.

NAYS—Cooper.

Absent—Amodei, McCuiston, Oldham, and Smith—4.

Not voting—Brooks, Brown, Coleman, Conine, Fee, Loomis, Richard, Sampson, and Mr. Speaker—9.

Assembly Bill No. 32 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 101.

Remarks by Mr. Davidson.

Roll call on Assembly Bill No. 101:

YEAS—Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher,

Germain, Hazard, Hussman, Kennett, Lynch, McElroy, Murphy, Richard, Russell, Sampson, Shelly, Sloan, Sowers, Springer, Talcott, and Williams—34.

NAYS—None.

Absent—Amodei, Loomis, McCuiston, Oldham, and Smith—5.

Not voting—Mr. Speaker.

Assembly Bill No. 101 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 131.

Remarks by Messrs. Russell, Hussman, Coleman, Carroll, Germain, and Cooper.

Mr. Russell moved that Assembly Bill No. 131 be indefinitely postponed.

Roll call on the motion requested by Messrs. Hussman, Talcott, and Kennett.

Remarks on motion by Messrs. Cahill, Hazard, Russell, and Hussman.

A call of the House requested by Mr. Russell.

CALL OF THE HOUSE

The Sergeant-at-Arms was instructed by the Speaker to escort all absent members to the Assembly Chambers.

The Sergeant-at-Arms returned with all absent members except Messrs. Loomis, McCuiston, Amodei, and Smith, who were excused on motion of Mr. Russell.

GENERAL FILE AND THIRD READING

Roll call on motion to indefinitely postpone Assembly Bill No. 131 :

YEAS—Coleman, Conine, Cooper, Fee, Fisher, Germain, Hazard, Murphy, Richard, and Russell—10.

NAYS—Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Curtis, David, Davidson, Drumm, Hussman, Kennett, Lynch, McElroy, Oldham, Shelly, Sloan, Talcott, and Williams—20.

Absent—Amodei, Loomis, McCuiston, and Smith—4.

Not voting—Barr, Case, Sampson, Sowers, Springer, and Mr. Speaker—6.

Motion lost.

Mr. Cahill moved that Assembly Bill No. 131 be placed on the general file for the next legislative day.

Carried.

Senate Bill No. 32.

Remarks by Messrs. Brooks and Carroll.

Roll call on Senate Bill No. 32 :

YEAS—Barr, Bernard, Brooks, Brown, Cahill, Carroll, Case, Coleman, Curtis, David, Davidson, Drumm, Fee, Germain, Hussman, Kennett, Lynch, McElroy, Murphy, Richard, Russell, Shelly, Sloan, Sowers, Talcott, and Williams—26.

NAYS—Conine.

Absent—Amodei, Burke, Cooper, Loomis, McCuiston, Oldham, and Smith—7.

Not voting—Caldwell, Fisher, Hazard, Sampson, Springer, and Mr. Speaker—6.

Senate Bill No. 32 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Hazard moved that Assembly Bill No. 258 be placed on general file for the next legislative day.

Remarks by Messrs. Hazard and Brooks.

Motion carried.

Assembly Bill No. 116.

Mr. Springer moved the adoption of the committee amendment to section 1.

Amendment adopted.

Mr. Murphy moved the adoption of the committee amendment to section 1.

Amendment adopted.

Mr. Murphy moved the adoption of the amendment to section 1.

Amendment adopted.

Roll call on Assembly Bill No. 116:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—34.

NAYS—None.

Absent—Burke, Carroll, Loomis, McCuiston, and Smith—5

Not voting—Mr. Speaker.

Assembly Bill No. 116 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Bill No. 159.

Mr. Kennett moved the adoption of the committee amendment to section 1.

Amendment adopted.

Mr. Kennett moved the adoption of the committee amendment to section 4.

Amendment adopted.

Mr. Kennett moved the adoption of the further committee amendment to section 4.

Amendment adopted.

Mr. Kennett moved the adoption of the committee amendment to section 6.

Amendment adopted.

Mr. Kennett moved the adoption of committee amendment, adding a new section to be known as section 6½.

Amendment adopted.

Mr. Kennett moved the adoption of the Joint Committee amendment to section 7.

Amendment adopted.

Mr. Kennett moved the further committee amendment to section 7.

Amendment adopted.

Mr. Kennett moved the adoption of the committee amendment to section 8.

Amendment adopted.

Mr. Kennett moved the adoption of the further committee amendment to section 8.

Amendment adopted.

Amendment proposed by Joint Committee on Judiciary and Social Welfare:

Amend section 4 of Assembly Bill No. 159 by inserting after the word "health" in line 32, page 2, the following: "with the approval of the Governor."

Mr. Shelly moved the adoption of the amendment.

Remarks by Mr. Shelly.

Amendment adopted.

Amendment proposed by Mr. Oldham:

Amend section 8 of Assembly Bill No. 159, line 14, page 6, insert the words "natural ice" after the word "water."

Mr. Oldham moved the adoption of the amendment.

Amendment adopted.

Remarks by Messrs. Cooper, Shelly, Kennett, Drumm, and Coleman.

Roll call on Assembly Bill No. 159:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Germain, Hazard, Hussman, Kennett, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Sowers, Springer, Talcott, and Williams—35.

NAYS—None.

Absent—Fisher, Loomis, McCuiston, and Smith—4.

Not voting—Mr. Speaker.

Assembly Bill No. 159 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Bill No. 271.

Remarks by Messrs. Burke and Case.

Roll call on Assembly Bill No. 271:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Sowers, Springer, Talcott, Williams, and Mr. Speaker—37.

NAYS—None.

Absent—Loomis, McCuiston, and Smith—3.

Assembly Bill No. 271 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 232.

Remarks by Mrs. Drumm.

Roll call on Assembly Bill No. 232:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fisher, Germain, Hazard, Hussman, Kennett, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Sowers, Springer, Talcott, Williams, and Mr. Speaker—36.

NAYS—None.

Absent—Fee, Loomis, McCuiston, and Smith—4.

Assembly Bill No. 232 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 207.

Remarks by Mr. David.

Roll call on Assembly Bill No. 207 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Sowers, Springer, Talcott, Williams, and Mr. Speaker—36.

NAYS—Conine.

Absent—Loomis, McCuiston, and Smith—3.

Assembly Bill No. 207 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 263.

Amendment proposed by Mr. Oldham :

Amend section 1 of Assembly Bill No. 263 by inserting after the semicolon following the word "votes," in line 14, page 1 of the printed bill, the following : "*provided*, that after the passage of this Act whenever the conditions of any Act are dependent upon the number of votes cast for any person at a previous election, such condition shall be dependent upon the vote cast for Governor at the last preceding election."

Mr. Oldham moved the adoption of the amendment to section 1.

Amendment adopted.

Remarks by Mr. Oldham.

Roll call on Assembly Bill No. 263 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Sowers, Springer, Williams, and Mr. Speaker—36.

NAYS—None.

Absent—Loomis, McCuiston, Smith, and Talcott—4.

Assembly Bill No. 263 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Bill No. 275.

Remarks by Mrs. Drumm.

Roll call on Assembly Bill No. 275 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Sowers, Springer, Talcott, Williams, and Mr. Speaker—36.

NAYS—None.

Absent—Loomis, McCuiston, and Smith—3.

Not voting—Conine.

Assembly Bill No. 275 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 195.

Remarks by Mr. Hazard.

Roll call on Assembly Bill No. 195 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Lynch, McElroy, Murphy, Oldham, Richard,

Russell, Sampson, Shelly, Sloan, Sowers, Springer, Talcott, Williams, and Mr. Speaker—36.

YAYS—None.

Absent—Loomis, McCuiston, and Smith—3.

Not voting—Conine.

Assembly Bill No. 195 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 212.

Mr. Coleman moved the adoption of the committee amendment to section 1.

Amendment adopted.

Remarks by Mr. Coleman.

Roll call on Assembly Bill No. 212:

YEAS—Amodel, Barr, Bernard, Brown, Burke, Carroll, Coleman, Cooper, Curtis, David, Davidson, Fee, Fisher, Germain, Hazard, Hussman, Kennett, McElroy, Murphy, Oldham, Richard, Sampson, Sloan, Sowers, Springer, Williams, and Mr. Speaker—27.

NAYS—Brooks, Caldwell, Conine, Drumm, Lynch, Shelly, and Talcott—7.

Absent—Cahill, Loomis, McCuiston, and Smith—4.

Not voting—Case and Russell—2.

Assembly Bill No. 212 having received a constitutional majority, Mr. Speaker declared it passed.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Bernard moved that Assembly Bill No. 168 be placed on general file for the next legislative day.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Enrollment has carefully compared Assembly Enrolled Bills Nos. 11 and 144 with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Governor.

Also, has carefully compared Assembly Concurrent Resolution No. 5 with the engrossed copy, finds the same correctly enrolled, and has this day delivered the same to the Secretary of State.

R. R. GERMAIN, *Chairman.*

Mr. Speaker:

Your Committee on Public Morals has had Assembly Bill No. 190 under consideration, and begs leave to report favorably on the same, with amendments, with the recommendation that it do pass, as amended.

Amend section 1 of Assembly Bill No. 190, page 2, line 18 of the printed bill, by inserting after the word "person" the words "or for any Indian who is a ward of the United States Government."

Amend title of Assembly Bill No. 190 in the first line of the printed title, by inserting after the word "minors" the following words: "and Indian wards of the United States Government." Further amend the title in the fifth line by inserting after the word "minor" the words "or for such Indian wards of the United States Government, whether or not minors." Further amend the title in the twelfth line by inserting after the word "minor" the words "or Indian."

Amendment proposed by Mr. Springer:

Amend section 2 of Assembly Bill No. 190, page 3, line 3 of the printed bill, by striking the period after the word "sheet" and inserting in lieu thereof a comma, and thereafter the following words "and in a separate space, an additional blank line for an Indian to sign." Further amend section 2 by adding a new subdivision to be designated as "(a)," and to be inserted immediately below line 4, page 4 of the printed bill, and in a marked-off, separate space, relative for an Indian to sign, insert the following: "I, the undersigned, being an Indian, hereby declare that I am not a ward of the United States Government, and that my correct age is.....years at date hereof, and that the date

of my birth is....., and that my correct residence is.....
and that my signature shows my correct name."

THOMAS M. CARROLL, *Chairman.*

PRESENTATION OF PETITIONS

BERKELEY L. BUNKER, *Speaker, Nevada Assembly, Carson City, Nevada.*

DEAR MR. BUNKER: Enclosed herewith is copy of House Concurrent Resolution No. 6, passed by the Senate and House of Representatives of the State of Utah.

This has been sent to me with the request that same be transmitted to the Legislature of the State of Nevada.

Truly yours,

MALCOLM MCEACHIN,
Secretary of State.

Mr. Oldham moved that the Chief Clerk be authorized to answer the above communication and to enclose a copy of Assembly Joint Resolution No. 9.

Carried.

H. C. R. No. 6.

By Messrs. Marthakis, Liston, Boyer, and Clyde.

A Concurrent Resolution Favoring Stabilization of the Price of Silver and the Employment of Silver Purchases to Increase Exports of United States Products.

Be it Resolved by the Legislature of the State of Utah, the Governor concurring therein:

WHEREAS, The welfare of the State of Utah is concerned in the price of silver and also in the maintenance and expansion of foreign markets for United States products, especially agricultural products; and

WHEREAS, This Legislature has already adopted a resolution with reference to the price of domestically mined silver; and

WHEREAS, It is the belief of this Legislature that acquisitions of silver of foreign origin can be made to the benefit of the United States when the proceeds therefrom are employed to pay for exports from the United States; now, therefore, be it

Resolved, That the Legislature of the State of Utah and the Governor approve and endorse a silver program for the United States of the nature set out in that certain bill known as S-800 (76th Congress—1st Session), introduced by Senator Key Pittman of Nevada and referred to the Committee on Agriculture and Forestry of the United States Senate, which bill proposes to continue acquisition by the Government of domestically mined silver, and also to accept silver from foreign countries when the proceeds therefrom shall be used and applied solely in the purchase and payment for exports of United States products; and be it further

Resolved, That a copy of this resolution be forwarded by the Governor and Secretary of State to each of the Senators and Representatives in Congress from the State of Utah, to the Chairman of the Agricultural Committee of the United States Senate, and to the Legislatures of Alaska, Arizona, California, Colorado, Idaho, Michigan, Missouri, Montana, Nevada, New Mexico, Oregon, South Dakota, Tennessee, and Texas.

Mr. Oldham moved the Assembly adjourn until Friday, March 10, 1939, at 11 a. m.

Carried.

Assembly adjourned at 3:55 p. m.

Approved:

BERKELEY L. BUNKER,
Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE FIFTY-FOURTH DAY

CARSON CITY (Friday), March 10, 1939.

Assembly called to order at 11 a. m.

Mr. Speaker in the Chair.

Roll called.

All present.

Prayer by Monsignor H. J. Wientjes.

Mr. Oldham moved the reading of the Journal be dispensed with, and the Speaker and the Chief Clerk be authorized to make the necessary corrections and additions.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Claims has had Assembly Bill No. 239 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

A. C. BARR, *Chairman.*

Mr. Speaker:

Your Committee on Ways and Means has had Assembly Bill No. 277 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

Also, Senate Substitute for Senate Bill No. 60, and reports favorably on the same, with the recommendation that it do pass.

R. E. CAHILL, *Chairman.*

Mr. Speaker:

Your Committee on Labor has had Assembly Bill No. 13 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. 13, page 2, line 13 of the printed bill, by striking out the words "or working."

H. E. HAZARD, *Chairman.*

PRESENTATION OF PETITIONS

Clerk of the House of Representatives, Salt Lake City, Utah.

DEAR SIR: The Assembly of the Thirty-ninth Session of the State of Nevada, in session, instructed the Chief Clerk of the Assembly to convey through you to your honorable body our acknowledgment of the receipt of your H. C. R. No. 6, regarding that certain bill known as S-800 now pending in the United States Senate, and to express the appreciation of the Nevada Assembly for the action taken by the Utah Legislature.

The Nevada Legislature has taken similar action in Assembly Joint Resolution No. 9, and believes that if the interested States follow the example set by Utah and Nevada that considerable favorable influence may be wielded in the halls of Congress for the passage of this very necessary measure.

I am enclosing copies of Assembly Joint Resolution No. 9 for the information of your House.

Again expressing the grateful appreciation of the Assembly of the State of Nevada, I am

Very sincerely yours,

E. C. MULCAHY.

*Chief Clerk of the Assembly of the Thirty-ninth Session
of the Nevada State Legislature.*

WESTERN UNION

WINNEMUCCA, NEVADA, March 9, 1939.

BERKELEY BUNKER, *Speaker Assembly Chambers*:

We strongly urge you to defeat passage of Senate Bill No. 91.

Signed: Humboldt County Chamber of Commerce, Humboldt Warehouse, Anderson and McShee, J. L. Peraldo Co., Humboldt Hotel, Winnemucca Mercantile, Humboldt Star, Reinharts, Inc., American Theater, Eddy's Mortuary, Stephenson Drug, Haviland's Garage, City Electric, Ideal Club, Lazy T Dairy, Vic's Bank Club, Winnemucca Laundry and Cleaners, Thorsen's Thrifty Market, Dr. M. E. Morrison, E. S. Dyer Lumber Co., Eagle Drug Co., Worden Motors, Gem Bar, Miners Club, Winnemucca Hotel.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Davidson moved that Assembly Bill No. 165 be indefinitely postponed.

Remarks by Mr. Smith.

Motion lost.

Mr. Cahill moved that Assembly Bill No. 216 be withdrawn from the Labor Committee, returned to the Chief Clerk's desk, and referred to the Committee on Ways and Means.

Carried.

Mr. Cahill moved that Assembly Bill No. 219 be withdrawn from the Labor Committee, returned to the Chief Clerk's desk, and referred to the Committee on Ways and Means.

Carried.

Mr. Shelly moved that Rule No. 9 be suspended for the remainder of this legislative day.

Carried.

Mr. Shelly moved that the Assembly reconsider its action on Assembly Bill No. 69.

Carried.

Mr. Russell moved that Assembly Bill No. 69 be placed on top of the general file.

Carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 69.

Remarks by Mr. McCuiston.

Messrs. Russell, Germain, and Shelly moved the previous question.

Roll call on Assembly Bill No. 69:

YEAS—Amodei, Barr, Bernard, Burke, Cahill, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, McCuiston, McElroy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Williams, and Mr. Speaker—31.

NAYS—Brooks, Brown, Murphy, and Talcott—4.

Not voting—Caldwell, Davidson, Loomis, Lynch, and Springer—5.

Assembly Bill No. 69 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Joint Resolution No. 1.

Mr. Conine moved that Senate Joint Resolution No. 1 be indefinitely postponed.

Carried.

Assembly Bill No. 273.

Mr. Kennett moved the adoption of the committee amendments to section 1.

Amendments adopted.

Amendment proposed by Committee on Judiciary: Amend section 1 of Assembly Bill No. 273 by striking out in line 1, page 2 of the printed bill, the words: "amount written therein," and insert in lieu thereof the words "aggregate thereof."

Mr. Kennett moved the adoption of the committee amendment to section 1.

Amendment adopted.

Further amend section 1 of Assembly Bill No. 273 by striking out in line 9, page 2 of the printed bill, the words: "amount written therein," and insert in lieu thereof the words "aggregate thereof."

Mr. Kennett moved the adoption of the committee amendment to section 1.

Amendment adopted.

Remarks by Mr. Loomis.

Roll call on Assembly Bill No. 273:

YEAS—Amodei, Barr, Bernard, Brooks, Burke, Cahill, Caldwell, Carroll, Coleman, Cooper, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Sloan, Smith, Springer, Talcott, and Williams—35.

NAYS—Brown, Case, Conine, and Shelly—4.

Not voting—Mr. Speaker.

Assembly Bill No. 273 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 187.

Remarks by Mr. Hazard.

Roll call on Assembly Bill No. 187:

YEAS—Amodei, Barr, Bernard, Brown, Burke, Cahill, Caldwell, Carroll, Case, Conine, Cooper, Curtis, David, Davidson, Drumm, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—36.

NAYS—Brooks and Fee—2.

Absent—McCuistion.

Not voting—Coleman.

Assembly Bill No. 187 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 173.

Mr. Germain moved that Assembly Bill No. 173 be indefinitely postponed.

Remarks by Messrs. Germain, Loomis, Oldham, and Caldwell.

Motion lost.

Remarks by Messrs. Caldwell, Coleman, Loomis, Russell, Hazard, Germain, and Shelly.

Roll call on Assembly Bill No. 173:

YEAS—Barr, Bernard, Brooks, Caldwell, Carroll, Case, Conine, David, Drumm,

Fee, Fisher, Hussman, Loomis, McCuiston, McElroy, Murphy, Oldham, Sampson, Shelly, Smith, Sowers, Springer, Talcott, and Williams—24.

NAYS—Burke, Cahill, Coleman, Cooper, Curtis, Davidson, Germain, Hazard, Kennett, Lynch, and Russell—11.

Not voting—Amodel, Brown, Richard, Sloan, and Mr. Speaker—5.

Assembly Bill No. 173 having received a constitutional majority, Mr. Speaker declared it passed.

INTRODUCTION AND FIRST READING

By Committee on Labor :

Assembly Bill No. 295—An Act requiring employers to post certain notices of indebtedness, providing a penalty for the violation hereof, and other matters properly relating thereto.

Mr. Hazard moved that 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.

Unanimous consent was given to the Lincoln County Delegation to introduce a bill.

By Lincoln County Delegation :

Assembly Bill No. 296—An Act fixing the salary and compensation of each of the Justices of the Peace of Pioche Township, Caliente Township, Panaca Township, and Alamo Township in Lincoln County, Nevada.

On motion of Mr. Coleman, duly seconded, all rules were suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution, and placed on third reading and final passage.

Unanimous consent was given to Mr. Richard to introduce a bill.

By Mr. Richard :

Assembly Bill No. 297—An Act creating the offices of State Inspector of Steam Boilers, defining his duties, specifying his salary, providing the method of his appointment, and other matters properly relating thereto.

Mr. Richard moved that 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.

Unanimous consent was given to Mr. Bernard to introduce a bill.

Assembly Bill No. 298—An Act to promote the public welfare by providing aid to dependent children; defining the term "a dependent child," and certain other terms; to provide rules and regulations for such aid to dependent children; fixing the eligibility requirements to receive such aid; designating the single agency of this State to supervise the administration of aid to dependent children, and defining the authority and duties thereof; providing for cooperation with the government of the United States in furnishing such aid pursuant to the provisions of the Social Security Act of Congress, approved August 14, 1935, and any amendments thereto; providing for cooperation with

the government of the United States in furnishing child welfare services and activities to children in Nevada; authorizing the administration of funds made available to or by the State Welfare Department for aid to dependent children and for child welfare services and activities for children in this State; providing for the supervision by the State Welfare Department of the protection and care of homeless, neglected, and delinquent children, and children in danger of becoming delinquent; providing for the establishment of certain State and county funds and regulating the expenditures therefrom; providing that the counties of this State shall make financial provision for aid to dependent children as provided in this Act; granting the State Welfare Department supervision over private institutions, private boarding-homes and private agencies, offering or providing care or other direct services to children who are neglected, delinquent or in danger of becoming delinquent, and authority to supervise such private institutions, boarding-homes and agencies of such children, whether in or out of such institutions, or otherwise; defining child welfare services and activities; providing penalties for the violation of the provisions of this Act; repealing all Acts and parts of Acts of this State in conflict herewith; and other matters relating thereto.

Mr. Bernard moved that 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 Committee on Irrigation:

Assembly Bill No. 299—An Act to promote water conservation, soil conservation, flood control, and to provide for the construction of small dams and other work or works on adjudicated streams and stream systems; for the acquisition by the State of Nevada of areas on which said works are to be built, and for the maintenance of said works; and to provide for cooperation of the State Engineer with the Federal agencies; and defining the powers and duties of the State Engineer with respect thereto; and other matters properly relating thereto.

Mr. Case moved that 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. 296.

Remarks by Mr. Smith.

Mr. Coleman moved that Assembly Bill No. 296 be referred to a Select Committee of Lincoln County Delegation.

Carried.

Assembly Bill No. 225.

Remarks by Messrs. Loomis, Hazard, Kennett, Cooper, and Germain.

Mr. Burke moved that Assembly Bill No. 225 be tabled.

Motion lost.

Remarks by Messrs. Cooper and Barr.

Roll call on Assembly Bill No. 225:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Curtis, Davidson, Fisher, Germain, Kennett, Loomis, Lynch, McElroy, Oldham, Richard, Russell, Sampson, Shelly, and Talcott—24.

NAYS—Conine, Cooper, Drumm, Fee, Hussman, Murphy, Smith, Springer—8.
Absent—Williams.

Not voting—Coleman, David, Hazard, McCuistion, Sloan, Sowers, and Mr. Speaker—7.

Assembly Bill No. 225 having received a constitutional majority, Mr. Speaker declared it passed.

There being no objections, the Speaker and the Chief Clerk signed Senate Bills Nos. 24, 3, 44, 41, and 42.

Mr. McCuistion moved that the Assembly recess until 1:30 p. m.
Carried.

Assembly in recess at 12 m.

HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the Chair.

Quorum present.

GENERAL FILE AND THIRD READING

Senate Bill No. 77.

Roll call on Senate Bill No. 77:

YEAS—Amodei, Barr, Bernard, Caldwell, Case, Coleman, Conine, Cooper, David, Germain, Kennett, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Shelly, Sloan, Smith, Talcott, and Mr. Speaker—24.

NAYS—None.

Absent—Cahill, Carroll, Fisher, Hazard, Hussman, and Williams—6.

Not voting—Brooks, Brown, Burke, Curtis, Davidson, Drumm, Fee, Loomis, Sampson, and Springer—10.

Senate Bill No. 77 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Kennett moved the adoption of the preamble to Assembly Bill No. 77.

Preamble adopted.

Assembly Joint Resolution No. 16.

Remarks by Messrs. Coleman and Davidson.

Roll call on Assembly Joint Resolution No. 16:

YEAS—Amodei, Bernard, Brown, Cahill, Carroll, Case, Coleman, Conine, Cooper, Curtis, Germain, Hazard, Hussman, Kennett, Lynch, McCuistion, McElroy, Murphy, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—28.

NAYS—None.

Absent—Oldham.

Not voting—Barr, Brooks, Burke, Caldwell, David, Davidson, Drumm, Fee, Fisher, Loomis, and Mr. Speaker—11.

Assembly Joint Resolution No. 16 having received a constitutional majority, Mr. Speaker declared it adopted.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Burke moved that the rules be suspended and that the Assembly rescind its action on Senate Bill No. 77.

Mr. Speaker ruled that a two-thirds vote was necessary to carry the motion.

Motion carried.

Mr. Burke moved that Senate Bill No. 77 be rereferred to the Committee on Judiciary.

Carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 282.

Remarks by Mr. Davidson.

Roll call on Assembly Bill No. 282:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Sloan, Smith, Sowers, Springer, Talcott, and Williams—35.

NAYS—Burke and Shelly—2.

Absent—Germain.

Not voting—Hazard and Mr. Speaker—2.

Assembly Bill No. 282 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 131.

Amendment proposed by Mr. Russell: Amend section 1 of Assembly Bill No. 131 by striking out the period at the end of line 16, page 2 of the printed bill, and insert a semicolon and the following: "*provided*, the restrictions provided herein shall not apply to employees of any bank located in cities or towns having a population of 5,000 or less."

Mr. Russell moved the adoption of the amendment to section 1.

Amendment adopted.

Roll call on Assembly Bill No. 131:

YEAS—Amodei, Barr, Bernard, Burke, Cahill, Cooper, Curtis, David, Davidson, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Shelly, Smith, Sowers, Springer, Talcott, and Williams—28.

NAYS—Carroll and Case—2.

Absent—Brooks.

Not voting—Brown, Caldwell, Coleman, Conine, Drumm, McCuiston, Sampson, Sloan, and Mr. Speaker—9.

Assembly Bill No. 131 having received a constitutional majority, Mr. Speaker declared it passed.

SPECIAL ORDER OF BUSINESS

At 2 p. m.

Assembly Bill No. 102.

Mr. Germain moved the adoption of the committee amendment to section 1.

Amendment adopted.

Mr. Germain moved the adoption of the further committee amendment to section 1.

Amendment adopted.

Remarks by Messrs. Germain, Amodei, Russell, and Smith.

Mr. Smith moved that Assembly Bill No. 102 be indefinitely postponed.

Messrs. Germain, Lynch, and Hazard requested a roll call.

Remarks by Messrs. Cahill, Loomis, Davidson, Conine, Amodei, and Germain.

Roll call on motion to indefinitely postpone Assembly Bill No. 102:

YEAS—Amodei, Case, Coleman, Conine, Drumm, Hussman, Smith, and Talcott—8.

NAYS—Barr, Bernard, Brooks, Brown, Burke, Cahill, Carroll, Cooper, Curtis, Davidson, Germain, Hazard, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Russell, Richard, Shelly, Sowers, Springer, Williams, and Mr. Speaker—25.

Absent—Caldwell.

Not voting—David, Fee, Fisher, Kennett, Sampson, and Sloan—6.

Motion lost.

Messrs. McCuiston, Hazard, and Russell moved the previous question.

Roll call on Assembly Bill No. 102:

YEAS—Barr, Bernard, Brown, Burke, Cahill, Carroll, Cooper, Curtis, Davidson, Fisher, Germain, Hazard, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Russell, Shelly, Sowers, and Mr. Speaker—23.

NAYS—Amodei, Conine, Drumm, Fee, Hussman, Smith, and Talcott—7.

Absent—Caldwell.

Not voting—Brooks, Case, Coleman, David, Richard, Sampson, Sloan, Springer, and Williams—9.

Assembly Bill No. 102 having received a constitutional majority, Mr. Speaker declared it passed.

GENERAL FILE AND THIRD READING

Assembly Bill No. 258.

Remarks by Messrs. Brooks, Hazard, Kennett, and Oldham.

Mr. Brooks moved that Assembly Bill No. 258 be rereferred to the Committee on Insurance.

Carried.

SPECIAL ORDER OF BUSINESS

At 2:30 p. m.

Assembly Bill No. 249.

Mr. Smith moved the adoption of the amendment to section 1.

Amendment adopted.

Mr. Smith moved the adoption of the committee amendment to section 1.

Amendment proposed by Committee on Roads and Highways:

Amend section 1 of Assembly Bill No. 249, page 2, line 26, change subsection letter (c) to (d); page 4, line 24, change subsection letter (f) to (e); page 4, line 33, change subsection letter (g) to (f); page 4, in same line, change subsection letter (f) to (e); page 5, line 16, change subsection letter (h) to (g); page 5, line 22, change subsection letter (i) to (h); page 5, line 32, change subsection letter (j) to (i); page 6,

line 14, change subsection letter (k) to (j); page 6, line 21, change subsection letter (l) to (k); page 7, line 3, change subsection letter (m) to (l); page 7, line 32, change subsection letter (n) to (m); page 8, line 12, change the letter (m) to (l).

Mr. Smith moved the adoption of the amendment to section 1.

Amendment adopted.

Remarks by Messrs. Curtis, Smith, and McCuiston.

Messrs. Loomis, Davidson, and Brown moved the previous question.

Roll call on Assembly Bill No. 249:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Hazard, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—37.

NAYS—None.

Absent—Germain, Hussman, and Oldham—3.

Assembly Bill No. 249 having received a constitutional majority, Mr. Speaker declared it passed.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Conference Committee on Senate Substitute for Assembly Substitute for Assembly Bill No. 52 has had Assembly Bill No. 52 under consideration, and begs leave to report that your committee has agreed to the striking of Assembly amendments to said bill and inserting the following: Amend section 1 of Senate Substitute for Assembly Substitute for Assembly Bill No. 52, page 1, line 13, by striking out after the word "premiums" the words "received for reinsurance and premiums received for reinsurance and dividends," as contained in Assembly amendment, and insert in lieu thereof on page 1, line 13, after the word "premiums" the words "and premiums received for reinsurance."

MESSAGES FROM THE SENATE

To the Honorable the Assembly:

I have the honor herewith to report that the Senate has this day adopted the Senate and Assembly Conference Committee amendments to Senate Substitute for Assembly Substitute for Assembly Bill No. 52.

Also, to return to your honorable body Assembly Bill No. 180, which passed the Senate by the following vote: Yeas, 16; nays, none; absent, 1.

Also, to return Assembly Substitute for Assembly Bill No. 185, which passed: Yeas, 17; nays, none.

Also, Assembly Joint Resolution No. 7, which passed: Yeas, 17; nays, none.

Also, to present Senate Bill No. 66, which passed, as amended: Yeas, 17; nays, none. Amend as follows: Strike all of section 1 and substitute the following: "Any person or persons having a contract for the purchase of any State land in this State may transfer such person or persons' interest in and to all or part of said State contract by making application to the Surveyor General of the State of Nevada, upon such form as the Surveyor General may require, acknowledged in the same manner as is required in the transfer of real estate; said application shall be accompanied by the contractor's duplicate copy of the original contract or by a certified copy of original contract. Upon receipt of said application accompanied by said duplicate copy or by a certified copy of original contract, the Surveyor General shall cancel the original contract made for the purchase of the land specified in such application, and shall issue the applicant, or to his assignee, one or more contracts of the land or lands as designated in said application."

F. BUCKINGHAM,

Assistant Secretary of the Senate.

Mr. Cahill moved the adoption of the report of the Conference Committee on Senate Substitute for Assembly Substitute for Assembly Bill No. 52.

Carried.

INTRODUCTION AND FIRST READING

Senate Bill No. 95.

Mr. Oldham moved that 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. 91.

Mr. Oldham moved that 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. 67.

Mr. Oldham moved that 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. 66.

Mr. Oldham moved that 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.

SPECIAL ORDER OF BUSINESS

At 2:45 p. m.

Assembly Bill No. 192.

Remarks by Messrs. Coleman and Loomis.

Amendment proposed by Mr. Shelly: Amend section 1 of Assembly Bill No. 192 in line 7, page 2, after the period, by striking the balance of lines 7, 8, 9, 10, and 11.

Mr. Shelly moved the adoption of the amendment to section 1.

Remarks by Messrs. Shelly, Kennett, and Coleman.

Amendment adopted.

Remarks by Mr. Hazard.

Mr. Curtis moved that Assembly Bill No. 192 be indefinitely postponed.

Remarks by Messrs. Shelly, Smith, and Loomis.

Motion carried.

Assembly Bill No. 165.

Mr. Burke moved that Assembly Bill No. 165 be tabled.

Carried.

Assembly Bill No. 190.

Mr. Springer moved the adoption of the committee amendment to section 1.

Amendment adopted.

Mr. Springer moved the adoption of the committee amendment to section 2.

Amendment adopted.

Mr. Springer moved the adoption of the further committee amendment to section 2.

Amendment adopted.

Roll call on Assembly Bill No. 190:

YEAS—Amodei, Barr, Bernard, Cahill, Carroll, Coleman, Curtis, David, Davidson, Fee, Germain, Hazard, Kennett, Loomis, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Shelly, Springer, Talcott, and Williams—24.

NAYS—Drumm, Sloan, and Smith—3.

Absent—Burke, Cooper, and McCuiston—3.

Not voting—Brooks, Brown, Caldwell, Case, Conine, Fisher, Hussman, Saumpson, Sowers, and Mr. Speaker—10.

Assembly Bill No. 190 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Springer moved the adoption of the committee amendment to the title.

Amendment adopted.

Mr. Springer moved the adoption of the further committee amendment to the title.

Amendment adopted.

Mr. Kennett moved the adoption of the preamble.

Carried.

Mr. Oldham moved that the Assembly recess for ten minutes.

Carried.

HOUSE IN SESSION

At 3:35 p. m.

There being no objections the Speaker and the Chief Clerk signed Senate Bills Nos. 32 and 68, and Senate Joint Resolution No. 6.

PRESENTATION OF PETITIONS

BERKELEY L. BUNKER, *Speaker, Nevada Assembly, Nevada State Legislature, Carson City, Nevada.*

DEAR MR. BUNKER: At the request of the Legislature of the State of Utah, through E. E. Monson, Secretary of State, the enclosed Senate Bill No. 19 being "An Act to facilitate the cooperation of the State of Utah with other units of government and to establish an unpaid commission for that purpose," is herewith transmitted to your honorable body.

Very truly yours,

MALCOLM McEACHIN,

Secretary of State.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Education has had Assembly Joint Resolution No. 14 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

HENRY S. COLEMAN, *Chairman.*

Mr. Speaker:

Your Committee of Public Morals has had Assembly Bill No. 279 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 Insurance has had Assembly Bill No. 257 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. 257, page 3, line 7, by inserting after the word "experience" the words "or be denied the benefits of a favorable experience." Further amend on page 3, line 20, by striking out the word "words," and inserting in lieu thereof the word "phrase," and by adding the letter "s" to the word "mean."

Amend section 3 of Assembly Bill No. 257, page 3, lines 26 and 27, by striking out the words "take effect immediately upon its passage," and inserting in lieu thereof the words "be in full force and effect from and after July 1, 1939."

Amend section 1 of Assembly Bill No. 257, page 1, line 10 of the printed bill, by striking out the figures "1935," and inserting in lieu thereof the figures "1938." Further amend on page 2, line 29, by striking out after the comma the words "as provided in this rule," and inserting in lieu thereof the words "as herein provided." Further amend on page 2, line 31, by striking out the word "after," and inserting in lieu thereof the words "subsequent to," and by striking out the figures "1935," and inserting in lieu thereof the figures "1938." Further amend on page 3, line 2, by striking out the words "for each fiscal year." Further amend on page 3, line 3, by striking out the figures "1935," and inserting in lieu thereof the figures "1938."

THOMAS M. CARROLL, *Chairman.*

Mr. Speaker:

Your Committee on Mines and Mining has had Assembly Joint Resolution No. 15 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

H. E. SPRINGER, *Chairman.*

Mr. Speaker:

Your Committee on State Publicity has had Assembly Bill No. 284 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

PETER A. BURKE, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

Assembly Resolution No. 17, requesting the return of Assembly Bill No. 250.

Resolved by the Assembly, That the Senate be requested to return to the Assembly, for further consideration, Assembly Bill No. 250.

Mr. Shelly moved the adoption of the resolution.

Carried.

Mr. Kennett moved that Assembly Joint Resolution No. 6 be taken from the Chief Clerk's desk and placed on the general file.

Carried.

Mr. McCuistion moved that when we adjourn today we do so until Saturday, March 11, 1939, at 10 a. m.

Carried.

Assembly adjourned at 3:40 p. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE FIFTY-FIFTH DAY

CARSON CITY (Saturday), March 11, 1939.

Assembly called to order at 10 a. m.

Mr. Speaker in the Chair.

Roll called.

All present except Mr. Loomis, who was excused.

Prayer by Monsignor H. J. Wientjes.

Mr. Smith moved the reading of the Journal be dispensed with, and the Speaker and the Chief Clerk be authorized to make the necessary corrections and additions.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Engrossment hereby certifies that bound copies of Assembly Joint Resolutions Nos. 18 and 19, and Concurrent Resolution No. 7, hereto attached, are correct copies of the triplicates thereof in its possession.

Also, that bound copy of Assembly Substitute for Assembly Bill No. 3, hereto attached, is a correct copy of the triplicate thereof in its possession, as corrected: Page 6, line 24, word "color" used for word "order." Page 6, line 25, closing bracket omitted at end of section 10.

Also, that bound copy of Assembly Bill No. 289, hereto attached, is a correct copy of the triplicate thereof in its possession, as corrected: Page 2, line 3, word "or" used for word "of."

Also, that bound copies of Assembly Bills Nos. 217, 292, 291, 286, 287, 294, 290, and 293, and Assembly Substitute for Assembly Bill No. 224, hereto attached, are correct copies of the triplicates thereof in its possession.

L. K. DRUMM, *Chairman.*

Mrs. Drumm moved that the Chief Clerk be authorized to make the necessary corrections on Assembly Substitute for Assembly Bill No. 3, and on Assembly Bill No. 289.

Carried.

Mr. Speaker:

Your Committee on Education has had Assembly Bill No. 107 under consideration, and begs leave to report a substitute bill for original bill, and favors the adoption of the substitute, and ask that it do pass.

HENRY S. COLEMAN, *Chairman.*

Mr. Speaker:

Your Committee on Fish and Game has had Assembly Joint Resolution No. 17 under consideration, and begs leave to report the same without recommendation.

Also, Assembly Bill No. 110, and reports same without recommendation.

C. H. SLOAN, *Chairman.*

Mr. Coleman moved the adoption of the substitute for Assembly Bill No. 107, and that the same be printed.

Carried.

Mr. Oldham moved that Assembly Substitute for Assembly Bill No. 185 be withdrawn from the Enrolling Clerk.

Carried.

MESSAGES FROM THE GOVERNOR

To the Honorable, the Assembly, Carson City, Nevada.

GENTLEMEN: Assembly Bill No. 236 entitled "An Act relating to the duties and powers of County Commissioners in the several counties of this State relative to the operation, management, improvement, and maintenance of public parks, golf courses, and other public recreational centers and areas," is herewith returned to you without Executive approval.

It is suggested that the application of the provisions of said bill be limited to "population of 15,000 or more." You observe that such action will eliminate the word votes, and thus make the Act clear.

Very respectfully yours,

E. P. CARVILLE,
Governor.

Mr. Shelly moved that the veto message be made a special order of business for Monday, March 13, 1939, at 2:30 p. m.

Motion carried.

MOTIONS, RESOLUTIONS, AND NOTICES

Assembly Concurrent Resolution No. 8, to correct Assembly Substitute for Assembly Bill No. 185.

WHEREAS, Assembly Substitute for Assembly Bill No. 185, entitled "An Act to provide educational facilities for the children in the State Orphans' Home, and other matters properly connected therewith, approved March 20, 1911," has passed the Assembly and the Senate; and

WHEREAS, There is a technical error in line 7 of the typewritten copy of the substitute that needs correction; therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring. That Assembly Substitute for Assembly Bill No. 185 be amended in line 7 of the typewritten copy by adding the word "dollars" after the word "hundred," and be it further

Resolved, That the Chief Clerk of the Assembly is authorized to make the necessary correction.

Mr. Oldham moved the adoption of the resolution.

Resolution adopted.

Mr. McCuistion moved Assembly Bill No. 277 be tabled.

Carried.

Mr. Hussman moved that all bills in committees be given very thorough study in order that they may not be found to be unconstitutional or inoperative.

Carried.

Mr. McCuistion moved that Rule No. 9 be suspended for the remainder of this legislative day.

Carried.

Mr. McElroy moved that debate on all bills on general file for this legislative day be limited to five minutes.

Carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 239.

Remarks by Messrs. Springer and Barr.

Roll call on Assembly Bill No. 239:

YEAS—Amodei, Barr, Bernard, Caldwell, Carroll, Coleman, Conine, Cooper,

Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Kennett, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Sloan, Sowers, Springer, Talcott, Williams, and Mr. Speaker—31.

NAYS—Brown.

Absent—Cahill, Case, Loomis, Shelly, and Smith—5.

Not voting—Brooks, Burke, and Hussman—3.

Assembly Bill No. 239 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Springer moved the adoption of the preamble to Assembly Bill No. 239.

Preamble adopted.

Senate Substitute for Senate Bill No. 60.

Remarks by Messrs. Kennett and Russell.

Roll call on Senate Substitute for Senate Bill No. 60:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Caldwell, Carroll, Case, Coleman, Conine, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Lynch, McCuistion, McElroy, Murphy, Richard, Russell, Sampson, Shelly, Sloan, Sowers, Springer, Talcott, Williams, and Mr. Speaker—35.

NAYS—None.

Absent—Cahill, Cooper, Loomis, Oldham, and Smith—5.

Senate Substitute for Senate Bill No. 60 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Springer moved the adoption of the preamble to Senate Substitute for Senate Bill No. 60.

Preamble adopted.

Assembly Bill No. 13.

Mr. Hazard moved the adoption of the amendment to section 1.

Amendment adopted.

Remarks by Messrs. Hazard, Burke, David, Brown, Oldham, and Coleman.

Roll call on Assembly Bill No. 13:

YEAS—Amodei, Barr, Bernard, Burke, Caldwell, Carroll, Case, Conine, Cooper, Curtis, Davidson, Fee, Fisher, Hazard, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Sloan, Smith, Sowers, Springer, Williams, and Mr. Speaker—28.

NAYS—Brooks, Brown, Hussman, and Talcott—4.

Absent—Cahill, Loomis, and Shelly—3.

Not voting—Coleman, David, Drumm, Germain, and Kennett—5.

Assembly Bill No. 13 having received a constitutional majority, Mr. Speaker declared it passed.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Hussman moved that the Assembly rescind its action on Assembly Bill No. 131.

Carried.

Mr. Hussman moved that Assembly Bill No. 131 be rereferred to the Committee on Insurance.

Carried.

GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 14.

Mr. Oldham moved that Assembly Joint Resolution No. 14 be laid over until the next legislative day.

Carried.

Assembly Bill No. 279.

Remarks by Messrs. Hazard, Kennett, and Davidson.

Roll call on Assembly Bill No. 279:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Caldwell, Carroll, Case, Coleman, Conine, Cooper, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Lynch, McCuiston, McElroy, Oldham, Richard, Russell, Sampson, Shelly, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—35.

NAYS—None.

Absent—Cahill, Curtis, Loomis, and Murphy—4.

Not voting—Sloan.

Assembly Bill No. 279 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 257.

Mr. Brooks moved the adoption of the committee amendments to sections 1 and 3.

Amendments adopted.

Remarks by Messrs. Brooks and Coleman.

Roll call on Assembly Bill No. 257:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Caldwell, Carroll, Case, Coleman, Conine, Cooper, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Lynch, McCuiston, McElroy, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—35.

NAYS—None.

Absent—Cahill, Curtis, Loomis, Murphy, and Oldham—5.

Assembly Bill No. 257 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

There being no objections the Speaker and the Chief Clerk signed Assembly Bill No. 180, and Assembly Joint Resolution No. 7.

Assembly Joint Resolution No. 15.

Remarks by Messrs. Oldham and Cooper.

Roll call on Assembly Joint Resolution No. 15:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Carroll, Case, Coleman, Conine, David, Davidson, Drumm, Fee, Germain, Hussman, Kennett, Lynch, McCuiston, McElroy, Oldham, Richard, Russell, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—31.

NAYS—Cooper.

Absent—Cahill, Curtis, Hazard, Loomis, and Murphy—5.

Not voting—Caldwell, Fisher, and Sampson—3.

Assembly Joint Resolution No. 15 having received a constitutional majority, Mr. Speaker declared it adopted.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Russell moved that Assembly Bill No. 131 be rereferred to a Joint Committee on Insurance and Ways and Means.

Carried.

Mr. Kennett moved that Assembly Rule No. 27 be temporarily suspended for the purpose of reconsideration of Assembly Bill No. 192.

Motion lost.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Livestock has had Assembly Bill No. 285 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

M. E. McCUSTION, *Chairman.*

Mr. Speaker:

Your Committee on Insurance has had Assembly Bill No. 258 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass, as amended. Amend Assembly Bill No. 258, page 5, by striking out all of lines 16, 17, 18, and 19.

THOMAS M. CARROLL, *Chairman.*

Mr. Speaker:

Your Committee on Enrollment has carefully compared Assembly Enrolled Bill No. 180, and Assembly Joint Resolution No. 7 with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. R. GERMAIN, *Chairman.*

Mr. Speaker:

Your Joint Committee on Judiciary and Roads and Highways has had Assembly Bill No. 251 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

WM. KENNETT,
CLAUDE SMITH.

Mr. Speaker:

Your Committee on Ways and Means 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, as amended. Amend section 1 of Assembly Joint Resolution No. 13 by inserting after the comma following the word "tax" in line 9, page 1 of the printed bill, the following: "as required by section 7 of this article."

Also, Assembly Bill No. 213, and reports favorably on the same, with the recommendation that it do pass.

Also, Assembly Bill No. 281, and reports the same with a substitute therefor, with the recommendation that the substitute be adopted.

R. E. CAHILL, *Chairman.*

Mr. Cahill moved that Assembly Substitute for Assembly Bill No. 281 be adopted and ordered not printed.

Motion carried.

MESSAGES FROM THE SENATE

To the Honorable the Assembly:

I have the honor herewith to return to your honorable body Assembly Bill No. 168, which passed the Senate, as amended, by the following vote: Yeas, 17; nays, none. Amend section 1 by striking out the words and figures "eighteen hundred (\$1,800)," and insert in lieu thereof the words and figures "fifteen hundred (\$1,500)" in line 16, page 1 of the printed bill; also amend by striking out the words and figures "thirty-six hundred (\$3,600)," and insert in lieu thereof the words and figures "three thousand (\$3,000)"; in lines 1 and 2, page 2 of the printed bill.

Also, Assembly Bill No. 210, which passed: Yeas, 17; nays, none.

Also, Assembly Bill No. 244, which passed: Yeas, 16; nays, none; absent, 1.

Also, Assembly Bill No. 259, which passed: Yeas, 17; nays, none.

Also, Assembly Bill No. 260, which passed: Yeas, 17; nays, none.

Also, to present Senate Substitute for Assembly Bill No. 46, which passed: Yeas, 17; nays, none.

Also, Senate Bill No. 93, which passed: Yeas, 17; nays, none.

Also, Senate Bill No. 100, which passed: Yeas, 16; nays, 1.

Also, Senate Bill No. 102, which passed: Yeas, 17; nays, none.

F. BUCKINGHAM,

Assistant Secretary of the Senate.

Mr. Cahill moved that the Assembly concur in the Senate amendments to Assembly Bill No. 168.

Remarks by Mr. Cahill.

Motion carried.

There being no objections the Speaker and the Chief Clerk signed Senate Joint Resolution No. 5, and Senate Bill No. 115.

INTRODUCTION AND FIRST READING

By Committee on Roads and Highways:

Assembly Bill No. 300—An Act to amend section 8 of an Act entitled "An Act to provide a general highway law for the State of Nevada," approved March 23, 1917, as amended.

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 Roads and Highways.

Carried.

Senate Substitute for Assembly Bill No. 46.

Mr. Oldham moved that 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. 93.

Mr. Oldham moved that 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. 100.

Mr. Oldham moved that 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. 102.

Mr. Oldham 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 Nye County Delegation.

Carried.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Shelly moved that the special order of business set for Monday, March 13, 1939, at 2:30 p. m. be vacated and that the veto message be considered at this time.

Carried.

Vetoed Assembly Bill No. 236, together with Governor's veto message.

Roll call on question: "Shall the bill pass notwithstanding the Governor's veto?"

Roll call on veto:

YEAS—None.

NAYS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—38.

Absent—Loomis and McCuistion—2.

The question having failed to receive a constitutional majority, Mr. Speaker declared the Governor's veto sustained.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 295 and 299, hereto attached, are correct copies of the triplicates thereof in its possession.

L. K. DRUMM, *Chairman.*

GENERAL FILE AND THIRD READING

Assembly Bill No. 284.

Roll call on Assembly Bill No. 284:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—39.

NAYS—None.

Absent—Loomis.

Assembly Bill No. 284 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Joint Resolution No. 6.

Amendment proposed by Mr. Kennett: Amend section 1 of Assembly Joint Resolution No. 6 by inserting after the word "the," in line 15, page 1 of the printed resolution, the word "net."

Mr. Kennett moved the adoption of the amendment to section 1.

Amendment adopted.

Further amend section 1 by striking out at the beginning of line 22, page 1 of the printed resolution, the words "or income tax."

Mr. Kennett moved the adoption of the amendment to section 1.

Amendment adopted.

Remarks by Messrs. Kennett and Smith.

Messrs. Springer, Cahill, and Brown moved the previous question.

Roll call on Assembly Joint Resolution No. 6:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Coleman, Curtis, Davidson, Drumm, Germain, Hazard, Hussman, Kennett, Lynch, McElroy, Oldham, Russell, Sampson, Shelly, Sloan, Springer, Talcott, and Mr. Speaker—27.

NAYS—Conine, Murphy, Richard, Smith, and Williams—5.

Absent—Case, Cooper, David, Fee, Fisher, and Loomis—6.

Not voting—McCuistion and Sowers—2.

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 return to your honorable body Assembly Resolution No. 17, which was this day adopted.

Also, Assembly Bill No. 250 returned.

Also, Assembly Concurrent Resolution No. 8, which was this day adopted.

Also, to return Assembly Substitute for Assembly Bill No. 185.

Also, to present Senate Bill No. 137, which was this day declared an emergency measure under the Constitution, and passed by the following vote: Yeas, 16; nays, none; absent, 1.

F. BUCKINGHAM,

Assistant Secretary of the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Engrossment hereby certifies that bound copy of Assembly Bill No. 297, hereto attached, is a correct copy of the triplicate thereof in its possession, as corrected: Page 2, lines 14 and 15, word "stationary" misspelled.

L. K. DRUMM, *Chairman.*

Mr. Speaker:

Your Committee on Enrollment has carefully compared Senate Substitute for Assembly Substitute for Assembly Enrolled Bill No. 52 with the engrossed copy, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. R. GERMAIN, *Chairman.*

Mrs. Drumm moved the Chief Clerk be authorized to make the necessary corrections.

Carried.

There being no objections, the Speaker and the Chief Clerk signed Senate Substitute for Assembly Substitute for Assembly Bill No. 52.

INTRODUCTION AND FIRST READING

Senate Bill No. 137.

On motion of Mr. Shelly, duly seconded, all rules were suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution, and placed on third reading and final passage.

GENERAL FILE AND THIRD READING

Senate Bill No. 137.

Roll call on Senate Bill No. 137:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Coleman, Conine, Curtis, Davidson, Drumm, Germain, Hussman, Kennett, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—33.

NAYS—None.

Absent—Case, Cooper, David, Fee, Fisher, Hazard, and Loomis—7.

Senate Bill No. 137 having received a constitutional majority, Mr. Speaker declared it passed.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Oldham moved that Assembly Bill No. 7 be taken from the table.
Carried.

Mr. Oldham moved that Assembly Bill No. 9 be taken from the table.
Carried.

Mr. Oldham moved that Assembly Bill No. 145 be taken from the table.

Carried.

Mr. McCuistion moved that the Assembly adjourn until Sunday, March 12, 1939, at 11 a. m.

Carried.

Assembly adjourned at 12:40 p. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE FIFTY-SIXTH DAY

CARSON CITY (Sunday), March 12, 1939.

Assembly called to order at 11 a. m.

Mr. Speaker in the Chair.

Roll called.

All present except Messrs. Fisher and Sampson, who were excused.
Prayer by the Chaplain, Rev. A. S. Kean.

Mr. Smith moved that the reading of the Journal be dispensed with, and the Speaker and the Chief Clerk be authorized to make the necessary corrections and additions.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation has had Assembly Bill No. 290 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

Also, Assembly Bill No. 103, and reports favorably on the same, as amended. Amend section 1 of Assembly Bill No. 103, page 1, line 8 of the printed bill, by adding after the word "or" the words "power districts," and further amend section 1, page 3, line 26 of the printed bill, by striking out the words and figures "fifteen hundred (\$1,500)," and insert in lieu thereof the words and figures "one thousand (\$1,000)"; and further amend section 1, page 3, line 28 of the printed bill, by striking out the word "fifty," and insert in lieu thereof the word "sixty."

ANDY J. RICHARD, *Chairman.*

Mr. Speaker:

Your Committee on Labor has had Assembly Bill No. 246 under consideration, and begs leave to report the same without recommendation.

Also, Assembly Bill No. 295, and reports favorably on the same, with the recommendation that it do pass, as amended. Amend section 1 of Assembly Bill No. 295, page 1, line 3 of the printed bill, by striking out after the comma the words "or any other legal obligation," and the comma.

H. E. HAZARD, *Chairman.*

Mr. Speaker:

Your Select Committee of Nye County Delegation has had Senate Bill No. 102 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

LEROY DAVID,
WM. KENNETT,
R. R. GERMAIN.

Mr. Speaker:

Your Committee on Ways and Means has had Assembly Bill No. 216 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

Also, Senate Bills Nos. 93 and 100, and Assembly Bills Nos. 124, 254, and 293, and reports favorably on the same, with the recommendation that they do pass.

Also, Assembly Bill No. 276, and reports favorably on the same, with the recommendation that it do pass, as amended. Amend section 1 of Assembly Bill No. 276, page 2, line 7, by striking out the words and figures "thirteen thousand (\$13,000)," and insert in lieu thereof the words and figures "six thousand, five hundred (\$6,500)."

Also, your Joint Committee on Ways and Means and Agriculture has had

Assembly Bill No. 117 under consideration, and reports favorably on the same, with the recommendation that it do pass, as amended. Amend section 1 of Assembly Bill No. 117, page 1, line 7 of the printed bill, by striking out the words and figures "twenty-eight thousand (\$28,000)," and insert in lieu thereof the words and figures "fifteen thousand (\$15,000)," and further amend section 1, page 1, line 12, by adding after the word "approved" the words "or disapproved."

R. E. CAHILL, *Chairman*.

Mr. Speaker:

Your Committee on Banks and Banking has had Assembly Bill No. 106 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass, as amended.

J. W. OLDHAM, *Chairman*.

Mr. Oldham moved that the amendment to Assembly Bill No. 106 be printed.

Carried.

Mr. Speaker:

The majority of your Committee on Labor has had Assembly Bill No. 245 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass, as amended. Amend section 2 of Assembly Bill No. 245, page 2, line 24 of the printed bill, after the period following the word "term" strike out the remainder of the paragraph. Further amend, page 8, by striking out all of section 13, making section 14 section 13, and section 15 section 14.

H. E. HAZARD,	JOE S. COOPER,
M. E. FEE,	CARL SHELLY,
P. A. AMODEI,	THOMAS LYNCH,
A. J. RICHARD,	<i>Majority of Committee.</i>

Mr. Speaker:

Your Select Committee of Esmeralda County Delegation has had Assembly Bill No. 217 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. 217, page 3, line 3 of the printed bill, by inserting after the word "to" the words "and returning from."

M. E. FEE, *Chairman*.

Mr. Speaker:

Your Committee on Labor has had Assembly Bill No. 186 under consideration, and begs leave to report same with an amendment thereto, with the recommendation that the amendment be adopted and that the bill, as amended, do pass.

Amend section 2 of Assembly Bill No. 186 by inserting after the word "person" in line 23, page 2 of the printed bill, the words "while actually present."

Amend section 4 of Assembly Bill No. 186 by inserting after the word "shall" in line 17, page 3 of the printed bill, the word "also." Further amend section 4 by inserting after the word "behalf," in line 18, page 3 of the printed bill, the word "of."

Amend section 5 of Assembly Bill No. 186 by inserting after the word "to" in line 31 of the printed bill, page 3, the word "all."

Amend section 6 of Assembly Bill No. 186, by inserting after the word "provisions," line 6, page 4 of the printed bill, the following: "of sections 10154A to and including section 10154E."

H. E. HAZARD, *Chairman*.

There being no objections, the Speaker and the Chief Clerk signed Assembly Bills Nos. 168, 210, 244, 260, and Assembly Substitute for Assembly Bill No. 185.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Smith moved that Assembly Bill No. 110 be withdrawn from general file, returned to the Chief Clerk's desk, and rereferred to the Committee on Fish and Game for further correction.

Carried.

Mr. Cahill moved that Assembly Bill No. 117 be withdrawn from general file, returned to the Chief Clerk's desk, and rereferred to the Committee on Ways and Means for correction of the amendment.

Carried.

Mr. Shelly moved that the Assembly rescind its action on Assembly Bill No. 250.

Remarks by Messrs. Kennett and Smith.

Carried.

Mr. McElroy moved that Assembly Rule No. 9 be suspended for the rest of this legislative day.

Carried.

Mr. Oldham moved that Assembly Joint Resolution No. 14 be withdrawn from the general file, returned to the Chief Clerk's desk, and rereferred to the Committee on Ways and Means.

Carried.

GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 17.

Remarks by Messrs. Sloan and Brown.

Roll call on Assembly Joint Resolution No. 17:

YEAS—Amodei, Barr, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Germain, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Shelly, Sloan, Smith, Sowers, Springer, and Talcott—31.

NAYS—None.

Absent—Bernard, Fisher, Hazard, Russell, Sampson, and Williams—6.

Not voting—Fee, Richard, and Mr. Speaker—3.

Assembly Joint Resolution No. 17 having received a constitutional majority, Mr. Speaker declared it adopted.

Assembly Substitute for Assembly Bill No. 224.

Mr. Cahill moved that Assembly Substitute for Assembly Bill No. 224 be rereferred to the Committee on Ways and Means for correction.

Carried.

Assembly Substitute for Assembly Bill No. 3.

Remarks by Mr. Coleman.

Roll call on Assembly Substitute for Assembly Bill No. 3:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, David, Davidson, Drumm, Fee, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Mr. Speaker—36.

NAYS—None.

Absent—Curtis, Fisher, Sampson, and Williams—4.

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

Assembly Bill No. 285.

Remarks by Messrs. McCuistion, Case, Cooper, Loomis, Hussman, Oldham, Coleman, and Sloan.

Roll call on Assembly Bill No. 285:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Case, Coleman, Curtis, Davidson, Hazard, Hussman, Kennett, McCuistion, McElroy,

Murphy, Oldham, Richard, Russell, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—27.

NAYS—Conine, Cooper, David, Drumm, and Lynch—5.

Absent—Fisher and Sampson—2.

Not voting—Burke, Carroll, Fee, Germain, Loomis, and Shelly—6.

Assembly Bill No. 285 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 258.

Mr. Brooks moved the adoption of the committee amendment to section 1.

Remarks by Messrs. Brooks and Oldham.

Amendment adopted.

Amendment proposed by Mr. Talcott: Amend section 3 of Assembly Bill No. 258, page 5, line 25 of the printed bill, by inserting after the word "passage" the words "and approval."

Mr. Talcott moved the adoption of the amendment to section 3.

Amendment adopted.

Remarks by Messrs. Brooks and Kennett, and Mrs. Drumm.

Roll call on Assembly Bill No. 258:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—37.

NAYS—None.

Absent—Fisher, Sampson, and Shelly—3.

Assembly Bill No. 258 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 251.

Amendment proposed by Mr. Barr: Amend section 4 of Assembly Bill No. 251 by striking out after the word "for," line 17, page 4 of the printed bill, the following: "issuance or renewal of licenses to operators of motor vehicles a fee of one dollar (\$1) shall be charged and."

Mr. Barr moved the adoption of the amendment to section 4.

Remarks by Messrs. Barr, Smith, Cooper, Conine, Amodei, Coleman, and Richard.

Amendment lost.

Amendment proposed by Mr. Oldham: Amend section 1 of Assembly Bill No. 251, line 13, page 1, insert after the word "employees" the words "or county officers."

Mr. Oldham moved the adoption of the amendment to section 1.

Remarks by Mr. Oldham.

Amendment adopted.

Remarks by Messrs. Curtis, Smith, Germain, Kennett, Cooper, and Barr.

Mr. Hazard moved that Assembly Bill No. 251 be withdrawn from the general file and rereferred to a Joint Committee of Judiciary and Roads and Highways.

Motion lost.

Previous question moved by Messrs. Williams, Brown, and Lynch.

Roll call on Assembly Bill No. 251 :

YEAS—Amodei, Bernard, Brooks, Brown, Burke, Caldwell, Carroll, Case, Conine, Curtis, Davidson, Drumm, Germain, Hussman, Kennett, Loomis, McCuistion, Murphy, Oldham, Russell, Shelly, Smith, Sowers, Talcott, and Williams—25.

NAYS—Barr, Cooper, Fee, Hazard, Lynch, McElroy, Richard, and Sloan—8.

Absent—Cahill, Fisher, and Sampson—3.

Not voting—Coleman, David, Springer, and Mr. Speaker—4.

Assembly Bill No. 251 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

REPORTS OF COMMITTEES

Amendment to Assembly Bill No. 106 submitted by Mr. Oldham and ordered printed :

Amend section 1 of Assembly Bill No. 106 by inserting a comma after the word "same," line 5, page 2 of the printed bill, striking out the remainder of the section, and inserting in lieu thereof the following : "the said corporation shall deposit all the above-mentioned unclaimed dividend or dividends with the State Treasurer of the State of Nevada, together with and attached thereto full and complete lists as to the amount due and last-known address of each claimant or depositor and each holder of all unclaimed safe deposit boxes. The State Treasurer shall upon receipt and audit of the said unclaimed money and claim list of said depositors issue a good and sufficient receipt to said corporation, and shall immediately have published once a week for four consecutive weeks in a newspaper of general circulation in the county where said corporation is located, and in the event there is no newspaper of general circulation published in said county, then by posting in three of the most public places in the city or town in which said corporation is located, the names of each and every claimant or depositor and each holder of unclaimed deposit boxes and their last known addresses. Thirty days after the last publication, as above, the moneys shall be deposited in the General Fund of the State Treasury and shall be subject to withdrawal by the legal and rightful claimant or depositor or his, her, or its legally authorized agents, in the same manner as other claims are made against the State Treasury, as provided in sections 9859 to 9877, inclusive, N. C. L. 1929, with all amendments thereto; *provided further*, all banks, banking corporations, mortgage corporations, depositories and receivers, shall publish, at least once a year, a list including the names and the last-known addresses of all inactive accounts and holders of unclaimed safe deposit boxes. Said publication shall be made in a newspaper of general circulation in the county in which said bank, banking corporation, mortgage corporation, depository or receiver is situated, and shall be published once a week for three consecutive weeks."

GENERAL FILE AND THIRD READING

Mr. Kennett gave notice that on the next legislative day he will move reconsideration of Assembly Bill No. 251.

Senate Joint Resolution No. 13.

Mr. Oldham moved the adoption of the committee amendment to section 1.

Amendment adopted.

Remarks by Messrs. Oldham, Hazard, Case, Kennett and Burke, and Mrs. Drumm.

Roll call on Senate Joint Resolution No. 13 :

YEAS—Amodei, Bernard, Brooks, Cahill, Coleman, Davidson, Hussman,

Loomis, McCuiston, McElroy, Murphy, Oldham, Russell, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—21.

NAYS—Barr, Burke, Carroll, Case, Conine, Cooper, Curtis, David, Drumm, Fee, Germain, Hazard, Lynch, and Richard—14.

Absent—Fisher and Sampson—2.

Not voting—Brown, Caldwell, and Kennett—3.

Senate Joint Resolution No. 13 having received a constitutional majority, Mr. Speaker declared it adopted, as amended.

MOTIONS, RESOLUTIONS, AND NOTICES

By Mr. Davidson.

Assembly Concurrent Resolution No. 9, requesting the Governor to return to the Assembly of the State of Nevada Assembly Bill No. 176 for further consideration.

Resolved by the Assembly of the State of Nevada, the Senate concurring. That the Governor of the State of Nevada be and he is hereby requested to return to the Assembly, for further consideration, Assembly Bill No. 176.

Mr. Davidson moved the adoption of the resolution.

Resolution adopted.

GENERAL FILE AND THIRD READING

Assembly Bill No. 213.

Amendment proposed by Mr. Smith: Amend section 3 of Assembly Bill No. 213, page 5, line 4 of the printed bill, by adding after the semicolon immediately following the words "other agreement," the following: "And said commission is hereby authorized and empowered to require of every such applicant a lien or mortgage upon sufficient of his or its property situated in this State, or elsewhere, in favor of the State of Nevada in such sum as it may deem necessary and sufficient, in addition to said bond, to cover any obligation of such applicant to this State to fully secure the faithful performance of such lease, sublease, contract, or other agreement, and any and all other liability and obligation of the applicant to the State of Nevada, or which the State of Nevada may assume on account of any matter or thing connected therewith or relating thereto."

Mr. Smith moved the adoption of the amendment to section 3.

Remarks by Messrs. Sloan, Smith, and Kennett.

Mr. Carroll moved that the amendment be carried over until the next legislative day.

Carried.

Assembly Substitute for Assembly Bill No. 281.

Amendment proposed by Mr. Oldham: Amend Assembly Substitute for Assembly Bill No. 281 by adding a new section to be known as section 2, to read as follows: "SEC. 2. This Act shall be in full force and effect from and after its passage and approval."

Mr. Oldham moved the adoption of the amendment.

Amendment adopted.

Remarks by Messrs. Oldham and Hazard.

Mr. Oldham moved that Assembly Substitute for Assembly Bill No. 281 be held over until the next legislative day and printed.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Select Committee of Clark County Delegation has had Assembly Bills Nos. 183 and 288 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

H. E. HAZARD, *Chairman.*

Mr. Kennett moved the Assembly adjourn until Monday, March 13, 1939, at 10 a. m.

Carried.

Assembly adjourned at 1 p. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE FIFTY-SEVENTH DAY

CARSON CITY (Monday), March 13, 1939.

Assembly called to order at 10 a. m.

Mr. Speaker in the Chair.

Roll called.

All present.

Prayer by the Chaplain, Rev. A. S. Kean.

Mr. Oldham moved the reading of the Journal be dispensed with, and the Speaker and the Chief Clerk be authorized to make the necessary corrections and additions.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Insurance has had Assembly Bill No. 99 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 Engrossment hereby certifies that bound copy of Assembly Substitute for Assembly Bill No. 107, hereto attached, is a correct copy of the triplicate thereof in its possession, as corrected: Page 3, line 4, the number "10" used in place of "19."

L. K. DRUMM, *Chairman.*

Mr. Speaker:

Your Committee on Judiciary has had Senate Bill No. 77 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. 77 by adding after the word "locked" in line 4, page 2 of the printed bill, the words "when not in use."

WM. KENNETT, *Chairman.*

Mrs. Drumm moved the Chief Clerk be authorized to make the necessary corrections on Assembly Substitute for Assembly Bill No. 107.

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 Substitute for Senate Bill No. 25, which passed the Senate, as amended, by the following vote: Yeas, 15; nays, 1; absent, 1. Amend the substitute as follows: Strike all of section 46; further amend by renumbering the sections following.

Also, Senate Bill No. 47, which passed: Yeas, 17; nays, none.

Also, Senate Bill No. 58, which passed: Yeas, 17; nays, none.

Also, Senate Bill No. 59, which passed, as amended: Yeas, 17; nays, none. Amend as follows: Amend section 1, page 1, line 8, after the word "directors" insert the words "by unanimous vote."

Also, Senate Bill No. 83, which passed, as amended: Yeas, 17; nays, none. Amend as follows: Section 1, page 2, line 1, strike the period after the word "highways," and insert a comma and add the following: "except motor vehicle fuel as defined in chapter 74, Statutes of Nevada 1935, or any amendments thereto."

Also, Senate Bill No. 84, which passed: Yeas, 17; nays, none.

Also, Senate Bill No. 94, which passed, as amended: Yeas, 17; nays, none. Amend as follows: Amend section 1 by adding the following at the end of said section: "If such a notice is posted and the duplicate original, with the affidavit of posting thereof, is filed with the Recorder as aforesaid, the interest of such owner or person having or claiming an interest in such lands shall be subject to such lien only for labor performed and materials furnished up to the time of such filing with the Recorder, but such interest shall not be subject to any lien for labor performed or materials furnished after the time of such filing."

Also, Senate Bill No. 98, which passed: Yeas, 14; nays, 2; absent, 1.

Also, Senate Bill No. 103, which passed: Yeas, 17; nays, none.

Also, Senate Bill No. 106, which passed, as amended: Yeas, 14; nays, 1; not voting, 2. Amend as follows: Amend section 1 by striking out in line 4 the words and figures "twenty thousand (\$20,000)." and inserting in lieu thereof the words and figures "ten thousand (\$10,000)."

Also, Senate Bill No. 109, which passed: Yeas, 13; nays, 3; absent, 1.

Also, Senate Bill No. 110, which passed: Yeas, 15; nays, 1; absent, 1.

Also, Senate Bill No. 113, which passed: Yeas, 17; nays, none.

Also, Senate Bill No. 117, which passed, as amended: Yeas, 17; nays, none. Amend as follows: Amend the title of Senate Bill No. 117, by striking out the seventh word of said title, namely, "to," following the word "title," and insert in lieu thereof the word "of." Further amend the title by striking the period following the figures 1931 at the close of said title, and insert in lieu thereof a comma, and add thereafter "and adding four sections thereto." Amend section 2, page 1, line 20 by striking the numbers 2, 3, and 4, following the word "sections," and insert in lieu thereof the numbers "3, 4, and 5." Further amend section 2, page 2, line 1, by striking out the figure "5," and insert in lieu thereof the figure "6." Further amend section 2, page 2, line 1, by striking the figure "1," following the word "section," and insert in lieu thereof the figure "2." Further amend, starting on page 2, line 3, and changing the numbers of the sections, namely, section 2 to 3, etc.

Also, to return Assembly Bill No. 2, which passed, as amended: Yeas, 16; nays, 1. Amend section 1, page 1, line 2, after the word "blood" insert a comma and the word "adoption."

Also, Assembly Bill No. 90, which passed: Yeas, 14; nays, 3.

Also, Assembly Bill No. 94, which passed: Yeas, 12; nays, 4; absent, 1.

Also, Assembly Bill No. 112, which passed, as amended: Yeas, 17; nays, none. Amend section 1 by striking out the words and figures "twenty thousand (\$20,000)," line 3, page 1, and insert in lieu thereof the words and figures "ten thousand (\$10,000)."

Also, Assembly Bill No. 133, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend section 1, page 1, line 5, strike out after the word "and" to the word "is," in line 6, and insert in lieu thereof the words and figures "three thousand dollars (\$3,000) for the year 1940."

Also, Assembly Bill No. 134, which passed, as amended: Yeas, 17; nays, none. Amend section 1, on page 2, line 7, after the word "and," strike the balance of the line and line 8 to and including the word "year;" and in lieu thereof insert the words and figures "three thousand dollars (\$3,000) for the year 1940."

Also, Assembly Bill No. 166, which passed: Yeas, 11; nays, 6.

Also, Assembly Bill No. 167, which passed: Yeas, 15; nays, 2.

Also, Assembly Bill No. 171, which passed: Yeas, 17; nays, none.

Also, Assembly Bill No. 181, which passed: Yeas, 16; nays, none; not voting, 1.

Also, Assembly Bill No. 184, which passed: Yeas, 11; nays, 5; not voting 1.

Also, Assembly Bill No. 206, which passed: Yeas, 15; nays, 2.

Also, Assembly Bill No. 209, which passed: Yeas, 16; nays, 1.

Also, Assembly Bill No. 214, which passed: Yeas, 15; nays, none; absent, 2.

Also, Assembly Bill No. 218, which passed: Yeas, 17; nays, none.

Also, Assembly Bill No. 226, which passed: Yeas, 15; nays, none; absent, 2.

Also, Assembly Bill No. 241, which passed: Yeas, 17; nays, none.

Also, Assembly Bill No. 280, which passed: Yeas, 17; nays, none.

Also, Assembly Joint Resolution No. 8, which passed: Yeas, 16; nays, none; absent, 1.

Also, Assembly Joint Resolution No. 10, which passed: Yeas, 17; nays, none.

F. BUCKINGHAM,
Assistant Secretary of the Senate.

Mr. Shelly moved that the Assembly concur in the Senate amendments to Assembly Bill No. 2.

Carried.

Mr. McCuistion moved that the Assembly concur in the Senate amendment to Assembly Bill No. 112.

Carried.

There being no objection, the Speaker and the Chief Clerk signed Senate Bill No. 54.

Mr. Oldham moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 133, and that the Speaker appoint a Conference Committee to meet with a like committee from the Senate.

Carried.

Mr. Speaker appointed Messrs. Oldham, Cahill, and Murphy as members of the Conference Committee.

Mr. Smith moved that the Assembly do not concur in the Senate amendments to Assembly Bill No. 134, and that the Speaker appoint a Conference Committee to meet with a like committee from the Senate.

Carried.

Mr. Speaker appointed Messrs. Smith and Talcott, and Mrs. Drumm as members of the Conference Committee.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Shelly moved that Assembly Rule No. 9 be suspended for the remainder of this legislative day.

Carried.

Mr. Hazard moved that Assembly Bill No. 295 be withdrawn from the general file and placed on the file for the next legislative day.

Carried.

Mr. Kennett moved that Assembly Bill No. 293 be withdrawn from the general file and laid over until the next legislative day.

Carried.

Mr. Cooper moved that Assembly Bills Nos. 124 and 254 be made a special order of business for 2:30 p. m., today.

Remarks by Messrs. Springer, Cooper, and Hazard.

Carried.

Mr. Oldham moved that for the remainder of this legislative session the Chief Clerk be authorized to place all Assembly bills on top of the general file and Senate bills on the bottom of the file.

Carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 217.

Mr. Fee moved the adoption of the committee amendment to section 1.

Amendment adopted.

Remarks by Mr. Fee.

Roll call on Assembly Bill No. 217 :

YEAS—Amodei, Barr, Brooks, Brown, Burke, Caldwell, Carroll, Case, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Sowers, Springer, Talcott, Williams, and Mr. Speaker—34.

NAYS—Bernard.

Absent—Cahill and Smith—2.

Not voting—Coleman, Conine, and Hussman—3.

Assembly Bill No. 217 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Bill No. 183.

Remarks by Mr. Hazard.

Roll call on Assembly Bill No. 183 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Caldwell, Carroll, Case, Coleman, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Kennett, Loomis, Lynch, McElroy, Murphy, Richard, Russell, Sampson, Shelly, Sloan, Sowers, Springer, Talcott, Williams, and Mr. Speaker—34.

NAYS—None.

Absent—Cahill, McCuiston, Oldham, and Smith—4.

Not voting—Conine and Hussman—2.

Assembly Bill No. 183 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 288.

Remarks by Messrs. Kennett, Hazard, and Davidson.

Roll call on Assembly Bill No. 288 :

YEAS—Amodei, Barr, Brooks, Brown, Carroll, Case, Coleman, Cooper, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Sowers, Springer, Talcott, Williams, and Mr. Speaker—32.

NAYS—None.

Absent—Burke, Cahill, Curtis, McCuiston, and Smith—5.

Not voting—Bernard, Caldwell, and Conine—3.

Assembly Bill No. 288 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Oldham moved that Assembly Bills Nos. 7, 9, and 145 be rereferred to the Committee on Judiciary.

Remarks by Mr. Kennett.

Motion carried.

Assembly Bill No. 290.

Remarks by Messrs. Talcott, Hazard, and Shelly.

Roll call on Assembly Bill No. 290 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Caldwell, Coleman, Cooper, Curtis, Davidson, Drumm, Fee, Fisher, Hussman, Kennett, Loomis, Lynch,

McCouston, Murphy, Richard, Sloan, Smith, Sowers, Springer, Talcott, and Williams—26.

NAYS—Conine, Hazard, Russell, and Shelly—4.

Absent—Burke and Oldham—2.

Not voting—Cahill, Carroll, Case, David, Germain, McElroy, Sampson, and Mr. Speaker—8.

Assembly Bill No. 290 having received a constitutional majority, Mr. Speaker declared it passed.

There being no objection, the Speaker and the Chief Clerk signed Assembly Concurrent Resolution No. 8.

Assembly Bill No. 103.

Mr. Richard moved the adoption of the amendment to section 1.

Amendment adopted.

Mr. Kennett moved that the amendment be tabled.

Carried.

Assembly Bill No. 246.

Mr. Shelly moved that Assembly Bill No. 246 be tabled.

Roll call on the motion requested by Messrs. Hazard, Fee, and Fisher.

Roll call on motion to table Assembly Bill No. 246:

YEAS—Bernard, Brooks, Brown, Cahill, Conine, Germain, Kennett, Loomis, Lynch, Shelly, and Sloan—11.

NAYS—Amodei, Barr, Caldwell, Carroll, Case, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Hazard, Hussman, McCouston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Sowers, Springer, Talcott, and Williams—25.

Absent—Smith.

Not voting—Burke, Coleman, and Mr. Speaker—3.

Motion lost.

Messrs. Hazard, Fee, and Amodei moved the previous question.

Roll call on Assembly Bill No. 246:

YEAS—Amodei, Barr, Bernard, Brown, Burke, Cahill, Caldwell, Carroll, Case, Cooper, David, Drumm, Fee, Fisher, Hazard, Hussman, Kennett, Lynch, McCouston, McElroy, Murphy, Oldham, Richard, Sampson, Russell, Sloan, Smith, Sowers, Springer, and Talcott—30.

NAYS—Coleman, Conine, Germain, Loomis, and Shelly—5.

Absent—Williams.

Not voting—Brooks, Curtis, Davidson, and Mr. Speaker—4.

Assembly Bill No. 246 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Cahill moved the adoption of the preamble to Assembly Bill No. 246.

Preamble adopted.

Mr. Cahill moved that Assembly Bill No. 126, reported out of committee unfavorably, be tabled.

Carried.

Mr. Burke, Speaker pro tempore in the Chair.

Assembly Bill No. 276.

Mr. Smith moved the adoption of the amendment to section 1.

Remarks by Messrs. Oldham, Loomis, Coleman, Hazard, Kennett, Davidson, and Cooper.

Mr. Smith withdrew his motion to adopt, and the amendment lost.

Roll call on Assembly Bill No. 276 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, David, Davidson, Drumm, Fisher, Germain, Hazard, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Talcott, and Williams—35.

NAYS—None.

Absent—Curtis and Mr. Speaker—2.

Not voting—Fee, Hussman, and Springer—3.

Assembly Bill No. 276 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Oldham moved the adoption of the preamble to Assembly Bill No. 276.

Preamble adopted.

Assembly Bill No. 245.

Mr. Hazard moved the adoption of the amendment to section 1.

Amendment adopted.

Mr. Hazard moved the adoption of the committee amendment to section 13.

Amendment adopted.

Remarks by Messrs. Hazard, Kennett, Loomis, Shelly, Coleman, Brown, Curtis, and Cooper.

Messrs. Curtis, Kennett, and Davidson moved the previous question.

Roll call on Assembly Bill No. 245 :

YEAS—Amodei, Barr, Bernard, Burke, Cahill, Carroll, Case, Cooper, Curtis, David, Fee, Fisher, Germain, Hazard, Kennett, Lynch, McCuiston, McElroy, Murphy, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—30.

NAYS—Brooks, Brown, Coleman, Conine, Drumm, and Hussman—6.

Absent—Oldham.

Not voting—Caldwell, Davidson, and Loomis—3.

Assembly Bill No. 245 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Mr. Speaker in the Chair.

Assembly Bill No. 186.

Mr. Kennett moved the adoption of the committee amendments to sections 2, 4, and 5.

Amendments adopted.

Mr. Hazard moved the adoption of the committee amendment to section 6.

Amendment adopted.

Remarks by Mr. Hazard.

Roll call on Assembly Bill No. 186 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Coleman, Conine, Curtis, David, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—36.

NAYS—None.

Absent—Burke, Case, Cooper, and Davidson—4.

Assembly Bill No. 186 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Mr. Springer moved the adoption of the preamble.

Carried.

INTRODUCTION AND FIRST READING

Senate Substitute for Senate Bill No. 25.

Mr. Oldham moved that 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. 47.

Mr. Oldham moved that 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.

Senate Bill No. 58.

Mr. Oldham moved that 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. 59.

Mr. Oldham moved that 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. 83.

Mr. Oldham moved that 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. 84.

Mr. Oldham moved that 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. 94.

Mr. Oldham moved that 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. 98.

Mr. Oldham moved that 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. 103.

Mr. Oldham 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 Clark County Delegation.

Carried.

Senate Bill No. 109.

Mr. Oldham moved that 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. Oldham moved that 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. Oldham moved that 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. 106.

Mr. Oldham 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 Mines and Mining.

Carried.

Senate Bill No. 117.

Mr. Springer 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 Mineral County Delegation.

Carried.

Unanimous consent was given to Mr. Talcott to introduce a bill.

By Mr. Talcott:

Assembly Bill No. 301—An Act to amend an Act entitled "An Act to enable counties to establish and maintain public hospitals, levy a tax and issue bonds therefor, elect hospital trustees, maintain a training school for nurses, and provide suitable means for the care of such hospitals and of disabled persons, and repealing a certain Act," approved March 27, 1929, together with the Acts amendatory thereof or supplemental thereto.

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

Carried.

Unanimous consent was given to Mr. Carroll to introduce a bill.

By Mr. Carroll:

Assembly Bill No. 302—An Act to amend an Act entitled "An Act to fix the number and limit the compensation of County Commissioners," approved March 1, 1883.

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 a Select Committee of Clark County Delegation.
Carried.

By Committee on Livestock:

Assembly Bill No. 303—An Act to amend an Act entitled "An Act making it unlawful to sell the carcasses or part carcasses of neat cattle unless the hides thereof are inspected and such carcasses or part carcasses officially stamped as provided in this Act, making certain exceptions thereto; providing for such inspection, providing compensation therefor, providing for the adoption and use of official stamps and record books, providing penalties for the violation of this Act, repealing an Act entitled 'An Act to provide for the inspection of hides, providing compensation therefor, and other matters relating thereto,' approved March 19, 1929, and other matters relating thereto," approved March 9, 1931.

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

Carried.

MOTIONS, RESOLUTIONS, AND NOTICES

Assembly Concurrent Resolution No. 16, requesting the return from the Governor of the State of Nevada of Assembly Bill No. 144 for further consideration.

Resolved by the Assembly of the State of Nevada, the Senate concurring. That the Governor of the State of Nevada be and he is hereby requested to return to the Assembly of the State of Nevada Assembly Bill No. 144 for further consideration.

Mr. Curtis moved the adoption of the resolution.

Resolution adopted.

REPORTS OF COMMITTEES

Mr. Speaker:

The Committee on Engrossment hereby certifies that bound copy of Assembly Substitute for Assembly Bill No. 281, hereto attached, is a correct copy of the triplicate thereof in its possession.

Also, that bound copy of Assembly amendment to Assembly Bill No. 106, hereto attached, is a correct copy of the triplicate thereof in its possession, as corrected: Line 21, the word "of" used in place of the word "or."

L. K. DRUMM, *Chairman.*

Mr. Speaker:

Your Committee on Enrollment has carefully compared Assembly Concurrent Resolution No. 8, to correct Assembly Substitute for Assembly Bill No. 185, with the engrossed copy, finds the same correctly enrolled, and has this day delivered the same to the Secretary of State's office.

Also, has carefully compared Assembly Substitute for Assembly Bill No. 185, and Assembly Bills Nos. 168, 210, 244, 259, and 260 with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. R. GERMAIN, *Chairman.*

Mr. Speaker:

Your Committee on Irrigation has had Assembly Bill No. 261 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

IRVIN CASE, *Chairman.*

Mr. Speaker:

Your Committee on Elections has had Assembly Bill No. 240 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. 240, page 1, line 14 of the printed bill, by striking the period following the word "tion," and inserting in lieu thereof a semicolon and the following: "*provided*, that if one or more of such candidates should receive 50% or more of the total votes cast, then and in that event the candidate receiving the highest percentage of the vote above 50% shall be declared to be elected to the office, and there shall be no run-off election."

PETER BURKE, *Chairman.*

Mrs. Drumm moved that the Chief Clerk be authorized to make the necessary correction to Assembly Bill No. 106.

Carried.

Mr. Oldham moved that the Assembly recess until 2 p. m.

Carried.

Assembly in recess at 12:05 p. m.

HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the Chair.

Quorum present.

SPECIAL ORDER OF BUSINESS

At 2 p. m.

Assembly Bill No. 5.

Remarks by Mrs. Drumm and Messrs. Loomis and Smith.

Roll call on Assembly Bill No. 5:

YEAS—Amodel, Barr, Bernard, Caldwell, Coleman, Drumm, Kennett, Murphy, Oldham, Richard, Russell, Sloan, Springer, Talcott, and Williams—15.

NAYS—Brooks, Brown, Cahill, Carroll, Case, Conine, Cooper, Curtis, David, Davidson, Fee, Fisher, Germain, Hazard, Hussman, Loomis, Lynch, McCuiston, McElroy, Smith, and Sowers—21.

Absent—Burke and Shelly—2.

Not voting—Sampson and Mr. Speaker—2.

Assembly Bill No. 5 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

At 2:30 p. m.

Assembly Bills Nos. 124 and 254.

Mr. Cooper moved that the Assembly resolve itself into a Committee of the Whole to consider Assembly Bills Nos. 124 and 254, and that the Speaker remain in the Chair as chairman.

Carried.

COMMITTEE OF THE WHOLE

At 2:32 p. m.

Mr. Speaker in the Chair.

HOUSE IN SESSION

At 3:53 p. m.

Mr. Speaker in the Chair.

GENERAL FILE AND THIRD READING

Assembly Bill No. 254.

Remarks by Messrs. Cooper and Kennett.

Roll call on Assembly Bill No. 254.

YEAS—Amodei, Barr, Bernard, Carroll, Conine, Cooper, Davidson, Fisher, Hussman, Oldham, Russell, Shelly, Sloan, Sowers, Springer, Talcott, and Williams—17.

NAYS—Cahill, Curtis, David, Germain, Kennett, Lynch, McElroy, and Murphy—8.

Absent—Burke, Fee, and Smith—3.

Not voting—Brooks, Brown, Caldwell, Case, Coleman, Drumm, Hazard, Loomis, McCuiston, Richard, Sampson, and Mr. Speaker—12.

Assembly Bill No. 254 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Cahill moved that Assembly Bill No. 124 be laid over until the next legislative day.

Carried.

Mr. Cahill gave notice that on the next legislative day he would move reconsideration of Assembly Bill No. 254.

Mr. Kennett moved reconsideration of Assembly Bill No. 251 pursuant to his notice of the previous day.

Remarks by Mr. Kennett.

Motion carried.

Mr. Kennett moved that Assembly Bill No. 251 be placed on file for the next legislative day.

Carried.

Mr. Brown gave notice that on the next legislative day he would move reconsideration of Assembly Bill No. 246.

Mr. Cooper gave notice that on the next legislative day he would move reconsideration of Assembly Bill No. 290.

Mr. Smith gave notice that on the next legislative day he would move reconsideration of Assembly Bill No. 5.

Mr. Richard moved that Assembly Bill No. 103 be taken from the table.

Motion lost.

There being no objection, the Speaker and the Chief Clerk signed Senate Bills Nos. 137, 112, and 154.

GENERAL FILE AND THIRD READING

Assembly Bill No. 213.

Mr. Smith moved the adoption of the committee amendment to section 3.

Amendment adopted.

Remarks by Messrs. Carroll and Cahill.

Roll call on Assembly Bill No. 213:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher,

Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—39.

NAYS—None.

Absent—Conine.

Assembly Bill No. 213 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Substitute for Assembly Bill No. 281.

Remarks by Messrs. Oldham, David, Loomis, Coleman, and Curtis.

Mr. David moved that Assembly Substitute for Assembly Bill No. 281 be rereferred to the Committee on Ways and Means for correction. Carried.

Assembly Bill No. 106.

Mr. McElroy moved the adoption of the committee amendment.

Amendment adopted.

Remarks by Messrs. Smith, Loomis, Oldham, and Davidson.

Roll call on Assembly Bill No. 106:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Kennett, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—37.

NAYS—None.

Absent—McCuiston.

Not voting—Hussman and Loomis—2.

Assembly Bill No. 106 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on State Prison has had Assembly Resolution No. 14 under consideration, and begs leave to report favorably on the same, with the recommendation that the following amendment be added, and the resolution be passed, as amended.

Amendment proposed by Committee on State Prison: Amend Assembly Resolution No. 14 by adding the following: "Be it further *Resolved*, For the reason that the Sergeant-at-Arms has no fund from which he may purchase uniforms for the lobbyists, the members of the committee recommend that all lobbyists showing themselves on the floor of the House during the balance of the session wear a red necktie so they may be distinguished from elected members, and thus save all concerned from embarrassment, and that the Sergeant-at-Arms and his assistant be instructed to eject any lobbyist not wearing the prescribed red necktie, or give him what is popularly known as the "Bum's rush," and that all members of the Assembly refrain from wearing a red necktie during the remainder of the session, as otherwise they might be mistaken for a lobbyist."

C. H. SLOAN, *Chairman*.

Mr. Speaker:

Your Committee on Agriculture has had Assembly Joint Resolution No. 19 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

ANDY J. RICHARD, *Chairman*.

Mr. Speaker:

Your Committee on Social Welfare has had Assembly Bill No. 138 under consideration, and begs leave to report a substitute therefor, with the recommendation that the substitute be adopted.

HENRY S. COLEMAN, *Chairman*.

Mr. Coleman moved the adoption of the Substitute for Assembly Bill No. 130, and that the same be ordered printed.

Carried.

Mr. Speaker:

Your Committee on Ways and Means has had Senate Bill No. 83 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

R. E. CAHILL, *Chairman.*

Mr. Speaker:

The majority of your Committee on Ways and Means has had Assembly Bill No. 188 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

MR. RUSSELL,	MR. CARROLL,
MR. WILLIAMS,	MR. SPRINGER,
MR. SMITH,	<i>Majority Members.</i>

Mr. Speaker:

The minority of your Committee on Ways and Means has had Assembly Bill No. 188 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

R. E. CAHILL,
Minority Member.

Also, your Joint Committee on Ways and Means and Agriculture has had Assembly Bill No. 177 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass, as amended.

Amendment proposed by Joint Committee on Ways and Means and Agriculture: Amend section 1 of Assembly Bill No. 117, page 1, line 12, by adding after the word "approved" the words "or disapproved."

Also, Assembly Substitute for Assembly Bill No. 224, and reports favorably on the same, with the recommendation that it do pass.

Also, Assembly Bills Nos. 222 and 223, and reports favorably on the same, with the recommendation that they do pass.

Also, Assembly Bill No. 169, and reports favorably on the same, as amended, without recommendation. Amendment proposed by Committee on Ways and Means: Amend section 1 of Assembly Bill No. 169, page 1, by inserting a comma instead of the period following the word "department," line 8, and add the following: "and shall be a resident of the State of Nevada for at least five years immediately prior to appointment," and further amend section 2, page 2, line 17, by inserting after the word "duty" the words "upon request"; and further amend section 2, page 2, by striking out lines 29 to 33, inclusive, and lines 1 to 5, inclusive, on page 3. Amend section 19 of Assembly Bill No. 169, page 10, beginning in line 10 of the printed bill, by striking out after the period following the word "dollars," the following: "Moneys received under chapter 88, Statutes of 1933, page 106, by the Insurance Commissioner shall be turned over to the State Treasurer and placed in a separate fund of the State of Nevada, and said fund shall be available and constitute an appropriation to pay the said salaries and expenses."

R. E. CAHILL, *Chairman.*

Mr. Speaker:

Your Committee on Roads and Highways has had Assembly Bill No. 250 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

CLAUDE H. SMITH, *Chairman.*

Mr. Speaker:

Your Committee on Engrossment hereby certifies that bound copy of Assembly Bill No. 300, hereto attached, is a correct copy of the triplicate thereof in its possession.

L. K. DRUMM, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Smith moved that Assembly Bill No. 110 be withdrawn from the Committee on Fish and Game, returned to the Chief Clerk's desk, and placed on the file for the next legislative day.

Carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 102.

Remarks by Mr. Germain.

Roll call on Senate Bill No. 102:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—39.

NAYS—None.

Absent—Conine.

Senate Bill No. 102 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 93.

Remarks by Messrs. Cahill and Shelly.

Roll call on Senate Bill No. 93:

YEAS—Amodei, Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Russell, Richard, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—38.

NAYS—None.

Absent—Barr and Burke—2.

Senate Bill No. 93 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Shelly moved the adoption of the preamble to Assembly Bill No. 93.

Preamble adopted.

Senate Bill No. 100.

Remarks by Messrs. Cahill and Davidson.

Roll call on Senate Bill No. 100:

YEAS—Amodei, Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, David, Davidson, Drumm, Fee, Fisher, Germain, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—36.

NAYS—None.

Absent—Barr, Burke, Curtis, and Hazard—4.

Senate Bill No. 100 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. 140, declared an emergency measure under the Constitution, and passed by the following vote: Yeas, 16; nays, none; not voting, 1.

Also, to inform your honorable body that the President appointed Senators

Robbins, Lattin, and Dressler as a Conference Committee of three to meet with the Assembly Conference Committee on Assembly Bills Nos. 133 and 134.

Also, to return Assembly Concurrent Resolution No. 9 which was this day adopted by the Senate.

F. BUCKINGHAM,

Assistant Secretary of the Senate.

INTRODUCTION AND FIRST READING

Senate Bill No. 140.

On motion of Mr. Oldham, duly seconded, all rules were suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution, and placed on third reading and final passage.

GENERAL FILE AND THIRD READING

Senate Bill No. 140.

Remarks by Messrs. Oldham and Kennett.

Roll call on Senate Bill No. 140:

YEAS—Amodei, Bernard, Brooks, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, David, Davidson, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—37.

NAYS—None.

Absent—Barr, Curtis, and Drumm—3.

Senate Bill No. 140 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Oldham moved that the Assembly adjourn until Tuesday, March 14, 1939, at 10 a. m.

Carried.

Assembly adjourned at 4:10 p. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE FIFTY-EIGHTH DAY

CARSON CITY (Tuesday), March 14, 1939.

Assembly called to order at 10 a. m.

Mr. Speaker in the Chair.

Roll called.

All present except Messrs. Curtis and Brooks, who were excused.

Prayer by the Chaplain, Rev. A. S. Kean.

Mr. Oldham moved the reading of the Journal be dispensed with, and the Speaker and the Chief Clerk be authorized to make the necessary corrections and additions.

Carried.

Mr. Amodei moved that Assembly Rule No. 9 be suspended for the rest of this legislative day.

Carried.

Mr. Smith moved reconsideration of Assembly Bill No. 5.

Carried.

Mr. Cooper moved reconsideration of Assembly Bill No. 290.

Messrs. Kennett, David, and Talcott moved the previous question.

Original motion carried.

Mr. Brown moved reconsideration of Assembly Bill No. 246.

Remarks by Messrs. Brown and Loomis.

Messrs. Fee, Amodei, and Hazard moved the previous question.

Original motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 240.

Mr. Burke moved the adoption of the committee amendment to section 1.

Amendment adopted.

Remarks by Mr. Burke.

Roll call on Assembly Bill No. 240:

YEAS—Amodei, Barr, Brown, Burke, Cahill, Caldwell, Carroll, Case, Conine, Cooper, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Kennett, Loomis, Lynch, McElroy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Mr. Speaker—32.

NAYS—None.

Absent—Brooks, Curtis, Hussman, McCuiston, Murphy, and Williams—6.

Not voting—Bernard and Coleman—2.

Assembly Bill No. 240 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

INTRODUCTION AND FIRST READING

By Committee on Ways and Means:

Assembly Bill No. 304—An Act to provide for the erection and

equipment of a gymnasium building at the University of Nevada; providing for the issuance and sale of bonds therefor, and the redemption thereof.

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 Committee on Ways and Means:

Assembly Bill No. 305—An Act to provide for the erection and equipment of an engineering building at the University of Nevada; providing for the issuance and sale of bonds therefor, and the redemption thereof.

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 Committee on Ways and Means:

Assembly Bill No. 306—An Act creating a fact-finding commission relative to the disposition and apportionment of revenues accrued or to accrue to the State of Nevada under the provisions of the Boulder Canyon Project Act, or any Act or Acts amendatory thereof or supplemental thereto; providing the method of appointment of the commissioners, defining their powers and duties, making an appropriation therefor, 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 Committee on Education:

Assembly Bill No. 307—An Act to amend an Act entitled "An Act concerning public schools, and repealing certain Acts relating thereto," approved March 20, 1911.

Mr. Coleman moved that 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Enrollment has carefully compared Assembly Concurrent Resolution No. 9 with the engrossed copy, finds the same correctly enrolled, and has this day delivered the same to the Secretary of State.

R. R. GERMAIN, *Chairman.*

GENERAL FILE AND THIRD READING

Assembly Substitute for Assembly Bill No. 107.

Roll call on Assembly Substitute for Assembly Bill No. 107:

YEAS—Amodei, Barr, Bernard, Brown, Cahill, Caldwell, Carroll, Coleman, Cooper, David, Drumm, Fee, Fisher, Germain, Hussman, Kennett, Loomis,

Lynch, McElroy, Richard, Russell, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—28.

NAYS—None.

Absent—Brooks, Curtis, McCuiston, Murphy, and Oldham—5.

Not voting—Burke, Case, Conine, Davidson, Hazard, Sampson, and Mr. Speaker—7.

Assembly Substitute for Assembly Bill No. 107 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 99.

Mr. Loomis moved that Assembly Bill No. 99 be rereferred to the Committee on Judiciary.

Carried.

Assembly Bill No. 293.

Remarks by Messrs. Cahill, Hazard, Loomis, Barr, Russell, Carroll, Hussman, Cooper, and Bernard.

Roll call on Assembly Bill No. 293 :

YEAS—Amodei, Bernard, Brown, Cahill, Caldwell, Coleman, Conine, Cooper, David, Davidson, Drumm, Germain, Hussman, Kennett, Loomis, McCuiston, McElroy, Murphy, Oldham, Russell, Smith, Sowers, Springer, Talcott, and Williams—25.

NAYS—Barr, Burke, Carroll, Fisher, Hazard, Lynch, Richard, and Shelly—8.

Absent—Brooks, Case, and Curtis—3.

Not voting—Fee, Sampson, Sloan, and Mr. Speaker—4.

Assembly Bill No. 293 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 295.

Amendment offered by Mr. Shelly: Amend section 1 of Assembly Bill No. 295 by striking out in line 2 after the comma following the word "award" the following: "contract, or other legal obligation."

Mr. Shelly moved the adoption of the amendment to section 1.

Amendment adopted.

Mr. Loomis moved that Assembly Bill No. 295 be rereferred to the Committee on Judiciary.

Remarks by Messrs. Hazard and Shelly.

Motion lost.

Remarks by Messrs. Loomis, Shelly, Cooper, and Hazard.

Roll call on Assembly Bill No. 295 :

YEAS—Amodei, Barr, Cahill, Carroll, Case, Cooper, Drumm, Fee, Fisher, Hazard, Lynch, McElroy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, and Mr. Speaker—19.

NAYS—Burke, Conine, Davidson, Hussman, McCuiston, Murphy, and Talcott—7.

Absent—Brooks and Curtis—2.

Not voting—Bernard, Brown, Caldwell, Coleman, David, Germain, Kennett, Loomis, Smith, Sowers, Springer, and Williams—12.

Assembly Bill No. 295 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Shelly moved that Assembly Bill No. 176 be referred to a Select Committee of Washoe County Delegation.

Carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 261.

Remarks by Messrs. Case and Oldham.

Mr. Case moved that Assembly Bill No. 261 be rereferred to the Committee on Irrigation.

Carried.

Mr. Kennett moved that Assembly Bill No. 251 be placed on the bottom of the general file.

Carried.

Assembly Joint Resolution No. 19.

Roll call on Assembly Joint Resolution No. 19:

YEAS—Amodei, Barr, Bernard, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—37.

NAYS—None.

Absent—Brooks, Curtis, and Shelly—3.

Assembly Joint Resolution No. 19 having received a constitutional majority, Mr. Speaker declared it adopted.

Assembly Bill No. 188.

Mr. Burke moved that Assembly Bill No. 188 be indefinitely postponed.

Remarks by Messrs. Russell, Cahill, Amodei, Smith, Shelly, Oldham, Cooper, and Coleman.

Messrs. Cahill, Shelly, and Loomis requested a roll call.

Roll call on motion to indefinitely postpone Assembly Bill No. 188:

YEAS—Brown, Burke, Cahill, Caldwell, Davidson, Hussman, Loomis, Sampson, and Shelly—9.

NAYS—Amodei, Barr, Bernard, Carroll, Coleman, Conine, Cooper, David, Drumm, Fee, Fisher, Germain, Hazard, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sloan, Smith, Sowers, Springer, Talcott, and Williams—25.

Absent—Brooks and Curtis—2.

Not voting—Coleman, Kennett, McCuistion, and Mr. Speaker—4.

Motion lost.

Messrs. Cahill, Shelly, and Loomis moved the previous question.

Roll call on Assembly Bill No. 188:

YEAS—Amodei, Barr, Bernard, Carroll, Coleman, Conine, Cooper, David, Drumm, Fee, Fisher, Lynch, Murphy, Oldham, Richard, Russell, Sloan, Smith, Sowers, Springer, Talcott, and Williams—22.

NAYS—Brown, Burke, Cahill, Caldwell, Davidson, Hussman, Loomis, McCuistion, Sampson, and Shelly—10.

Absent—Brooks, Curtis, and McElroy—3.

Not voting—Case, Germain, Hazard, Kennett, and Mr. Speaker—5.

Assembly Bill No. 188 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 117.

Mr. Oldham moved the adoption of the committee amendment to section 1.

Remarks by Messrs. Davidson and Kennett.

Amendment adopted.

Roll call on Assembly Bill No. 117 :

YEAS—Amodei, Barr, Bernard, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—34.

NAYS—David.

Absent—Brooks and Curtis—2.

Not voting—Davidson, Loomis, and Mr. Speaker—3.

Assembly Bill No. 117 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Mr. Oldham moved that Assembly Substitute for Assembly Bill No. 244, and Assembly Bills Nos. 222 and 223 be placed on the bottom of general file.

Carried.

Assembly Bill No. 169.

Mr. Cahill moved the adoption of the committee amendments to sections 1 and 2.

Amendments adopted.

Mr. Cahill moved the adoption of the further committee amendment to section 2.

Amendment adopted.

Mr. Cahill moved the adoption of the committee amendment to section 19.

Amendment adopted.

Remarks by Messrs. Oldham, Hussman, Smith, Hazard, Sowers, Davidson, and Amodei.

Roll call on Assembly Bill No. 169 :

YEAS—Bernard, Brown, Cahill, Caldwell, Case, Coleman, Conine, David, Drumm, Fee, Fisher, Germain, Hazard, McCuiston, McElroy, Murphy, Oldham, Richard, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—27.

NAYS—Barr, Carroll, Hussman, and Lynch—4.

Absent—Brooks, Burke, Cooper, Curtis, and Kennett—5.

Not voting—Amodei, Davidson, Loomis, and Russell—4.

Assembly Bill No. 169 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 return to your honorable body Assembly Bill No. 69, which passed the Senate by the following vote: Yeas, 17; nays, none.

Also, Assembly Bill No. 159, which passed: Yeas, 16; nays, 1.

Also, Assembly Bill No. 201, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows: Section 1, page 2, line 29, strike out lines 29 to 33, inclusive, and on page 3, section 1, strike out lines 1 to 13, inclusive.

Also, Assembly Bill No. 208, which passed: Yeas, 16; nays, none; absent, 1.

Also, Assembly Bill No. 211, which passed: Yeas, 16; nays, none; absent, 1.

Also, Assembly Bill No. 225, which passed: Yeas, 14; nays, 2; absent, 1.

Also, Assembly Bill No. 234, which passed: Yeas, 16; nays, none; absent, 1.

Also, Assembly Bill No. 247, which passed: Yeas, 15; nays, 1; absent, 1.

Also, Assembly Bill No. 272, which passed, as amended: Yeas, 16; nays, none; not voting, 1. Amend as follows: Strike out in section 1, page 1, line 3, the words "within thirty (30) days after the passage and approval of this Act," and insert in lieu thereof "on and after the first day of June 1939." Further

amend section 1, page 1, line 5 after the word "residents" insert the words "and taxpayers." In section 3, page 2, line 18, after the word "proceedings" strike the period, insert a comma, and add the following: "but such rules and regulations shall not in other respects conflict with the rules and regulations governing Reno Fire Department passed by Reno City Council September 26, 1932, as amended December 27, 1937." Section 5, page 2, line 28, strike the word "unfitness," and insert in lieu thereof the word "suspended." In section 5, page 3, line 6, after the word "accused" insert the following: "any member of either department attaining rank therein, who is demoted for any reason other than those set forth in this section, shall not be discharged from his respective department and shall hold all his seniority rights."

Also, Assembly Concurrent Resolution No. 10, which was adopted.

Also, Assembly Joint Resolution No. 6, which passed, as amended: Yeas, 9; nays, 6; absent, 1; not voting, 1. Amend as follows: Page 1, line 21, strike the comma after the word "tax," being the first word in said line, and strike out the following: "or tax upon property devolving by will or inheritance."

Also, Assembly Joint Resolution No. 17, which passed: Yeas, 14; nays, 2; absent, 1.

Also, to present for your consideration Senate Bill No. 90, which passed: Yeas, 11; nays, 5; not voting, 1.

Also, Senate Bill No. 111, which passed: Yeas, 17; nays, none.

Also, Senate Bill No. 119, which passed: Yeas, 14; nays, 3.

Also, Senate Bill No. 121, which passed: Yeas, 16; nays, none; absent, 1.

Also, Senate Bill No. 130, which passed: Yeas, 16; nays, none; absent, 1.

Also, Senate Bill No. 132, which passed: Yeas, 14; nays, 2; absent, 1.

Also, Senate Bill No. 133, which passed: Yeas, 14; nays, 2; absent, 1.

Also, Senate Substitute for Senate Bill No. 15, which passed: Yeas, 16; nays, none; absent, 1.

Also, Senate Concurrent Resolution No. 6, which was adopted.

Also, Senate Substitute for Senate Bill No. 82, which passed: Yeas, 13; nays, 2; absent, 1; not voting, 1.

F. BUCKINGHAM,

Assistant Secretary of the Senate.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Burke moved the Assembly do not concur in the Senate amendment to Assembly Bill No. 201.

Carried.

Mr. Burke moved that Assembly Bill No. 272 be referred to a Select Committee of Washoe County Delegation.

Carried.

Mr. Cahill moved that the Assembly concur in the Senate amendment to Assembly Joint Resolution No. 6.

Carried.

Mr. Oldham moved the Assembly recess until 2 p. m.

Carried.

Assembly in recess at 12:05 p. m.

HOUSE IN SESSION

At 2 p. m.

Mr. Speaker in the Chair.

Quorum present.

Mr. Brooks asked to be recorded present.

There being no objection, the Speaker and the Chief Clerk signed Assembly Concurrent Resolution No. 10.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Enrollment has carefully compared Assembly Concurrent Resolution No. 10 with the engrossed copy, finds the same correctly enrolled, and has this day delivered the same to the Secretary of State.

R. R. GERMAIN, *Chairman.*

Mr. Speaker:

Your Committee on Engrossment hereby certifies that bound-copies of Assembly Bills Nos. 302, 303, and 301, hereto attached, are correct copies of the triplicates thereof in its possession.

L. K. DRUMM, *Chairman.*

Mr. Speaker:

Your Committee on Claims has had Senate Bill No. 113 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

A. C. BARR, *Chairman.*

Mr. Speaker:

Your Committee on Federal Relations has had Senate Joint Resolution No. 11 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

WM. FISHER, *Chairman.*

Mr. Speaker:

Your Committee on Elections has had Senate Bill No. 62 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

PETER BURKE, *Chairman.*

Mr. Speaker:

Your Committee on Ways and Means has had Assembly Bill No. 297 under consideration, and begs leave to report on the same without recommendation.

Also, Assembly Bill No. 253, and reports favorably on the same, with the recommendation that it do pass, as amended. Amend section 1 of Assembly Bill No. 253, page 2, line 1 of the printed bill, by inserting after the comma following the word "purposes," the following: "or as an instrumentality by or through which the public purpose is accomplished." Further amend section 1, page 2, line 1, by striking out the word "and," and insert in lieu thereof the word "or."

Also, Assembly Substitute for Assembly Bill No. 281, and reports favorably on the same, with the recommendation that it do pass.

R. E. CAHILL, *Chairman.*

Mr. Speaker:

Your Committee on Counties and County Boundaries has had Senate Bill No. 45 under consideration, and begs leave to report the same without recommendation.

Also, Assembly Concurrent Resolution No. 7, and reports favorably on the same, with the recommendation that it do pass.

LEROY DAVID, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Cahill moved reconsideration of Assembly Bill No. 254.

Carried.

Mr. Cahill moved that Assembly Bill No. 124 be placed on the bottom of the general file.

Carried.

Mr. Cahill moved that the Chief Clerk be authorized to return to the Board of Regents of the University of Nevada the report of the investigating committee.

Carried.

Mr. Oldham moved that the Chief Clerk be authorized to transmit to the Senate all Assembly bills as soon as possible after action is taken on them, unless otherwise ordered.

Carried.

INTRODUCTION AND FIRST READING

Unanimous consent was given to Lyon County Delegation to introduce a bill.

By Lyon County Delegation:

Assembly Bill No. 308—For the relief of the city of Yerington, a municipal corporation.

On motion of Mr. Williams, duly seconded, all rules were suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution, and placed on third reading and final passage.

Unanimous consent was given to Washoe County Delegation to introduce a bill.

By Washoe County Delegation:

Assembly Bill No. 309—An Act authorizing clerks for justice courts in townships having fifteen thousand or more population, fixing the duties of said clerks, and other matters relative thereto.

On motion of Mr. Shelly, duly seconded, all rules were suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution, and placed on third reading and final passage.

By Committee on Ways and Means:

Assembly Bill No. 310—An Act making an annual appropriation from the General Fund and transferring the same to the State Distributive School Fund.

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 Committee on Ways and Means:

Assembly Bill No. 311—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. 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. Oldham:

Assembly Concurrent Resolution No. 11, requiring the Highway Engineer of the State of Nevada to indicate distances on certain signboards on the public highways in this State.

WHEREAS, Traveling eastward, or westward, over the public highways, the Victory and Lincoln highways diverge in Wendover and connect again at Fernley; and

WHEREAS, At both points there are signboards indicating the directions on

each of said highways, but there is no mileage indicated between said points; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring. That the Highway Engineer of the State of Nevada be and he is hereby required and directed, in addition to any other information now furnished by the Highway Department at the points concerned, he shall cause to be erected or displayed proper signs indicating the distance from Wendover to Fernley by way of each of said highways, and a similar indication of distance from Fernley to Wendover by the respective routes; and be it further

Resolved. That properly certified copies of this resolution shall be delivered by the Chief Clerk of the Assembly to the Highway Engineer of the State of Nevada.

Mr. Oldham 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.

Senate Bill No. 90.

Mr. Oldham moved that 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. 111.

Mr. Oldham moved that 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. 119.

Mr. Oldham moved that 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. 121.

Mr. Oldham moved that 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. 130.

Mr. Oldham moved that 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. 132.

Mr. Oldham moved that 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 Parks.

Carried.

Senate Bill No. 133.

Mr. Oldham moved that rules be suspended, reading so far had con-

sidered first reading, rules further suspended, bill read second time by title, and referred to Committee on Public Parks.

Carried.

Senate Substitute for Senate Bill No. 15.

Mr. Oldham moved that 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 Concurrent Resolution No. 6.

Mr. Oldham moved the adoption of Senate Concurrent Resolution No. 6.

Resolution adopted.

Senate Substitute for Senate Bill No. 82.

Mr. Oldham moved that 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. 309.

Remarks by Mr. Shelly:

Roll call on Assembly Bill No. 309:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Davidson, Drumm, Fisher, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—35.

NAYS—None.

Absent—Cahill, Curtis, David, and Germain—4.

Not voting—Fee.

Assembly Bill No. 309 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 250.

Amendment proposed by Committee on Roads and Highways: Amend section 1 of Assembly Bill No. 250 by striking from line 6, page 3 of the printed bill, the words "more than three (3) feet," and by substituting a comma for the period in line 8, page 3 of the printed bill, and adding "and such load shall not extend more than two (2) feet beyond the rear of the end or body of any vehicle."

Mr. Smith moved the adoption of the amendment to section 1.

Amendment adopted.

Further amend section 1 of Assembly Bill No. 250: "(e) Subject to the maximum wheel and axle loads specified in subdivision (d) above, and to the maximum gross weights hereinafter specified, it shall be unlawful to operate any motor vehicle or combination of vehicles of a gross weight, including load, in excess of thirty thousand (30,000) pounds, plus seven hundred fifty (750) pounds for each foot of distance between the first and last axles of the vehicle or combination of vehicles; *provided*, that the total gross weight, with load, carried on

any group of axles of a vehicle or combination of vehicles, when the distance between the first and last axles of the group is eighteen (18) feet or less, shall not exceed twenty-six thousand (26,000) pounds, plus six hundred fifty (650) pounds for each foot of distance between the first and last axles of the vehicle or combination of vehicles; *and provided further*, that no vehicle shall be operated on any public highway with a load on any wheel exceeding six hundred (600) pounds per inch of tire width, the width of pneumatic tires to be considered at the manufacturer's rating, and the width of solid rubber and cushion tires to be measured at the flange of the rim; *and provided further*, that in any event no vehicle shall be operated nor moved upon any public highway which has a total weight of twenty-five thousand (25,000) pounds when such vehicle is equipped with four wheels running on the highway, or having a total weight, including the vehicle and load, of thirty-eight thousand (38,000) pounds when said vehicle is equipped with six wheels and three axles, no two of which are less than forty-two (42) inches apart; and no vehicle or other object or contrivance for moving loads which has a total weight, including any weight thereon, in excess of thirty-eight (38,000) pounds shall be operated or moved upon any public highway unless upon stationary rails or tracks."

Mr. Shelly moved the adoption of the amendment to section 1.

Remarks by Messrs. Shelly, Hazard, Smith, and Kennett.

Amendment adopted.

And further amend said section 1 of Assembly Bill No. 250 by substituting a period for the comma after the word "requested," in line 22, page 5, eliminating the following words from lines 22 and 23, page 5 of the printed bill: "and whether such permit is requested for a single trip or for continuous operation," and substituting in lieu thereof: "and a separate permit shall be required for each trip."

Mr. Smith moved the adoption of the amendment to section 1.

Amendment adopted.

Amendment proposed by Committee on Roads and Highways: Amend section 2 of Assembly Bill No. 250 by eliminating the words "to the rear four (4) feet or more," line 14, page 6 of the printed bill, and by eliminating the words: "at the time specified in section 17, subdivision (a) hereof," in lines 16 and 17, page 6 of the printed bill, and substituting in lieu thereof after the words "end of the load" in line 16, page 6 of the printed bill, the following: "At all times from a half hour after sunset to a half hour before sunrise, and at any other time when there is not sufficient light to render clearly discernible objects on the highway at a distance of 500 feet."

Mr. Smith moved the adoption of the amendment to section 2.

Remarks by Messrs. Shelly and Kennett.

Amendment adopted.

Amendment proposed by Committee on Roads and Highways: Amend section 1 of Assembly Bill No. 250 on page 2, line 21, by striking out the words "one vehicle or unit," and insert in lieu thereof the words "two vehicles or units."

Mr. Shelly moved the adoption of the amendment to section 1.

Amendment adopted.

Roll call on Assembly Bill No. 250:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—37.

NAYS—None.

Absent—Curtis and David—2.

Not voting—Mr. Speaker.

Assembly Bill No. 250 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Bill No. 110.

Amendment proposed by Mr. Smith: Amend section 1 of Assembly Bill No. 110 on page 1, line 3 of the printed bill, by inserting after the comma following the word "State" the words "only in counties in which the 1930 census of the United States showed a population of 5,075 and 1,840."

Mr. Smith moved the adoption of the amendment to section 1.

Amendment adopted.

Remarks by Messrs. Smith and Brooks.

Roll call on Assembly Bill No. 110:

YEAS—Amodei, Barr, Brooks, Carroll, Drumm, Fisher, Germain, Hussman, Kennett, McElroy, Murphy, Oldham, Russell, Smith, Springer, and Talcott—16.

NAYS—Bernard, Brown, Cahill, Coleman, Conine, Davidson, Hazard, Loomis, Lynch, Shelly, and Williams—11.

Absent—Burke, Caldwell, Cooper, Curtis, and David—5.

Not voting—Case, Fee, McCuistion, Richard, Sampson, Sloan, Sowers, and Mr. Speaker—8.

Assembly Bill No. 110 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Assembly Bill No. 5.

Amendment proposed by Mrs. Drumm:

Amend section 1 of Assembly Bill No. 5 by inserting after the word "property" in line 4, page 1 of the printed bill, the following: "subject to the payment of the valid debts of deceased."

Mrs. Drumm moved the adoption of the amendment to section 1.

Amendment adopted.

Previous question moved by Messrs. Smith, Springer, and Mrs. Drumm.

Roll Call on Assembly Bill No. 5:

YEAS—Amodei, Barr, Bernard, Carroll, Case, Conine, Cooper, Drumm, Fee, Fisher, Germain, Kennett, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—25.

NAYS—Brooks, Brown, Coleman, Davidson, Hussman, Loomis, McCuistion, and Sampson—8.

Absent—Burke, Cahill, Caldwell, Curtis, and David—5.

Not voting—Hazard and Mr. Speaker—2.

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

Assembly Bill No. 290.

Remarks by Mr. Talcott.

Messrs. Davidson, Loomis, and Talcott moved the previous question.

Roll call on Assembly Bill No. 290 :

YEAS—Amodei, Barr, Bernard, Brooks, Coleman, Conine, Cooper, Drumm, Fee, Fisher, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Russell, Sloan, Smith, Sowers, Springer, Talcott, and Williams—25.

NAYS—Brown, Carroll, Case, Germain, Hazard, and Shelly—6.

Absent—Burke, Cahill, Caldwell, Curtis, and David—5.

Not voting—Davidson, Richard, Sampson, and Mr. Speaker—4.

Assembly Bill No. 290 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 246.

Remarks by Mr. Germain.

Messrs. Amodei, Hazard, and Fee moved the previous question.

Roll call on Assembly Bill No. 246 :

YEAS—Amodei, Barr, Caldwell, Carroll, Cooper, Drumm, Fee, and Fisher—8.

NAYS—Bernard, Brooks, Brown, Case, Coleman, Conine, Davidson, Germain, Kennett, Loomis, McCuistion, McElroy, Murphy, Russell, Shelly, Sloan, Smith, and Williams—18.

Absent—Burke, Cahill, Curtis, David, and Oldham—5.

Not voting—Hazard, Hussman, Lynch, Richard, Sampson, Sowers, Springer, Talcott, and Mr. Speaker—9.

Assembly Bill No. 246 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Senate Bill No. 77.

Mr. Kennett moved the adoption of the amendment.

Amendment adopted.

Roll call on Senate Bill No. 77 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Caldwell, Case, Coleman, Conine, Cooper, David, Davidson, Drumm, Fisher, Germain, Hussman, Kennett, Lynch, McCuistion, McElroy, Murphy, Richard, Russell, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—30.

NAYS—None.

Absent—Burke, Cahill, Carroll, Curtis, Fee, Loomis, and Oldham—7.

Not voting—Hazard, Sampson, and Mr. Speaker—3.

Senate Bill No. 77 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 251.

Amendment proposed by Mr. Kennett: Amend section 5 of Assembly Bill No. 251, page 4, line 17 of the printed bill, after the word "for" by striking out the balance of line 17, all of line 18, and line 19 down to the word "the."

Mr. Kennett moved the adoption of the amendment to section 5.

Amendment adopted.

Messrs. David, Loomis, and Davidson moved the previous question.

Roll call on Assembly Bill No. 251 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Coleman, Conine, Cooper, David, Davidson, Drumm, Fee, Germain, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—33.

NAYS—Richard.

Absent—Carroll, Case, Curtis, Fisher, and Hazard—5.

Not voting—Mr. Speaker.

Assembly Bill No. 251 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Senate Bill No. 83.

Remarks by Messrs. Burke, Loomis, and Amodei.

Mr. Burke, Speaker pro tempore in the Chair.

Mr. Cahill moved that the Assembly resolve itself into a Committee of the Whole to consider Senate Bill No. 83, with the Speaker in the Chair as chairman.

Carried.

COMMITTEE OF THE WHOLE

At 2:18 p. m.

Mr. Speaker in the Chair.

HOUSE IN SESSION

At 3:50 p. m.

Mr. Speaker in the Chair.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee of the Whole has had Senate Bill No. 83 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

BERKELEY L. BUNKER, *Chairman.*

GENERAL FILE AND THIRD READING

Senate Bill No. 83.

Mr. Kennett moved that Senate Bill No. 83 be laid over until the next legislative day.

Remarks by Messrs. Cahill, Kennett, Brown, Shelly, Hazard, and David.

Motion lost.

Mr. Hazard moved that Senate Bill No. 83 be placed on the bottom of the general file.

Carried.

Assembly Substitute for Assembly Bill No. 224.

Remarks by Messrs. Cahill, Loomis, Williams, and Kennett.

Roll call on Assembly Substitute for Assembly Bill No. 224:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—39.

NAYS—None.

Absent—Curtis.

Assembly Substitute for Assembly Bill No. 224 having received a constitutional majority, Mr. Speaker declared it passed.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Oldham moved that all bills reported out of committee this legislative day be placed on general file.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee of Mineral County Delegation has had Senate Bill No. 117 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

H. E. SPRINGER, *Chairman.*

Mr. Speaker:

Your Select Committee of Washoe County Delegation has had Assembly Bill No. 291 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

C. SHELLY, *Chairman.*

Mr. Speaker:

Your Committee on Conference, to whom was referred Assembly Bill No. 134, begs leave to report that we have been unable to reach an agreement thereon, and we therefore recommend that the same be referred to a Committee of Free Conference.

CLAUDE H. SMITH,

L. K. DRUMM,

F. S. TALCOTT,

W. F. DRESSLER,

JOHN E. ROBBINS,

RALPH LATTIN.

Mr. Speaker:

Your Committee on Conference, to whom was referred Assembly Bill No. 133, begs leave to report that we have been unable to reach an agreement thereon, and we therefore recommend that the same be referred to a Committee of Free Conference.

J. W. OLDHAM,

MORLEY MURPHY,

R. E. CAHILL,

JOHN E. ROBBINS,

W. F. DRESSLER,

RALPH LATTIN.

Mr. Speaker:

Your Committee on Engrossment hereby certifies that bound copy of Assembly Bill No. 298, hereto attached, is a correct copy of the triplicate thereof in its possession, as corrected: Page 4, line 9, word "our" used in place of word "or."

Also, certifies that bound copy of Assembly Substitute for Assembly Bill No. 138, hereto attached, is a correct copy of the triplicate thereof in its possession, as corrected: Page 4, line 22, word "annual" misspelled.

L. K. DRUMM, *Chairman.*

Mr. Speaker:

Your Committee on Livestock has had Assembly Bill No. 303 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

M. E. MCCUISTION, *Chairman.*

Mrs. Drumm moved that the Chief Clerk be authorized to make the necessary corrections on Assembly Substitute for Assembly Bill No. 138, and on Assembly Bill No. 298.

Carried.

Mr. Oldham moved that the Assembly recess until 7 p. m.

Carried.

Assembly in recess at 4 p. m.

HOUSE IN SESSION

At 7 p. m.

Mr. Speaker in the Chair.

Quorum present.

There being no objection the Speaker and the Chief Clerk signed Senate Bills Nos. 100, 93, 102, and 140.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Labor has had Assembly Bill No. 105 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass as amended by the Assembly.

Also, Assembly Bill No. 286, and reports favorably on the same, with the recommendation that it do pass.

H. E. HAZARD, *Chairman.*

Mr. Speaker:

The majority of your Committee on Ways and Means has had Assembly Bill No. 140 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

MR. WILLIAMS,	MR. CARROLL,
MR. SMITH,	MR. RUSSELL,
MR. SPRINGER,	<i>Majority Members.</i>

Mr. Speaker:

The minority of your Committee on Ways and Means has had Assembly Bill No. 140 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

MR. CASE,	MR. HUSSMAN,
MR. MCCUISTION,	MR. CAHILL,
	<i>Minority Members.</i>

Mr. Speaker:

Your Committee on Ways and Means has had Assembly Bill No. 227, and Senate Bill No. 110 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

Also, your Joint Committee on Ways and Means and Education has had Assembly Bill No. 294 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. 294, page 2, line 7 of the printed bill, by striking out the "period" following the word "State," and insert in lieu thereof a comma and the following: "provided, that the amount used in carrying out the provisions of this Act shall be repaid to the General Fund of the State of Nevada from any moneys hereinafter received by Clark County from the sale of Boulder Dam power."

Also, Assembly Bill No. 292, and reports favorably on the same, with the recommendation that it do pass, as amended. Amend section 14 of Assembly Bill No. 292, page 6, line 10 of the printed bill, by striking out the figures "\$150," and insert in lieu thereof the figures "\$60."

Also, Assembly Bill No. 283, and reports on the same without recommendation.

R. E. CAHILL, *Chairman.*

Mr. Speaker:

The majority of your Joint Committee on Ways and Means and Insurance has had Assembly Bill No. 131 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

MR. CASE,	MR. SPRINGER,
MR. RUSSELL,	MR. CAHILL,
MR. SMITH,	<i>Majority Members.</i>

Mr. Speaker:

The minority of your Joint Committee on Ways and Means and Insurance has had Assembly Bill No. 131 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

MR. HUSSMAN,	MR. WILLIAMS,
MR. MCELROY,	MR. CARROLL,
	<i>Minority Members.</i>

There being no objection, the Speaker and the Chief Clerk signed Assembly Bills Nos. 2, 90, 94, 112, 166, 167, 171, 181, 184, 206, 209, 214, 218, 220, 241, and 280, and Assembly Joint Resolutions Nos. 8 and 10.

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. 30, which the Senate passed, as amended, by the following

vote: Yeas, 12; nays, 5. Amend as follows: Strike out that portion in line 7 on page 5 of the printed bill, following the period, all of the sentence starting in line 7 beginning with the word "if," through lines 8, 9, 10, and 11, and strike all of section 5. Further amend the title by striking out the word "which" in the fourth line of said title, and insert in lieu thereof the word "shall"; strike out the word "operating" in said fourth line, and insert the word "operated."

Also, Senate Bill No. 145, which was this day declared an emergency measure under the Constitution, and passed by the following vote: Yeas, 17; nays, none.

F. BUCKINGHAM,

Assistant Secretary of the Senate.

INTRODUCTION AND FIRST READING

By Committee on Ways and Means:

Assembly Bill No. 312—An Act to create a "Consolidated Bond, Interest, and Redemption Fund" in the Nevada State Treasury, declaring and restricting the purposes thereof, defining the duty of certain officers and departments in relation thereto, 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.

Senate Bill No. 30.

Mr. Oldham moved that 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. 145.

Mr. Oldham 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 Ormsby County Delegation.

Carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 222.

Remarks by Mr. Williams.

Roll call on Assembly Bill No. 222:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, David, Davidson, Drumm, Fee, Fisher, Hazard, Hussman, Kennett, Lynch, McCuistion, McElroy, Murphy, Oldham, Russell, Richard, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Williams, and Mr. Speaker—36.

NAYS—None.

Absent—Curtis, Germain, Loomis, and Talcott—4.

Assembly Bill No. 222 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 223.

Remarks by Mr. Williams.

Roll call on Assembly Bill No. 223:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Lynch, McCuistion, McElroy, Murphy,

Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Williams, and Mr. Speaker—37.

NAYS—None.

Absent—Curtis, Loomis, and Talcott—3.

Assembly Bill No. 223 having received a constitutional majority, Mr. Speaker declared it passed.

MOTIONS, RESOLUTIONS, AND NOTICES

By Mr. Amodei:

Assembly Resolution No. 18, felicitating ex-Governor R. K. Colcord on his near approach to a century.

WHEREAS, Ex-Governor R. K. Colcord, of Carson City, Nevada, will within a few days attain the century mark in his span of life; and

WHEREAS, This unusual attainment of age is only an incident in the life of this estimable citizen; and

WHEREAS, He served as Governor of this State, with benefit to the State and honor to himself, thereby winning a place in the hearts of his constituents that will live as a pleasant memory in the years to follow; and

WHEREAS, The fine qualities which made him an honored Governor have been the means of drawing to him a host of friends that have placed him high upon the pedestal of their respect and admiration; and

WHEREAS, We feel that this body should properly record the character and honor of this distinguished citizen; now, therefore, be it

Resolved by the Assembly of the State of Nevada, As representatives from the entire State, that we do hereby express our felicitations to our ex-Governor upon his approaching his one hundredth birthday, and that we do by this means convey to him our great respect for his record of citizenship and for the fine service rendered by him as Governor of this State; and be it further

Resolved, That this resolution be spread upon the minutes of this body, and that a properly certified copy thereof be transmitted to him by the Speaker and Chief Clerk of this Assembly.

Mr. Amodei moved the adoption of the resolution.

Resolution adopted.

GENERAL FILE AND THIRD READING

Assembly Bill No. 254.

Amendment proposed by Mr. Oldham: Amend section 1 of Assembly Bill No. 254 by striking out the word "whether" in line 19 of page 3 of said bill, and by striking out the words "or the County Assessor or Assessors" in lines 20 and 21, page 3 of said bill.

Mr. Oldham moved the adoption of the amendment to section 1.

Remarks by Messrs. Cooper and Oldham.

Amendment adopted.

Roll call on Assembly Bill No. 254:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Cooper, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Williams, and Springer—34.

NAYS—Conine.

Absent—Curtis, Loomis, and Talcott—3.

Not voting—Coleman and McCuiston—2.

Assembly Bill No. 254 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Bill No. 124.

Amendment proposed by Mr. Oldham: Amend section 1 of Assembly Bill No. 124 by striking out the comma and the words "together with respective Assessors of the counties of the State, as provided in section 6 of this Act," in lines 5, 6, and 7, page 2, of said bill.

Mr. Oldham moved the adoption of the amendment to section 1.

Amendment adopted.

Amendment proposed by Mr. Oldham: Amend section 3 of Assembly Bill No. 124 by striking out the comma and the words "and the Assessors of the respective counties of the State," in lines 31 and 32, page 5, of said bill.

Mr. Oldham moved the adoption of the amendment to section 3.

Amendment adopted.

Amendment proposed by Mr. Oldham: Strike the words "The actual necessary expenses of the Assessors in attending the session or sessions of the said board shall be paid by the respective counties" in lines 8, 9, and 10, page 6, of said Assembly Bill No. 124.

Mr. Oldham moved the adoption of the amendment to section 3.

Amendment adopted.

Amendment proposed by Mr. Oldham: Amend section 3 of Assembly Bill No. 124 by striking out the following words "and each County Assessor" in line 14, page 6 of said bill, and by striking the semicolon and the following words: "*provided*, that no valuation of any property, the valuation of which is under consideration by said board, shall be changed in an amount of more than five percent of the said assessed valuation, except by a two-thirds majority vote of all the members of said Board of Equalization, which said vote shall include a two-thirds majority vote of the members of the Tax Commission. In all other cases a majority vote of the entire membership of said board shall govern," and inserting in lieu thereof the following words: "and in all cases a majority vote of the entire membership of said board shall govern."

Mr. Oldham moved the adoption of the amendment to section 3.

Amendment adopted.

Remarks by Mr. Cooper.

Roll call on Assembly Bill No. 124:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Case, Cooper, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Williams, and Mr. Speaker—33.

NAYS—None.

Absent—Burke, Curtis, Loomis, and Talcott—4.

Not voting—Coleman, Conine, and McCuiston—3.

Assembly Bill No. 124 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Senate Bill No. 113.

Remarks by Mr. Barr.

Roll call on Senate Bill No. 113:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, David, Davidson, Drumm, Fee, Fisher, Germain,

Hazard, Hussman, Kennett, Lynch, McCuistion, McElroy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Williams, and Mr. Speaker—35.

NAYS—Murphy.

Absent—Cooper, Curtis, Loomis, and Talcott—4.

Senate Bill No. 113 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Shelly moved the adoption of the preamble to Assembly Bill No. 113.

Preamble adopted.

Assembly Bill No. 308.

Remarks by Mr. Williams.

Roll call on Assembly Bill No. 308:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Williams, and Mr. Speaker—36.

NAYS—David.

Absent—Curtis, Loomis, and Talcott—3.

Assembly Bill No. 308 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 83.

Roll call on Senate Bill No. 83:

YEAS—Amodei, Barr, Bernard, Cahill, Caldwell, Carroll, Case, Conine, Cooper, David, Drumm, Germain, Hussman, Kennett, McCuistion, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, and Williams—27.

NAYS—Fisher and Hazard—2.

Absent—Curtis, Loomis, and Talcott—3.

Not voting—Brooks, Brown, Burke, Coleman, Davidson, Fee, Sloan, and Mr. Speaker—8.

Senate Bill No. 83 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Joint Resolution No. 11.

Mr. Brooks moved that Senate Joint Resolution No. 11 be tabled.

Carried.

Assembly Bill No. 297.

Mr. Kennett moved that Assembly Bill No. 297 be tabled.

Carried.

Assembly Bill No. 253.

Mr. Hussman moved that Assembly Bill No. 253 be laid over until the next legislative day.

Carried.

Assembly Substitute for Assembly Bill No. 281.

Amendment proposed by Mr. Oldham: Amend section 1 of Assembly Substitute for Assembly Bill No. 281 by striking in line 3, page 2 of the printed bill, the word "basing," and insert in lieu thereof the word "base." Further amend section 1 by inserting, after the semicolon following the word "report" in line 5, page 2 of the printed bill,

the following: "The owner shall then be required to pay to the County Assessor the personal property tax on said vehicle, if same be subject to taxation in this State, and the license tax."

Mr. Oldham moved the adoption of the amendments to section 1.

Amendments adopted.

Remarks by Mr. Oldham.

Roll call on Substitute for Assembly Bill No. 281:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, David, Davidson, Drumm, Fee, Germain, Hussman, Kennett, Lynch, McCuistion, Oldham, Shelly, Sloan, Smith, Sowers, and Williams—27.

NAYS—Fisher, Hazard, McElroy, Murphy, Richard, Russell, and Springer—7.

Absent—Burke, Curtis, Loomis, and Talcott—4.

Not voting—Sampson and Mr. Speaker—2.

Assembly Substitute for Assembly Bill No. 281 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 45.

Mr. Caldwell moved that Senate Bill No. 45 be indefinitely postponed.

Messrs. Brown, Davidson, and Brooks moved the previous question. Carried.

Assembly Concurrent Resolution No. 7.

Mr. Fee moved that Assembly Concurrent Resolution No. 7 be indefinitely postponed.

Remarks by Messrs. Kennett, Fee, and Hazard.

Motion lost.

Amendment proposed by Mr. Kennett: Amend Assembly Concurrent Resolution No. 7 in the first line of the title by striking out the words "board of relief, work." Further amend in the first line of the title by striking out the words "and pension control," and inserting in lieu thereof the word "board." Further amend in line 2 of the printed copy by inserting after the word "State" the word "planning," and by striking out the words "of relief, work planning and pension control" in lines 2 and 3. Further amend in line 15 by inserting after the word "State" the word "planning," and by striking out the words "of relief, work planning and pension control."

Mr. Kennett moved the adoption of the amendment.

Remarks by Messrs. Kennett, Burke, and Hazard.

Amendment adopted.

Roll call on Assembly Concurrent Resolution No. 7:

YEAS—Burke, Conine, David, Germain, Hussman, Kennett, McCuistion, McElroy, Murphy, Oldham, Russell, Shelly, Sloan, and Williams—14.

NAYS—Amodei, Barr, Cahill, Caldwell, Carroll, Case, Coleman, Cooper, Davidson, Drumm, Fee, Fisher, Hazard, Lynch, and Richard—15.

Absent—Curtis, Loomis, and Talcott—3.

Not voting—Bernard, Brooks, Brown, Sampson, Smith, Sowers, Springer, and Mr. Speaker—8.

Assembly Concurrent Resolution No. 7 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Select Committee of Washoe County Delegation has had Assembly Bill No. 272 under consideration, and begs leave to report favorably on the same, as amended, with the recommendation that the Assembly concur in the Senate amendments.

CARL SHELLY, *Chairman.*

Mr. Shelly moved that the Assembly concur in the Senate amendment to Assembly Bill No. 272.

Carried.

Senate Bill No. 62.

Remarks by Mr. Smith.

Roll call on Senate Bill No. 62 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, David, Davidson, Drumm, Hazard, Hussman, Kennett, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, and Williams—33.

NAYS—Fisher.

Absent—Curtis, Fee, Germain, Loomis, and Talcott—5.

Not voting—Mr. Speaker.

Senate Bill No. 62 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Substitute for Assembly Bill No. 138.

Mr. Davidson moved that Assembly Substitute for Assembly Bill No. 138 be placed on general file for the next legislative day.

Carried.

Senate Bill No. 117.

Remarks by Mr. Springer.

Roll call on Senate Bill No. 117 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Shelly, Sloan, Smith, Sowers, Springer, Williams, and Mr. Speaker—35.

NAYS—None.

Absent—Curtis, Loomis, and Talcott—3.

Not voting—Burke and Sampson—2.

Senate Bill No. 117 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 303.

Remarks by Messrs. Case, David, Murphy, Germain, Kennett, and Richard.

Roll call on Assembly Bill No. 303 :

YEAS—Bernard, Cahill, Caldwell, Case, Conine, Cooper, Fisher, Lynch, Shelly, Sloan, Smith, Sowers, and Williams—13.

NAYS—Hussman, McElroy, Murphy, Oldham, Richard, Russell, Springer, and Mr. Speaker—8.

Absent—Curtis, Loomis, and Talcott—3.

Not voting—Amodei, Barr, Brooks, Brown, Burke, Carroll, Coleman, David, Davidson, Drumm, Fee, Germain, Hazard, Kennett, McCuiston, and Sampson—16.

Assembly Bill No. 303 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Mr. Hussman gave notice that on the next legislative day he would move to reconsider Assembly Bill No. 303.

Assembly Bill No. 291.

Remarks by Messrs. Davidson, Oldham, and Shelly.

Roll call on Assembly Bill No. 291:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Williams, and Mr. Speaker—37.

NAYS—None.

Absent—Curtis, Loomis, and Talcott—3.

Assembly Bill No. 291 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Hazard moved that Assembly Bill No. 286 be placed on top of general file for the next legislative day.

Carried.

Assembly Bill No. 140.

Remarks by Messrs. Amodei and Cahill.

Amendment proposed by Committee on Ways and Means: Amend section 1 of Assembly Bill No. 140, page 1, line 2 of the printed bill, by striking out the words and figures "one thousand five hundred dollars (\$1,500)," and insert in lieu thereof the words and figures "one thousand two hundred dollars (\$1,200)."

Mr. Cahill moved the adoption of the committee amendment to section 1.

Amendment adopted.

Remarks by Messrs. Hazard, Springer, Cahill, and Amodei.

Roll call on Assembly Bill No. 140:

YEAS—Barr, Bernard, Burke, Carroll, Conine, Cooper, Drumm, Fee, Fisher, Hazard, Lynch, McElroy, Oldham, Richard, Russell, Sloan, Smith, Sowers, Springer, and Williams—20.

NAYS—Amodei, Cahill, Hussman, McCuiston, Murphy, and Shelly—6.

Absent—Caldwell, Curtis, Loomis, and Talcott—4.

Not voting—Brooks, Brown, Case, Coleman, Germain, Kennett, Sampson, and Mr. Speaker—10.

Assembly Bill No. 140 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Mr. Amodei gave notice that on the next legislative day he would move reconsideration of Assembly Bill No. 140.

Assembly Bill No. 105.

Mr. Russell moved the adoption of the amendment to section 1.

Amendment adopted.

Remarks by Messrs. Russell and Kennett.

Roll call on Assembly Bill No. 105:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Carroll, Case, Coleman, Conine, Cooper, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard,

Hussman, Kennett, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Williams, and Mr. Speaker—35.

NAYS—None.

Absent—Burke, Caldwell, Curtis, Loomis, and Talcott—5.

Assembly Bill No. 105 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Bill No. 294.

Mr. Cahill moved the adoption of the amendment to section 1.

Amendment adopted.

Remarks by Messrs. Sloan and Kennett.

Roll call on Assembly Bill No. 294 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Williams, and Mr. Speaker—37.

NAYS—None.

Absent—Curtis, Loomis, and Talcott—3.

Assembly Bill No. 294 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Mr. Burke moved the adoption of the preamble to Assembly Bill No. 294.

Preamble adopted.

Mr. Hussman moved that Assembly Bill No. 131 be placed on general file for the next legislative day.

Carried.

Mr. Cahill moved that Senate Bill No. 110 be placed on general file for the next legislative day.

Carried.

Assembly Bill No. 227.

Remarks by Mr. Cahill.

Roll call on Assembly Bill No. 227 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, David, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Lynch, McCuistion, McElroy, Oldham, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Williams, and Mr. Speaker—33.

NAYS—Davidson, Drumm, and Murphy—3.

Absent—Curtis, Loomis, and Talcott—3.

Not voting—Richard.

Assembly Bill No. 227 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 292.

Mr. Cahill moved the adoption of the amendment to section 14.

Amendment adopted.

Remarks by Messrs. Murphy, Barr, Hussman, Germain, Richard, Burke, Kennett, Case, Hazard, Smith, Oldham, Russell, and Coleman.

Messrs. Murphy, McCuistion, and Coleman moved the previous question.

Roll call on Assembly Bill No. 292:

YEAS—Amodei, Bernard, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, David, Davidson, Drumm, Germain, Hussman, Kennett, McCuiston, McElroy, Murphy, Oldham, Richard, Shelly, Sloan, Sowers, Springer, Williams, and Mr. Speaker—27.

NAYS—Barr, Brooks, Cooper, Fee, Fisher, Hazard, Lynch, Russell, Sampson, and Smith—10.

Absent—Curtis, Loomis, and Talcott—3.

Assembly Bill No. 292 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Bill No. 283.

Mr. Burke moved that Assembly Bill No. 283 be placed on top of general file for the next legislative day.

Carried.

Mr. Davidson moved that the Assembly adjourn until Wednesday, March 15, 1939, at 11 a. m.

Carried.

Assembly adjourned at 9:15 p. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE FIFTY-NINTH DAY

CARSON CITY (Wednesday), March 15, 1939.

Assembly called to order at 11 a. m.

Mr. Speaker in the Chair.

Roll called.

All present.

Prayer by the Chaplain, Rev. A. S. Kean.

Mr. Oldham moved the reading of the Journal be dispensed with, and the Speaker and the Chief Clerk be authorized to make the necessary corrections and additions.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Joint Committee on Ways and Means and Mines and Mining has had Senate Bill No. 106 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. 106, page 1, line 4 of the printed bill by striking out the words and figures "ten thousand (\$10,000)," and insert in lieu thereof the words and figures "five thousand (\$5,000)."

R. E. CAHILL, *Chairman.*

Mr. Speaker:

Your Committee on Mines and Mining has had Senate Bill No. 121 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

H. E. SPRINGER, *Chairman.*

Mr. Speaker:

Your Committee on Roads and Highways has had Senate Bills Nos. 111 and 130 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

Also, Senate Bill No. 30, and Substitute for Senate Bill No. 15, and reports unfavorably on the same, with the recommendation that they do not pass.

CLAUDE SMITH, *Chairman.*

Mr. Speaker:

Your Committee on Taxation has had Assembly Bill No. 301 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

ANDY J. RICHARD, *Chairman.*

Mr. Speaker:

Your Select Committee of Clark County Delegation has had Senate Bill No. 103 under consideration, and begs leave to report favorably on the same, as amended, with the recommendation that the amendment be adopted and the bill pass as amended. Amend section 11 of Senate Bill No. 103 by striking out after the word "effective" in line 10, page 4 of the printed bill, all the remainder of said section, and inserting in lieu thereof the following: "upon the approval thereof by a majority of the voters of Clark County provided as follows: It is hereby made the duty of the County Clerk of Clark County, Nevada, at the general election to be held in said county in November 1940, to have printed upon the ballots of said election the question of the adoption of this Act, as follows:

"For the adoption of the Act of the Legislative of March.....1939.

"Against the adoption of the Act of the Legislature of March.....1939.

Upon the tabulation of the results of said election of the vote with the reference to the provisions of this Act, if a majority voting thereon shall approve the same, then this Act shall be in full force and effect. If a majority voting thereon shall vote against this Act, then the same shall be of no force and effect."

H. E. HAZARD, *Chairman*.

Mr. Speaker:

Your Select Committee of Ormsby County Delegation has had Senate Bill No. 145 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

PETER A. AMODEI, *Chairman*.

MESSAGES FROM THE SENATE

To the Honorable the Assembly:

I have the honor herewith to return to your honorable body Assembly Bill No. 143, which passed by the following vote: Yeas, 17; nays, none.

Also, Assembly Bill No. 149, which passed: Yeas, 15; nays, 1; not voting, 1.

Also, Assembly Bill No. 161, which passed: Yeas, 16; nays, none; absent, 1.

Also, Assembly Bill No. 164, which passed: Yeas, 16; nays, none; not voting, 1.

Also, Assembly Bill No. 173, which passed: Yeas, 17; nays, none.

Also, Assembly Bill No. 187, which was laid on the table.

Also, Assembly Bill No. 191, which passed: Yeas, 15; nays, 2.

Also, Assembly Bill No. 193, which passed: Yeas, 16; nays, 1.

Also, Assembly Bill No. 204, which passed: Yeas, 17; nays, none.

Also, Assembly Bill No. 205, which passed: Yeas, 16; nays, 1.

Also, Assembly Bill No. 232, which passed: Yeas, 17; nays, none.

Also, Assembly Bill No. 271, which passed: Yeas, 17; nays, none.

Also, Assembly Bill No. 273, which was laid on the table.

Also, Assembly Bill No. 275, which passed: Yeas, 17; nays, none.

Also, Assembly Bill No. 276, which passed: Yeas, 16; nays, none; absent, 1.

Also, Assembly Bill No. 285, which passed: Yeas, 17; nays, none.

Also, Assembly Joint Resolution No. 12, which passed: Yeas, 16; nays, none; not voting, 1.

Also, to present for the consideration of your honorable body Senate Bill No. 75, which passed: Yeas, 17; nays, none.

Also, Senate Bill No. 134, which passed: Yeas, 17; nays, none.

Also, Senate Bill No. 135, which passed: Yeas, 17; nays, none.

Also, Senate Bill No. 137, which passed: Yeas, 15; nays, none; not voting, 2.

Also, Senate Bill No. 142, which passed: Yeas, 14; nays, 2; not voting, 1.

Also, Senate Substitute for Senate Bill No. 55, which passed: Yeas, 13; nays, 1; not voting, 3.

Also, Senate Joint Resolution No. 12, which passed: Yeas, 17; nays, none.

Also, Senate Bill No. 99, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend as follows:

Amend the title of Senate Bill No. 99 by striking from the title after the words "expenses of the" the words "county and."

Amend section 1, page 1, line 4 of the printed bill by striking the word "that" following the words "lawful expenses of," and by striking the words "county, including" in line 5, page 1, section 1 of the printed bill.

Further amend section 1, page 1, line 8 of the printed bill, by striking in said line the words "county and its," and by striking in line 9 immediately following the words "government, including the."

Further amend section 1, page 1, line 9 of the printed bill, following the word "schools" by striking the word "therein."

Further amend section 1, page 1, line 13 of the printed bill, by striking the words "the board of," and by inserting in line 14 of said section and page of the printed bill the following: "County Commissioners of such county and."

Further amend section 1, page 2, line 1 of the printed bill, by striking the first word of said line 1, namely, the word "therein."

Further amend section 1, page 2, line 3 of the printed bill, by striking the words "such county, including."

Further amend section 1, page 2, line 3 of the printed bill, by striking out the word "therein."

Amend section 4, page 2, line 32 of the printed bill, by striking following the words "the various counties, including."

Further amend section 4, page 2, line 33 of the printed bill, by striking the word "therein" following the words "the schools" in line 32 of said page and section.

Amend section 5, page 3, line 10 of the printed bill, by striking the words "The Board of County Commissioners of such," and by striking immediately following, in line 11, the word "county."

Amend section 5, page 3, line 8 of the printed bill by striking the word "county."

Also, Senate Bill No. 87, which passed, as amended: Yeas, 15; nays, 2. Amend as follows:

Strike out subdivision (c), page 4 of the printed bill, lines 30, 31, and 32 of said page, and by inserting section 4½ immediately after section 4, page 5, line 23, to read as follows:

SEC. 4½. Section 18 of the above-entitled Act is hereby amended to read as follows:

Section 18. *Payment of Assistance. Federal Audit.* The secretary of the said State board shall furnish to the Governor of this State and to the State Controller and State Treasurer a full, true, and correct list of recipients in each county of this State entitled to such assistance, and of the monthly amount to be paid to each of them from said Federal funds, certified to by him as being a full, true and correct list of such recipients in that county and the amount to which each of them is entitled under this Act, which list is subject to revision by said State board and its secretary to make it conform to such changes as may be duly made pursuant to the terms of this Act. The State Controller of this State shall promptly, upon receiving such certified list, draw his warrant upon said fund payable to each such recipient in the amount to which he or she is entitled, upon and pursuant to such certified list, and said State Treasurer shall pay the same. Every such warrant shall be for the total amount of Federal, State, and county funds to which each such recipient is entitled under the provisions of this Act. Said State Controller shall, immediately after such warrants have been so drawn, in the manner provided by law, mail all such warrants for distribution in each county to the County Clerk of that county; said County Clerk shall, immediately upon receipt thereof, mail such warrants to each of the recipients in that county entitled thereto or to his duly appointed and qualified guardian, if he has any such guardian, assuring himself by proper evidence of such delivery. Insofar as that portion of said moneys so deposited to pay on the expenses of the administration of this Act and of said Social Security Act, and in the distribution of such old-age assistance, is concerned, it shall be disbursed in the same manner as provided for hereinbefore in this section, except that the claims therefor shall be made and filed directly by the claimants entitled thereto and paid directly to them, upon the written approval of such claims by said secretary of said State board, and the audit and allowance thereof as required by the laws of this State.

All officers mentioned hereinbefore in this section and concerned with the handling of such Federal funds are hereby fully authorized to do and perform all acts and things necessary to accomplish the purposes of this section.

The books, records, and accounts of said State Controller and State Treasurer relating to said Old-age Assistance Fund in said State Treasury shall be open to inspection and subject to audit by the United States Government or said auditor of public accounts of the United States, or any other duly authorized auditor, accountant, or agent of either thereof.

Also, to inform your honorable body that the President of the Senate appointed Senators Robbins, Lattin, and Dressler as a Free Conference Committee to meet with a like committee of the Assembly to take under consideration the amendments on Assembly Bills Nos. 133 and 134.

Also, to return Assembly Bill No. 114, which passed, as amended: Yeas, 14; nays, 2; not voting, 1. Amend by adding a new section thereto to be designated as section 2, to read as follows: "SEC. 2. This Act shall be in full force and effect upon its passage and approval."

Also, Assembly Bill No. 136, which passed, as amended: Yeas, 12; nays, 5. Amend as follows: Line 5, page 1, strike the word "monthly," and insert in lieu thereof the word "quarterly." Amend section 2, page 2, line 5, strike the last sentence beginning in line 5 and ending in line 7.

Also, Assembly Bill No. 156, which passed, as amended: Yeas, 15; nays, 2. Amend as follows: Section 1, page 1, strike out all of the paragraph beginning in line 9 and continuing to line 6 on page 2. Amend section 2, page 2, line 23, by inserting a period after word "thereon," and strike the balance of the sentence reading: "for the occupancy of such owners, and not intended for sale."

Also, Assembly Bill No. 279, which passed, as amended: Yeas, 11; nays, 6. Amend as follows: Amend the title by striking the period at the end of the title, insert a comma and the following: "and by adding a new section thereto."

Also, Assembly Substitute for Assembly Bill No. 56, which passed, as amended: Yeas, 15; nays, 2. Amend section 1, line 19, page 2 of the printed bill, strike the comma after the word "delay" (being a part of Assembly amendment), and insert a period, and strike that part of the section beginning with the word "and" in line 19 down to and including the word "fund," line 25, page 2.

F. BUCKINGHAM,

Assistant Secretary of the Senate.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Oldham moved that the Assembly concur in the Senate amendments to Assembly Bill No. 114.

Carried.

Mr. Davidson moved that the Assembly concur in the Senate amendments to Assembly Bill No. 136.

Carried.

Mr. Burke moved that Assembly Bill No. 156 be referred to the Committee on Taxation.

Carried.

Mr. Hazard moved that the Assembly concur in the Senate amendments to Assembly Bill No. 279.

Carried.

Mr. Davidson moved that Assembly Substitute for Assembly Bill No. 56 be referred to the Committee on Judiciary.

Carried.

INTRODUCTION AND FIRST READING

Senate Bill No. 75.

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

Carried.

Senate Bill No. 134.

Mr. Oldham moved that 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. 135.

Mr. Oldham 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 Education.

Carried.

Senate Bill No. 137.

Mr. Oldham moved that 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. 142.

Mr. Oldham 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 Social Welfare.

Carried.

Senate Substitute for Senate Bill No. 55.

Mr. Oldham moved that 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 Joint Resolution No. 12.

Mr. Oldham 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 Elko County Delegation.

Carried.

Senate Bill No. 99.

Mr. Oldham moved that 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. Oldham moved that 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

Mr. Amodei moved that Senate Bill No. 145 be placed on the top of general file.

Carried.

Senate Bill No. 145.

Remarks by Mr. Amodei.

Roll call on Senate Bill No. 145:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Taleott, Williams, and Mr. Speaker—39.

NAYS—None.

Absent—Carroll.

Senate Bill No. 145 having received a constitutional majority, Mr. Speaker declared it passed.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Amodei moved the reconsideration of Assembly Bill No. 140.
Carried.

Mr. Cooper moved that Assembly Bills Nos. 7, 9, and 145 be withdrawn from the Committee on Judiciary, returned to the Chief Clerk's desk, and placed on the general file.

Carried.

Mr. Burke moved that the Speaker appoint a Conference Committee to meet with a like committee from the Senate to consider Assembly Bill No. 201.

Carried.

Mr. Speaker appointed the following committee: Messrs. Burke, Shelly, and Hazard.

Mr. Shelly moved that Assembly Rule No. 9 be suspended for the remainder of this legislative day.

Carried.

Mr. Barr moved that Senate Bill No. 19 be taken from the table.

Motion lost.

GENERAL FILE AND THIRD READING

Assembly Bill No. 140.

Messrs. Sowers, Fee, and Amodei moved the previous question.

Roll call on Assembly Bill No. 140:

YEAS—Amodei, Barr, Bernard, Burke, Case, Coleman, Conine, Cooper, Curtis, Drumm, Fee, Fisher, Germain, Hazard, Kennett, Lynch, McCuiston, McElroy, Oldham, Russell, Richard, Sampson, Sloan, Smith, Sowers, Springer, Talcott, and Williams—28.

NAYS—Brown, Cahill, Hussman, Murphy, and Shelly—5.

Absent—Carroll and David—2.

Not voting—Brooks, Caldwell, Davidson, Loomis, and Mr. Speaker—5.

Assembly Bill No. 140 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 286.

Remarks by Messrs. Hazard, Loomis, and Shelly.

Roll call on Assembly Bill No. 286:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, David, Davidson, Drumm, Fee, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—38.

NAYS—None.

Absent—Curtis and Fisher—2.

Assembly Bill No. 286 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 253.

Mr. Cahill moved the adoption of the committee amendment to section 1.

Amendment adopted.

Mr. Cahill moved the adoption of the further committee amendment to section 1.

Amendment adopted.

Amendment proposed by Mr. Coleman: Amend section 1 of Assembly Bill No. 253 on page 1, line 9, by adding after the word "reclamation" a comma and the words "or power."

Mr. Coleman moved the adoption of the amendment to section 1.

Amendment adopted.

Amendment proposed by Mr. Williams: Amend Assembly Bill No. 253 by inserting a section between section 1 and section 2, to be designated as "Section 2," and which said section shall read as follows: "SEC. 2. If any section, subdivision, sentence, phrase, or clause of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the Act. The Legislature hereby declares that it would have passed the remaining portions of this Act irrespective of the fact that any such section, subsection, clause, sentence, or phrase of this Act be declared unconstitutional."

Mr. Williams moved the adoption of the amendment.

Amendment adopted.

Further amend Assembly Bill No. 253 by changing the number of section 2 as it appears in line 28, page 3 of the printed bill, to section 3.

Mr. Williams moved the adoption of the amendment.

Amendment adopted.

Remarks by Mr. Hussman.

Roll call on Assembly Bill No. 253:

YEAS—Amodei, Barr, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Coleman, Conine, Cooper, David, Davidson, Drumm, Fee, Germain, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Richard, Russell, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—33.

NAYS—Bernard.

Absent—Case, Curtis, Fisher, and Oldham—4.

Not voting—Hazard and Sampson—2.

Assembly Bill No. 253 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. 304, 305, 306, and 312, hereto attached, are correct copies of the triplicates in its possession.

L. K. DRUMM, *Chairman.*

Mr. Speaker:

Your Committee on Roads and Highways has had Assembly Bill No. 300 with committee amendments 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. 300 by inserting two routes to follow route 33, as set out in lines 37 and 38, page 8, lines 1 and 2, page 9 of the printed bill, which said routes shall be designated as follows:

"Route 33a. Beginning at a point on route 1 at the junction of West Fourth Street and Sierra Street in the city of Reno; thence northerly and southerly on Sierra Street to a connection on the north with route 9 near the north Reno city limits, and to a connection on the south with route 3 near the south Reno city limits.

"Route 33b. Beginning at a point on route 3 at the junction of South Virginia Street and Second Street in the city of Reno; thence westerly along West Second Street to a connection with route 1 near the west Reno city limits.

Amend section 1 of Assembly Bill No. 300, page 12 of the printed bill, by inserting a new route designation as follows: "Route 67. Beginning at the intersection of route 1 and Alameda Avenue in the city of Reno, thence south-erly along Alameda Avenue and Wells Avenue in the said city of Reno to a connection with route 3 at or near the south Reno city limits."

Amend Assembly Bill No. 300 by adding the following paragraph to section 1 after line 36, page 12: "Route 68. Beginning at a point on route 5 at Searchlight, thence westerly by the shortest and most feasible route to a connection with the California State Highway System near Nipton."

CLAUDE SMITH, *Chairman*.

GENERAL FILE AND THIRD READING

Assembly Substitute for Assembly Bill No. 138.

Remarks by Messrs. Coleman, Curtis, and Shelly.

Roll call on Assembly Substitute for Assembly Bill No. 138:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—40.

NAYS—None.

Assembly Substitute for Assembly Bill No. 138 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Oldham moved the Assembly recess until 2:30 p. m.

Carried.

Assembly in recess at 12:10 p. m.

HOUSE IN SESSION

At 2:30 p. m.

Mr. Speaker in the Chair.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 131.

Amendment proposed by Mr. Hussman: Amend Assembly Bill No. 131 by striking the amendment on page 2 of the printed bill, thus leaving the bill in its original form.

Mr. Hussman moved the adoption of the amendment.

Remarks by Mr. Russell.

Mr. Curtis moved that Assembly Bill No. 131 be tabled.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Engrossment hereby certifies that bound copies of Assembly Bills Nos. 310, 311, and 307, and Assembly Concurrent Resolution No. 11, hereto attached, are correct copies of the triplicates thereof in its possession.

L. K. DRUMM, *Chairman*.

Mr. Speaker:

Your Committee on Taxation has had Assembly Bill No. 156 under consideration, and begs leave to report favorably on the same, with Senate amendments, and requests that the Assembly concur with these amendments.

A. J. RICHARD, *Chairman*.

Mr. Speaker:

Your Committee on Public Parks has had Senate Bills Nos. 132 and 133 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

H. E. HAZARD, *Chairman.*

Mr. Speaker:

Your Committee on Judiciary has had Senate Bills Nos. 16 and 73 under consideration, and begs leave to report same without recommendation.

Also, Senate Bill No. 94, and reports favorably on the same, with the recommendation that it do pass.

Also, Assembly Bill No. 99, and reports same with an amendment, with the recommendation that it do pass, as amended.

Amend section 1 of Assembly Bill No. 99 by striking out in line 8, page 1, the word "which," and insert in lieu thereof the following: "provided no changes have been made in said rates." Further amend section 1, line 1, page 2 of the printed bill, by inserting after the word "filed" the following: "not less than thirty (30) days prior to its effective date." Further amend Assembly Bill No. 99, page 2, line 19, by striking the figure "3," and insert in lieu thereof the figure "2."

WM. KENNETT, *Chairman.*

Mr. Speaker:

Your Committee on Ways and Means has had Assembly Bills Nos. 304, 305, 306, and 312 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

R. E. CAHILL, *Chairman.*

Mr. Speaker:

Your Committee on Public Morals has had Senate Bill No. 137 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

THOMAS M. CARROLL, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Carroll moved that Assembly Bills Nos. 304, 305, 306, and 312 be placed on top of the general file.

Remarks by Mr. Cahill.

Carried.

Mr. Burke moved that the Assembly concur in the Senate amendments to Assembly Bill No. 156.

Carried.

Mr. McElroy moved that Assembly Bill No. 277 be taken from the table.

Motion lost.

Mr. Oldham moved that Senate Bills Nos. 66 and 67 be withdrawn from the Committee on Judiciary, returned to the Chief Clerk's desk, and placed on general file.

Carried.

Mr. Oldham moved that Senate Bill No. 99 be withdrawn from the Committee on Judiciary, returned to the Chief Clerk's desk, and rereferred to the Committee on Education.

Carried.

There being no objection, the Speaker and the Chief Clerk signed Assembly Joint Resolutions Nos. 6 and 17, and Assembly Bills Nos. 69, 159, 208, 211, 225, 234, 247, and 272.

INTRODUCTION AND FIRST READING

By Committee on Roads and Highways:

Assembly Joint Resolution No. 20.

WHEREAS, The number of motor vehicle accidents and attendant injuries and resulting deaths to travelers on our State and National highways has reached such proportions that the Congress and State Legislatures and Highway Departments are constantly working in an attempt to reduce the hazards of these highways; and

WHEREAS, The State Highway Department, safety division, and other State agencies are exerting every effort toward attaining the greatest possible degree of safety for motorists and pedestrians along the highways of Nevada, and the committees of both the Senate and the Assembly are endeavoring to enact legislation to the same end; and

WHEREAS, The motor and highway committees of the Nevada State Assembly believes that one of the most effective safety measures is a division of highways, especially at turns, dips, and elsewhere with a white line through the length of the highway, so that the traffic laws may be more easily and effectively obeyed, and that this will greatly reduce the risk of night and day driving and give added security, especially to guests of this State who are unfamiliar with our highways; be it further

Resolved, That the Senate and Assembly respectfully petition the State Highway Department and the Hon. E. P. Carville, Governor of Nevada, to use their offices to the end that all State highways not now marked as aforesaid be so marked, and that existing laws and customs be stressed in the interest and for the purpose of safety.

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 Roads and Highways.

Carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 304.

Remarks by Messrs Cahill, Kennett, and Burke.

Roll call on Assembly Bill No. 304:

YEAS—Barr, Bernard, Brooks, Brown, Burke, Cahill, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—37.

NAYS—None.

Not voting—Amodei, Caldwell, and Mr. Speaker—3.

Assembly Bill No. 304 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 305.

Remarks by Mr. Cahill.

Roll call on Assembly Bill No. 305:

YEAS—Amodei, Barr, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Mr. Speaker—38.

NAYS—None.

Absent—Bernard and Williams—2.

Assembly Bill No. 305 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 306.

Amendment proposed by Mr. Hussman: Amend section 2 of Assembly Bill No. 306, page 1, lines 3 and 4 of the printed bill, by inserting after the comma following the word "members" the words "not more than two of whom shall be of the same political faith."

Mr. Hussman moved the adoption of the amendment to section 2.

Remarks by Mr. Hussman.

Amendment adopted.

Remarks by Mr. Cahill.

Amendment proposed by Mr. Cahill: Amend section 5 of Assembly Bill No. 306, page 2, line 26, strike out the word "fortieth," and insert the word "next."

Mr. Cahill moved the adoption of the amendment.

Remarks by Messrs. Cahill and Kennett.

Amendment adopted.

Roll call on Assembly Bill No. 306:

YEAS—Amodei, Barr, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Mr. Speaker—38.

NAYS—None.

Absent—Bernard and Williams—2.

Assembly Bill No. 306 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Bill No. 312.

Remarks by Mr. Cahill.

Roll call on Assembly Bill No. 312:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Sowers, Springer, Talcott, and Mr. Speaker—37.

NAYS—None.

Absent—McCuistion, Smith, and Williams—3.

Assembly Bill No. 312 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 283.

Remarks by Messrs. Burke, Hazard, and Amodei.

Roll call on Assembly Bill No. 283:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Sowers, Springer, Talcott, and Mr. Speaker—36.

NAYS—Conine.

Absent—McCuistion, Smith, and Williams—3.

Assembly Bill No. 283 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. McElroy moved the adoption of the preamble to Assembly Bill No. 283.

Preamble adopted.

Senate Bill No. 110.

Amendment proposed by Mr. Cahill: Amend section 1 of Senate Bill No. 110, page 2, lines 1 and 2 of the printed bill, by striking out the words "Nevada Tax Commission," and inserting in lieu thereof the words "State Treasurer of Nevada." Further amend section 1, page 2, line 31 of the printed bill, by striking out the words "Nevada Tax Commission," and inserting in lieu thereof the words "State Treasurer of Nevada."

Mr. Cahill moved the adoption of the amendment to section 1.

Remarks by Mr. Cahill.

Amendment adopted.

Amendment proposed by Mr. Cahill: Amend section 2 of Senate Bill No. 110, page 3, by striking out all of line 8, beginning with "All fees," all of lines 9, 10, 11, 12, and 13, ending with the words "carry them," and substitute in lieu thereof the following: "All fees received by the State Treasurer of Nevada shall be carried."

Mr. Cahill moved the adoption of the amendment to section 2.

Amendment adopted.

Remarks by Mr. Cahill.

Roll call on Senate Bill No. 110:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Carroll, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Sowers, Springer, Talcott, Williams, and Mr. Speaker—35.

NAYS—None.

Absent—Burke, Case, McCuistion, and Smith—4.

Not voting—Caldwell.

Senate Bill No. 110 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Senate Bill No. 106.

Mr. Springer moved that Assembly Bill No. 106 be rereferred to a Joint Committee on Ways and Means and Mines and Mining.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Enrollment has carefully compared Assembly enrolled bills Nos. 69, 159, 208, 211, 225, 234, 247, 272, 2, 90, 94, 112, 166, 167, 171, 181, 184, 206, 209, 214, 218, 226, 241, 280, and Assembly Joint Resolutions Nos. 6, 17, 8, and 10 with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Governor. R. R. GERMAIN, *Chairman*.

GENERAL FILE AND THIRD READING

Senate Bill No. 121.

Remarks by Mr. Springer.

Roll call on Senate Bill No. 121:

YEAS—Amodei, Barr, Bernard, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—35.

NAYS—None.

Absent—Burke, Cahill, and McCuistion—3.

Not voting—Brooks and Brown—2.

Senate Bill No. 121 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 111.

Remarks by Mr. Smith.

Roll call on Senate Bill No. 111 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—36.

NAYS—None.

Absent—Cahill and McCuiston—2.

Not voting—Loomis and Mr. Speaker—2.

Senate Bill No. 111 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 30.

Mr. Curtis moved that Senate Bill No. 30 be tabled.

Roll call on motion requested by Messrs. Shelly, Brown, and Loomis.

Roll call on motion to table Senate Bill No. 30 :

YEAS—Barr, Brown, Curtis, Davidson, and Hussman—5.

NAYS—Amodei, Bernard, Brooks, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, David, Drumm, Fee, Fisher, Germain, Hazard, Kennett, Loomis, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—33.

Absent—McCuiston.

Not voting—Mr. Speaker.

Motion lost.

Remarks by Mr. Oldham.

Messrs. Loomis, David, and Murphy moved the previous question.

Roll call on Senate Bill No. 30.

YEAS—Amodei, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, David, Drumm, Fisher, Germain, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Sampson, Shelly, Smith, Sowers, Springer, and Talcott—26.

NAYS—Barr, Bernard, Brown, Burke, Curtis, Davidson, Fee, Hazard, Richard, Russell, Sloan, and Williams—12.

Not voting—Brooks and Mr. Speaker—2.

Senate Bill No. 30 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 130.

Remarks by Messrs. McCuiston and Cahill.

Mr. McCuiston moved that Senate Bill No. 130 be rereferred to the Committee on Roads and Highways.

Carried.

Senate Substitute for Senate Bill No. 15.

Remarks by Mr. Smith.

Mr. Hazard moved that Senate Substitute for Senate Bill No. 15 be tabled.

Carried.

Assembly Bill No. 301.

Remarks by Messrs. Talcott and Shelly.

Mr. Talcott moved that Assembly Bill No. 301 be referred to a Joint Committee on Taxation and Social Welfare.

Carried.

INTRODUCTION AND FIRST READING

Unanimous consent was given to Mr. Curtis to introduce a bill.
Assembly Bill No. 313.

An Act to amend the title to and to amend an Act entitled "An Act making the assignment of wages, salary, or earnings under certain conditions conclusive evidence of fraud," approved March 14, 1917.

On motion of Mr. Curtis, duly seconded, all rules were suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution, and placed on third reading and final passage.

GENERAL FILE AND THIRD READING

Assembly Bill No. 313.

Remarks by Messrs. Curtis, Hazard, Loomis, and Shelly.

Roll call on Assembly Bill No. 313:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Hazard, Hussman, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—36.

NAYS—None.

Absent—Burke, Cabill, Germain, and Kennett—4.

Assembly Bill No. 313 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 103.

Mr. Hazard moved the adoption of the amendment to section 11.

Amendment adopted.

Remarks by Mr. Hazard.

Roll call on Senate Bill No. 103:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Hazard, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—34.

NAYS—None.

Absent—Cabill, Germain, Hussman, and Kennett—4.

Not voting—Burke and Caldwell—2.

Senate Bill No. 103 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Bill No. 7.

Mr. Shelly moved that Assembly Bill No. 7 be indefinitely postponed.

Remarks by Mr. Oldham.

Messrs. Brown, Burke, and Loomis moved the previous question.

Motion lost.

Amendment proposed by Messrs. Brooks, Brown, Davidson, and Loomis: Amend section 3 of Assembly Bill No. 7 by striking out in line 3, page 3 of the printed bill, the word "more," and insert in lieu thereof the word "less." Further amend section 3 by striking out in line 4 the figures "5,000," and insert in lieu thereof the figures "15,000."

Mr. Loomis moved the adoption of the amendment to section 3.

Amendment lost.

Amendments proposed by Mr. Oldham: Amend section 3 of Assembly Bill No. 7 by striking out in line 3 of the printed bill, following the word "city" where it occurs the second time, the following: "having population of more than 5,000 according to the last preceding Federal or State census," and insert in lieu thereof "in the State of Nevada."

Mr. Oldham moved the adoption of the amendment to section 3.

Amendment adopted.

Further amend section 4 of Assembly Bill No. 7 by striking out at the beginning of line 15, page 5 of the printed bill, the words "twenty-five residents," and insert in lieu thereof the following: "electors equal in number to ten percent of the registered voters at the last municipal election."

Mr. Oldham moved the adoption of the further amendment to section 4.

Remarks by Messrs. Oldham and Davidson.

Amendment adopted.

Remarks by Messrs. Oldham, Loomis, Cooper, and Shelly.

Roll call on Assembly Bill No. 7:

YEAS—Amodei, Burke, Coleman, Cooper, Curtis, Fee, Fisher, Hazard, Lynch, McElroy, Oldham, Richard, Sampson, Sloan, and Sowers—15.

NAYS—Bernard, Brooks, Brown, Cahill, Conine, Davidson, Drumm, Hussman, Loomis, McCuiston, Murphy, Shelly, Smith, Talcott, Williams, and Mr. Speaker—16.

Absent—David and Kennett—2.

Not voting—Barr, Caldwell, Carroll, Case, Germain, Russell, and Springer—7.

Assembly Bill No. 7 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Mr. Brown moved that Assembly Bill No. 9 be tabled.

Carried.

Mr. Brown moved that Assembly Bill No. 145 be tabled.

Carried.

Assembly Bill No. 300.

Mr. Shelly moved the adoption of the amendment to section 1.

Amendment adopted.

Mr. Shelly moved the adoption of the further amendment to section 1.

Amendment adopted.

Mr. Hazard moved the adoption of the amendment.

Mr. Bernard moved that Assembly Bill No. 300 be placed on the bottom of the general file.

Carried.

Senate Bill No. 132.

Remarks by Messrs. Davidson and Hazard.

Roll call on Senate Bill No. 132:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Caldwell, Carroll, Case, Coleman, Cooper, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell,

Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—35.

NAYS—None.

Absent—Burke, Cahill, Curtis, and David—4.

Not voting—Conine.

Senate Bill No. 132 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 133.

Remarks by Mr. Hazard.

Roll call on Senate Bill No. 133:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Caldwell, Carroll, Case, Coleman, Conine, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Williams, and Mr. Speaker—33.

NAYS—None.

Absent—Burke, Cahill, Cooper, Curtis, David, Loomis, and Talcott—7.

Senate Bill No. 133 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Oldham moved that the Assembly recess until 8 p. m.

Carried.

Assembly in recess at 5:10 p. m.

HOUSE IN SESSION

At 8:28 p. m.

Mr. Speaker in the Chair.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Select Committee of Elko County Delegation 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.

J. W. OLDHAM.

J. F. McELROY.

MORLEY MURPHY.

M. E. MCCUISTION.

Mr. Speaker:

Your Committee on Judiciary has had Senate Substitute for Assembly Bill No. 46 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

WM. KENNETT, *Chairman.*

Mr. Speaker:

Your Committee on Irrigation has had Senate Bill No. 59 and Assembly Bill No. 299 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

IRVIN CASE, *Chairman.*

Mr. Speaker:

Your Committee on Ways and Means has had Senate Bill No. 90 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

R. E. CAHILL, *Chairman.*

Mr. Speaker:

The majority of your Joint Committee on Ways and Means and State Publicity has had Senate Bill No. 13 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

H. E. HAZARD.

IRVIN CASE.

M. E. MCCUISTION.

CHARLES V. WILLIAMS.

PETER A. BURKE.

C. L. CALDWELL.

H. E. SPRINGER.

R. E. CAHILL.

THOMAS CARROLL.

CHAS. RUSSELL.

The minority of your Joint Committee on Ways and Means and State Publicity has had Senate Bill No. 13 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

CLAUDE H. SMITH,
ERNEST BROOKS,

GEORGE G. HUSSMAN,
R. R. GERMAIN.

Also, your Joint Committee on Ways and Means and State Publicity has had Senate Bill No. 14 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

R. E. CAHILL, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

Resolution providing for the payment of certain contingent expenses.

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 statement attached, and the State Treasurer is hereby directed to pay the same:

Harry's Business Machines, Incorporated.....	\$20.00
Armanko Stationery Company.....	31.86
A. Carlisle and Company of Nevada.....	147.90
Nevada Sales Agency.....	100.00
A. G. Meyers Company.....	10.15
Washoe Hardware Company.....	10.00
Underwood Elliott Fisher Company.....	40.00
Bell Telephone Company of Nevada.....	15.90

Mr. Cooper moved the adoption of the resolution.

Remarks by Mr. Cooper

Resolution adopted.

Mr. Kennett moved that Assembly Substitute for Assembly Bill No. 56 be withdrawn from the Committee on Judiciary and placed on the Chief Clerk's desk.

Carried.

Mr. Kennett moved that the Assembly concur in the Senate amendments to Assembly Substitute for Assembly Bill No. 56.

Remarks by Mr. Davidson.

Mr. Loomis moved that the amendment be tabled.

Carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 16.

Remarks by Messrs. Davidson, Hazard, Shelly, Cooper, Loomis, and Barr.

Roll call on Senate Bill No. 16:

YEAS—Barr, Caldwell, Carroll, Cooper, David, Fee, Fisher, Hazard, Lynch, Richard, and Sloan—11.

NAYS—Brooks, Brown, Burke, Cahill, Davidson, Drumm, Hussman, Loomis, McCuiston, McElroy, Murphy, Oldham, Russell, Shelly, Smith, Springer, Talcott, and Williams—18.

Absent—Bernard and Conine—2.

Not voting—Amodei, Case, Coleman, Curtis, Germain, Kennett, Sampson, Sowers, and Mr. Speaker—9.

Senate Bill No. 16 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Senate Bill No. 73.

Remarks by Mr. Davidson.

Roll call on Senate Bill No. 73:

YEAS—Barr, Cooper, David, Fisher, Hazard, Lynch, Richard, Russell, Sampson, Sloan, and Talcott—11.

NAYS—Amodei, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Case, Curtis, Davidson, Drumm, Germain, Hussman, Loomis, McCuistion, McElroy, Murphy, Oldham, Shelly, Smith, Sowers, and Williams—21.

Absent—Burke and Conine—2.

Not voting—Carroll, Coleman, Fee, Kennett, Springer, and Mr. Speaker—6.

Senate Bill No. 73 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Senate Bill No. 94.

Remarks by Mr. Loomis.

Roll call on Senate Bill No. 94:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Case, Cooper, Curtis, David, Davidson, Drumm, Fisher, Germain, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Russell, Shelly, Sloan, Smith, Sowers, Talcott, and Williams—31.

NAYS—None.

Absent—Burke and Conine—2.

Not voting—Coleman, Fee, Hazard, Richard, Sampson, Springer, and Mr. Speaker—7.

Senate Bill No. 94 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 99.

Mr. Kennett moved the adoption of the amendment.

Remarks by Mr. Loomis.

Mr. Hazard moved that Assembly Bill No. 99 be rereferred to the Committee on Judiciary.

Carried.

Senate Bill No. 137.

Remarks by Mr. Curtis.

Roll call on Senate Bill No. 137:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Case, Coleman, Cooper, Curtis, David, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Lynch, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Smith, Sowers, Talcott, and Williams—31.

NAYS—Davidson, McCuistion, and McElroy—3.

Absent—Burke and Conine—2.

Not voting—Loomis, Sloan, Springer, and Mr. Speaker—4.

Senate Bill No. 137 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 66.

Remarks by Mr. Oldham.

Roll call on Senate Bill No. 66:

YEAS—Amodei, Barr, Bernard, Burke, Cahill, Carroll, Case, Cooper, Curtis, David, Drumm, Fee, Fisher, Germain, Hazard, Kennett, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—29.

NAYS—McCuistion.

Absent—Conine.

Not voting—Brooks, Brown, Caldwell, Coleman, Davidson, Hussman, Loomis, Sampson, and Mr. Speaker—9.

Senate Bill No. 66 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 67.

Remarks by Mr. Oldham.

Roll call on Senate Bill No. 67:

YEAS—Amodei, Barr, Bernard, Burke, Cahill, Caldwell, Carroll, Case, Cooper, Curtis, David, Drumm, Fee, Fisher, Hazard, Kennett, Lynch, McElroy, Murphy, Oldham, Russell, Shelly, Sloan, Smith, Sowers, Springer, and Talcott—27.

NAYS—None.

Absent—Conine, Germain, and Williams—3.

Not voting—Brooks, Brown, Coleman, Davidson, Hussman, Loomis, McCuistion, Richard, Sampson, and Mr. Speaker—10.

Senate Bill No. 67 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 300.

Amendment proposed by Mr. Bernard: Amend Assembly Bill No. 300, page 2, by adding a new paragraph following line 17 to read as follows: "Route 1c. Beginning on Route 2a at a point 3.4 miles west of the intersection with Route 1b, thence southeasterly to a connection with Route 1b four miles more or less north of the Towle ranch."

Mr. Bernard moved the adoption of the amendment.

Amendment adopted.

Remarks by Messrs. Smith and Oldham.

Roll call on Assembly Bill No. 300:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Cooper, Curtis, David, Davidson, Drumm, Fee, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—38.

NAYS—None.

Absent—Conine.

Not voting—Fisher.

Assembly Bill No. 300 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Joint Resolution No. 12.

Remarks by Mr. Oldham.

Roll call on Senate Joint Resolution No. 12:

YEAS—Barr, Bernard, Brooks, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Cooper, Curtis, David, Davidson, Drumm, Fee, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Russell, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—34.

NAYS—None.

Absent—Amodei, Brown, and Conine—3.

Not voting—Fisher, Richard, and Sampson—3.

Senate Joint Resolution No. 12 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Hazard moved that the Assembly rescind its action on Assembly Bill No. 137.

Carried.

Mr. Hazard moved that Senate Bill No. 137 be placed on top of the general file.

Carried.

MESSAGES FROM THE SENATE

To the Honorable the Assembly:

I have the honor herewith to return to your honorable body Assembly Bill No. 243, which passed the Senate by the following vote: Yeas, 16; nays, none; absent, 1.

Also, Assembly Bill No. 245, which passed: Yeas, 17; nays, none.

Also, Assembly Bill No. 288, which passed: Yeas, 15; nays, none; absent, 1; not voting, 1.

Also, to present for your consideration Senate Bill No. 80, which passed, as amended, by the following vote: Yeas, 17; nays, none. Amend as follows:

Amend section 1 of Senate Bill No. 80 by striking in line 9, page 1, and line 1, page 2 of the printed bill, the following: "the Department of Employment and Compensation, the Office of Commissioner of Employment and Compensation, and a," and substitute in lieu thereof the following: "the Office of Director, a."

Amend section 2 of Senate Bill No. 80 by striking on page 3, lines 4, 5, and 6 of the printed bill, the following: "means the Commissioner of the Department of Employment and Compensation of the State of Nevada, as in this Act provided," and substitute in lieu thereof the following: "as used in section 10(a), 11(f), 12(a), 12(b), 13(a), and 13(b), means the Labor Commissioner of the State of Nevada; in all other sections and parts of sections of this Act, the word 'commissioner' shall be deemed to mean the Director of the Unemployment Compensation Division."

Amend section 9 of Senate Bill No. 80, amending section 10 of the Act, by striking on page 25 of the printed bill the lines from 15 to 32, inclusive, on said page, and immediately following thereafter the lines 1 and 2, page 26 of the printed bill, and substitute in lieu thereof the following: "Sec. 10. (a) *Unemployment Compensation Division*. There is hereby created under the Labor Commissioner a division to be known as the Unemployment Compensation Division, which shall be coordinate with the Nevada State Employment Service. The Unemployment Compensation Division shall be administered by a full-time salaried director, who shall be appointed and whose salary shall be fixed by the Governor, but who shall be subject to the supervision of the Commissioner. Said Unemployment Compensation Division and the Nevada State Employment Service Division shall be responsible for the discharge of its distinctive functions. Each division shall be a separate administrative unit with respect to personnel, budget and duties except insofar as the Commissioner may find that such separation is impracticable. The Commissioner is authorized to appoint, fix the compensation of, and prescribe the duties of the Director of the Nevada State Employment Service Division in accordance with the provisions of section 12 of this Act."

Amend section 10 of Senate Bill No. 80, amending section 11 of the Act, page 29 of the printed bill, by striking in line 7 the word "commissioner," and by inserting in lieu thereof the word "director"; by also striking in line 15 on said page 29 of the printed bill, the word "commissioner," and by inserting in lieu thereof the word "director."

Amend section 11 of Senate Bill No. 80, amending section 12 of this Act, page 33 of the printed bill, beginning in line 30 thereof, by striking the words "Commissioner of Employment and Compensation," and by inserting in lieu thereof the words "Labor Commissioner." Further amend section 11 of Senate Bill No. 80, amending section 12 of said Act, page 33 of the printed bill, beginning in line 31 of said page, by striking the words "of the Department of Employment and Compensation." Further amend section 11 of Senate Bill No. 80, amending section 12 of the Act, page 34 of the printed bill, lines 20 and 21 thereof, by striking the words "Commissioner of Employment and Compensation of the State of Nevada," and inserting in lieu thereof the words "Labor Commissioner"; and in line 23 of said page by striking the word "assistant."

Amend section 2 of Senate Bill No. 80 by striking in lines 7 and 8, page 7,

the words "as an employee," and substitute in lieu thereof "in the employ of an employer."

Amend section 3 of Senate Bill No. 80 by striking in line 32, page 8, the words "in the employ of an employer."

Also, Assembly Bill No. 201, for further consideration, as the Senate Committee refused to recede from their amendments.

Also, Senate Bill No. 141, which passed, as amended: Yeas, 11; nays, 5; absent, 1. Amend as follows: Amend section 3, page 4, line 8, after the word "agents" insert the words "commission agents." Further amend in section 4, page 6, lines 4 and 5, after the word "property" insert the words "for the year 1939." Further amend in section 9, page 11 of the printed bill, line 14, after the word "fraction" insert the words "per one hundred pounds."

Also, to return Assembly Bill No. 248, which passed, as amended: Yeas, 17; nays, none. Amend as follows: Section 1, page 2, line 18, strike the word "State" as it first appears in said line and insert in lieu thereof the word "county." Further amend in said line 18, page 2, by striking the word "State" (the last word in said line), and the word "and," being the first word of line 19, page 2.

Also, to present Senate Bill No. 124, which passed: Yeas, 15; nays, none; absent, 1; not voting, 1.

Also, Senate Bill No. 125, which passed: Yeas, 15; nays, none; absent, 1; not voting, 1.

Also, Senate Bill No. 126, which passed: Yeas, 15; nays, none; absent, 1.

Also, Senate Bill No. 127, which passed: Yeas, 15; nays, none; absent, 2.

Also, Senate Bill No. 144, which passed: Yeas, 16; nays, none; absent, 1.

Also, Senate Joint Resolution No. 13, which passed: Yeas, 16; nays, none; absent, 1.

Also, Senate Substitute for Assembly Bill No. 21, which passed: Yeas, 16; nays, none; absent, 1.

Also, Senate Joint Resolution No. 3 of the Thirty-eighth Session, which passed the Senate by the following vote: Yeas, 12; nays, 5.

Also, to present Senate Concurrent Resolution No. 7, which was this day adopted.

F. BUCKINGHAM,

Assistant Secretary of the Senate.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Burke moved that the Assembly concur in the Senate amendment to Assembly Bill No. 201.

Carried.

Mr. Barr moved the Assembly concur in the Senate amendments to Assembly Bill No. 248.

Carried.

Mr. Davidson moved that the Assembly concur in the Assembly Substitute for Assembly Bill No. 121.

Carried.

Mr. Davidson moved the Assembly rescind its action taken on Assembly Bill No. 121.

Carried.

Senate Joint Resolution No. 3 of the Thirty-eighth Session was rejected on a point of order raised by Mr. Oldham.

INTRODUCTION AND FIRST READING

Senate Concurrent Resolution No. 7.

Mr. Oldham moved that Senate Concurrent Resolution No. 7 be tabled.

Carried.

Senate Bill No. 80.

Mr. Oldham moved that 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. 141.

Mr. Oldham moved that 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. 124.

Mr. Oldham moved that 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. 125.

Mr. Oldham moved that 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. 126.

Mr. Oldham moved that 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. 127.

Mr. Oldham moved that 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. 144.

Mr. Oldham moved that 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. 13.

Mr. Oldham 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 Substitute for Assembly Bill No. 21.

Mr. Shelly moved the bill be referred to the Committee on Judiciary and ordered printed.

Carried.

Mr. Davidson amended the motion that the Assembly concur in the Senate Substitute for Assembly Bill No. 21.

Amendment lost.

Original motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Engrossment hereby certifies that bound copy of Assembly Joint Resolution No. 20, hereto attached, is a correct copy of the triplicate thereof in its possession.

L. K. DRUMM, *Chairman.*

Mr. Speaker:

Your Committee on Labor has had Senate Bills Nos. 80 and 87 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

H. E. HAZARD, *Chairman.*

Mr. Speaker:

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

CLAUDE SMITH, *Chairman.*

Mr. Speaker:

Your Committee on Judiciary has had Assembly Bill No. 99, with amendments thereto, under consideration, and begs leave to report favorably on the same, with the recommendation that the amendments be adopted, and that the bill do pass as amended.

Amend section 1 of Assembly Bill No. 99 by striking out, after the word "license" where it occurs the first time, line 5, page 1 of the printed bill, the words "or a renewal of a license." Further amend section 1 of Assembly Bill No. 99 by inserting after the period following the word "agents," in line 11, page 1 of the printed bill, the following: "Each fire insurance company, before it shall receive a renewal of a license, shall file any change in its existing rates, during the year just past. If there shall be a change, the said rates as changed shall be approved by the commissioner."

Amend section 1 of Assembly Bill No. 99 by inserting in line 1, page 2 of the printed bill, after the word "filed" the following: "not less than thirty (30) days prior to the effective date." Further amend Assembly Bill No. 99, page 2, by striking the figure "3," and insert in lieu thereof the figure "2."

WM. KENNETT, *Chairman.*

Mr. Oldham moved the Assembly adjourn until Thursday, March 16, 1939, at 10 a. m.

Carried.

Assembly adjourned at 10:37 p. m.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

THE SIXTIETH DAY

CARSON CITY (Thursday), March 16, 1939.

Assembly called to order at 10 a. m.

Mr. Speaker in the Chair.

Roll called.

All present.

Prayer by the Chaplain, Rev. A. S. Kean.

Mr. Oldham moved the reading of the Journal be dispensed with, and that the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Carried.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Hazard moved that Senate Bill No. 80 be placed on top of the general file.

Carried.

Mr. Oldham moved that Senate Bill No. 87 be rereferred to the Committee on Ways and Means.

Carried.

Mrs. Drumm moved that Senate Bill No. 47 be withdrawn from the Committee on Agriculture and placed on the Chief Clerk's desk.

Carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 80.

Remarks by Messrs. Hazard and Shelly.

Roll call on Senate Bill No. 80:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Sampson, Shelly, Sloan, Smith, Sowers, Talcott, and Williams—35.

NAYS—None.

Absent—Kennett and Russell.

Not voting—Conine, Springer, and Mr. Speaker—3.

Senate Bill No. 80 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 137.

Amendment proposed by Mr. Coleman: Amend section 3 of Senate Bill No. 137, page 3, line 3 of the printed bill, by striking out the word "May," and in line 4 the numbers and words "30, and November 11," and substituting in lieu thereof "except when July 4 falls on Sunday."

Mr. Coleman moved the adoption of the amendment to section 3.

Amendment adopted.

Remarks by Mr. Hazard.

Roll call on Senate Bill No. 137:

YEAS—Amodei, Barr, Bernard, Brown, Burke, Carroll, Coleman, Cooper,

Curtis, David, Fisher, Germain, Hazard, Kennett, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Smith, Sowers, Springer, Talcott, and Williams—27.

NAYS—McCuiston.

Absent—Cahill and Fee—2.

Not voting—Brooks, Caldwell, Case, Conine, Davidson, Drumm, Hussman, Loomis, Sloan, and Mr. Speaker—10.

Senate Bill No. 137 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Education has had Assembly Bill No. 307 and Senate Bill No. 99 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

HENRY S. COLEMAN, *Chairman.*

Mr. Speaker:

Your Committee on Ways and Means has had Senate Bills Nos. 141, 134, 135, 58, and Assembly Bills Nos. 310 and 311 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

Also, the majority of your Committee on Ways and Means has had Assembly Joint Resolution No. 14 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

MR. MCCUISTON. MR. WILLIAMS,
MR. HUSSMAN, MR. CASE.

Also, the minority of your Committee on Ways and Means has had Assembly Joint Resolution No. 14 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

MR. CAHILL,
MR. SPRINGER,
MR. SMITH.

Also, your Joint Committee on Ways and Means and Mines and Mining has had Senate Bill No. 106 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. 106, page 1, line 4 of the printed bill, by striking out the words and figures "ten thousand (\$10,000)," and insert in lieu thereof the words and figures "seven thousand five hundred (\$7,500)."

R. E. CAHILL, *Chairman.*

Mr. Speaker:

Your Committee on Roads and Highways has had Assembly Joint Resolution No. 20 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

CLAUDE SMITH, *Chairman.*

Mr. Speaker:

Your Committee on Banks and Banking has had Senate Bills Nos. 125, 126, and 127 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

J. W. OLDHAM, *Chairman.*

Mr. Speaker:

Your Committee on Banks and Banking has had Senate Bill No. 124 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. 124, page 1, line 4 of the printed bill, by inserting after the word "minors" the words "with the written consent of their parents or trustees or guardians." Further amend on page 1, line 8, by inserting after the word "minors" the words "and parent or trustee or guardian."

J. W. OLDHAM, *Chairman.*

Mr. Speaker:

Your Committee on Free Conference has had Assembly Bill No. 134 under

consideration, and begs leave to report same, with an amendment thereto, with the recommendation that the amendment be adopted, and that the bill do pass, as amended.

Amend section 1 of Assembly Bill No. 134 by striking out after the word "dollars" in line 5, page 2 of the printed bill, all the remainder of lines 5, 6, 7, and 8, down to the semicolon in line 8 following the word "year," and insert in lieu thereof the following: "for each of the years 1939 and 1940 to be expended by the Nevada State Agricultural Society for the purposes herein specified."

JOHN E. ROBBINS,
W. T. DRESSLER,
RALPH LATTIN,

CLAUDE SMITH,
LUELLA K. DRUMM,
F. S. TALCOTT.

Mr. Smith moved the adoption of the report of the Free Conference Committee on Assembly Bill No. 134.

Carried.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Cahill moved that Senate Bill No. 13 be withdrawn from the general file and rereferred to the Committee on Ways and Means.

Carried.

Mr. Cahill moved that Assembly Bills Nos. 310 and 311, and Senate Bills Nos. 106, 58, 135, 141, and 134, and Assembly Joint Resolution No. 14 be placed on top of the general file.

Carried.

Mr. Cahill moved that Assembly Rule No. 9 be suspended for the remainder of this legislative day.

Carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 310.

Remarks by Messrs. Cahill and Cooper.

Amendment proposed by Mr. Oldham: Amend section 1 of Assembly Bill No. 310 by striking in line 2 the word "annually," and insert in lieu thereof the words "for each of the years 1939 and 1940."

Mr. Oldham moved the adoption of the amendment.

Remarks by Messrs. Oldham and Cahill.

Amendment adopted.

Roll call on Assembly Bill No. 310:

YEAS—Amodei, Barr, Bernard, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—38.

NAYS—None.

Not voting—Brooks and Mr. Speaker—2.

Assembly Bill No. 310 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Bill No. 311.

Remarks by Mr. Cahill.

Roll call on Assembly Bill No. 311:

YEAS—Amodei, Barr, Bernard, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston,

McElroy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—37.

NAYS—Murphy.

Not voting—Brooks and Mr. Speaker—2.

Assembly Bill No. 311 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 106.

Mr. Springer moved the adoption of the committee amendment.

Amendment adopted.

Roll call on Senate Bill No. 106 :

YEAS—Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—37.

NAYS—None.

Absent—Amodei and Curtis—2.

Not voting—Mr. Speaker.

Senate Bill No. 106 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Senate Bill No. 58.

Remarks by Mr. Cahill.

Roll call on Senate Bill No. 58 :

YEAS—Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Coleman, Conine, Cooper, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—33.

NAYS—None.

Absent—Amodei, Burke, Case, Curtis, and Oldham—5.

Not voting—Richard and Mr. Speaker—2.

Senate Bill No. 58 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Joint Resolution No. 14.

Remarks by Messrs. Oldham and Cahill.

Roll call on Assembly Joint Resolution No. 14 :

YEAS—Caldwell, Case, Cooper, Hussman, Loomis, McCuistion, McElroy, Murphy, Oldham, Shelly, Sowers, and Talcott—15.

NAYS—Bernard, Brown, Cahill, Carroll, Conine, Curtis, David, Hazard, Lynch, Russell, and Smith—11.

Absent—Brooks and Williams—2.

Not voting—Amodei, Barr, Burke, Coleman, Fisher, Germain, Kennett, Richard, Sampson, Sloan, Springer, and Mr. Speaker—12.

Assembly Joint Resolution No. 14 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

There being no objection, the Speaker and the Chief Clerk signed Senate Concurrent Resolution No. 6, and Senate Bills Nos. 117 and 113.

Senate Bill No. 135.

Remarks by Mr. Cahill.

Roll call on Senate Bill No. 135 :

YEAS—Amodei, Barr, Bernard, Brown, Burke, Cahill, Caldwell, Carroll,

Case, Coleman, Conine, Cooper, Curtis, David, Drumm, Fee, Fisher, Hazard, Kennett, Lynch, McElroy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—32.

NAYS—Germain and Murphy—2.

Absent—Davidson and Loomis—2.

Not voting—Brooks, Hussman, McCuistion, and Mr. Speaker—4.

Senate Bill No. 135 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 141.

Roll call on Senate Bill No. 141:

YEAS—Amodei, Cahill, Caldwell, Case, Conine, Cooper, David, Drumm, Fee, Germain, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Oldham, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, and Talcott—25.

NAYS—Carroll, Curtis, Davidson, Fisher, Murphy, Richard, and Williams—7.

Not voting—Barr, Bernard, Brooks, Brown, Burke, Coleman, Hazard, and Mr. Speaker—8.

Senate Bill No. 141 having received a constitutional majority, Mr. Speaker declared it passed.

REPORTS OF COMMITTEES

Mr. Speaker:

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

WM. KENNETT, *Chairman.*

Committee on Ways and Means excused.

GENERAL FILE AND THIRD READING

Senate Bill No. 134.

Remarks by Messrs. Shelly, Barr, Cooper, and Oldham.

Roll call on Senate Bill No. 134:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Caldwell, Coleman, Conine, Curtis, David, Davidson, Drumm, Fisher, Germain, Hazard, Kennett, Lynch, McElroy, Murphy, Oldham, Richard, Sampson, Shelly, Sloan, Sowers, Talcott, and Mr. Speaker—28.

NAYS—Cooper and Loomis—2.

Absent—Cahill, Carroll, Case, Hussman, McCuistion, Russell, Smith, Springer, and Williams—9.

Not voting—Fee.

Senate Bill No. 134 having received a constitutional majority, Mr. Speaker declared it passed.

There being no objection, the Speaker and the Chief Clerk signed Assembly Bills Nos. 114, 136, 143, 149, 161, 164, 173, 193, 204, 205, 232, 271, 275, 276, 285, and Assembly Joint Resolution No. 12.

Mr. Oldham moved that the Assembly recess until 2 p. m.

Carried.

Assembly in recess at 12:05 p. m.

HOUSE IN SESSION

At 2:25 p. m.

Mr. Speaker in the Chair.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary has had Senate Bill No. 144 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

WM. KENNETT, *Chairman.*

Mr. Speaker:

Your Committee of Free Conference has had Assembly Bill No. 133 under consideration, and begs leave to report same with an amendment thereto, with the recommendation that the amendment be adopted and that the bill, as amended, do pass. Amend section 1 of Assembly Bill No. 133 by striking out after the word "dollars" in line 4, page 1 of the printed bill, all the remainder of lines 4 and 5 and including the first two words in line 6, and insert in lieu thereof the following: "for each of the years 1939 and 1940."

JOHN E. ROBBINS,	J. W. OLDHAM,
RALPH LATTIN,	MORLEY MURPHY,
W. F. DRESSLER,	R. E. CAHILL.

Mr. Oldham moved the adoption of the Free Conference report on Assembly Bill No. 133.

Conference Committee report adopted.

Mr. Speaker:

Your Committee on Ways and Means has had Senate Substitute for Senate Bill No. 82 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

R. E. CAHILL, *Chairman.*

Mr. Cahill moved that Senate Substitute for Assembly Bill No. 138 be placed at the top of the general file.

Carried.

MESSAGES FROM THE SENATE

To the Honorable the Assembly:

I have the honor herewith to return to your honorable body Assembly Substitute for Assembly Bill No. 138, which passed the Senate by the following vote: Yeas, 14; nays, 1; absent, 1; not voting, 1.

Also, Assembly Bill No. 249, which passed: Yeas, 15; nays, 2.

Also, Assembly Bill No. 118, which passed: Yeas, 17; nays, none.

Also, Assembly Bill No. 292, which passed: Yeas, 10; nays, 6; not voting, 1.

Also, Assembly Substitute for Assembly Bill No. 107, which passed; Yeas, 17; nays, none.

Also, Assembly Bill No. 217, which passed, as amended: Yeas, 17; nays, none. Amend as follows: Amend section 1 by striking out in section 1, page 3, line 3, the word "fifteen," and the figures "(15¢)," and insert in lieu thereof the words "seven and one-half," and figures "(7½¢)."

Also, Assembly Bill No. 13, which passed, as amended: Yeas, 15; nays, 2. Amend as follows: Amend section 1 in line 13, page 2, by inserting the words "or working" as they appear in the printed bill and having been stricken by the Assembly amendment.

Also, Assembly Bill No. 309, which passed: Yeas, 14; nays, none; absent, 3.

Also, to present for your consideration Senate Bill No. 155, which was declared an emergency measure under the Constitution and passed by the following vote: Yeas, 15; nays, none; absent, 2.

Also, Senate Bill No. 153, which was declared an emergency measure under the Constitution, and passed by the following vote: Yeas, 16; nays, none; absent, 1.

Also, Senate Bill No. 150, which passed: Yeas, 17; nays, none.

Also, Senate Joint Resolution No. 14, which passed: Yeas, 15; nays, 1; absent, 1.

F. BUCKINGHAM,
Assistant Secretary of the Senate.

Mr. Conine moved that the Assembly concur in the Senate amendments to Assembly Bill No. 217.

Carried.

Mr. Hazard moved that the Assembly concur in the Senate amendments to Assembly Bill No. 13.

Carried.

GENERAL FILE AND THIRD READING

Senate Substitute for Senate Bill No. 82.

Mr. Hazard asked that the following remarks be entered in the Journal: "I am opposed to the passage of Senate Substitute for Senate Bill No. 82. This bill calls for the distribution of Boulder Dam revenues accruing over a period of fifty years, amounting to \$50,000,000. I feel that the distribution as provided in this bill is unfair to Clark County and I am opposed to accepting this unfair distribution. I feel that the matter should be given further study as provided for in Assembly Bill No. 306, which passed this body last night, and on the basis of such a study a fairer and more equitable distribution may be worked out by the next session of the Legislature."

Mr. Carroll asked that the following remarks be entered in the Journal: "I heartily concur in Mr. Hazard's remarks, and will say that the people of Clark County are decidedly opposed to this apportionment of Boulder Dam money. I think he is right in recommending that this bill do not pass."

Mr. Sloan asked that his remarks be entered in the Journal as follows: "I would like to express appreciation to our honorable Senator for the work that he has done, but I, too, feel that this amount of revenue proposed is not fair to Clark County. At the present time Clark County is paying out from \$75,000 to \$100,000 a year as a direct result of Boulder Dam. Certainly it is not fair to receive only 15% of the income to this State from that undertaking when the State itself has not been and will not be out one cent for that undertaking. Clark County has borne the entire burden. I feel that 15% is not proportionate at all, and oppose the measure."

Remarks by Mr. Cahill.

Mr. Burke moved that Senate Substitute for Senate Bill No. 82 be tabled.

Previous question moved by Messrs. Loomis, Davidson, and Curtis.

Motion lost.

Roll call on Senate Substitute for Senate Bill No. 82:

YEAS—None.

NAYS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—40.

Senate Substitute for Senate Bill No. 82 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

INTRODUCTION AND FIRST READING

Senate Bill No. 155.

Mr. Springer 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 Mineral County Delegation.

Carried.

Senate Bill No. 153.

Mr. Oldham moved that 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. 150.

Mr. Shelly moved that 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 Joint Resolution No. 14.

Mr. Oldham 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. Oldham :

Assembly Concurrent Resolution No. 12, directing the State Printer to index the Statutes of the Thirty-ninth Session of the Nevada Legislature.

WHEREAS, It is deemed to be of importance that the index to the Statutes of the State of Nevada be made by the printer of the statutes; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That the State Printer of the State of Nevada be and he is hereby directed to prepare and print the index to the Statutes of the Thirty-ninth Session.

Mr. Oldham moved the adoption of Assembly Concurrent Resolution No. 12.

Remarks by Mr. Oldham.

Resolution adopted.

There being no objection, the Speaker and the Chief Clerk signed Senate Bills Nos. 145, 111, 62, 121, 83, and Assembly Bill No. 156.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Enrollment has carefully compared Assembly enrolled Bills Nos. 114, 136, 143, 149, 161, 164, 173, 193, 204, 205, 232, 271, 275, 276, 279, 285, and Assembly Joint Resolution No. 12 with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Governor.

R. R. GERMAIN, *Chairman.*

GENERAL FILE AND THIRD READING

Senate Substitute for Assembly Bill No. 46.

Remarks by Mr. Loomis.

Roll call on Senate Substitute for Assembly Bill No. 46 :

YEAS—Barr, Bernard, Brooks, Brown, Burke, Caldwell, Carroll, Case, Cooper,

David, Davidson, Drumm, Germain, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Richard, Russell, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—29.

NAYS—Conine.

Absent—Amodei, Cahill, Curtis, Hazard, and Oldham—5.

Not voting—Coleman, Fee, Fisher, Sampson, and Mr. Speaker—5.

Senate Substitute for Assembly Bill No. 46 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No 59.

Remarks by Messrs. Loomis, Smith, Hazard, and Bernard.

Roll call on Senate Bill No. 59 :

YEAS—Barr, Bernard, Brown, Burke, Caldwell, Carroll, Case, Conine, Cooper, Drumm, Fisher, Germain, Hussman, Kennett, Lynch, McCuistion, McElroy, Murphy, Oldham, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Talcott, and Williams—27.

NAYS—None.

Absent—Amodei, Cahill, Curtis, Davidson, Fee, and Hazard—6.

Not voting—Brooks, Coleman, David, Loomis, Richard, Springer, and Mr. Speaker—7.

Senate Bill No. 59 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 299.

Remarks by Mr. Case.

Roll call on Assembly Bill No. 299 :

YEAS—Amodei, Barr, Bernard, Burke, Carroll, Case, Conine, Cooper, Davidson, Fisher, Germain, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Talcott, and Williams—28.

NAYS—Brooks.

Absent—Cahill, Curtis, Fee, and Hazard—4.

Not voting—Brown, Caldwell, Coleman, David, Drumm, Springer, and Mr. Speaker—7.

Assembly Bill No. 299 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. McCuistion moved that Senate Bill No. 90, reported out of committee unfavorably, be tabled.

Carried.

Assembly Concurrent Resolution No. 11.

Proposed by Mr. Bernard: Amend Assembly Concurrent Resolution No. 11, page 1, by adding a new paragraph after line 15 to read as follows: "*Resolved*, That the Highway Engineer of the State of Nevada be and he is hereby required and directed to place the mileage figures following the word Yerington on that certain mileage sign at the intersection of U. S. Route 395 and U. S. Route 50 in Carson City, and also the mileage to Salt Lake City via U. S. Route 50 at the same intersection; and be it further."

Mr. Bernard moved the adoption of the amendment.

Remarks by Messrs. Kennett, Oldham, Bernard, and Murphy.

Messrs. Loomis, Davidson, and McElroy moved the previous question. Amendment adopted.

Remarks by Mr. Russell.

Mr. David moved that Assembly Concurrent Resolution No. 11 be tabled.

Motion lost.

Remarks by Messrs. Oldham, Smith, Kennett, Williams, and Germain.

Messrs. Sowers, Oldham, and Murphy moved the previous question. Roll call on Assembly Concurrent Resolution No. 11:

YEAS—Bernard, Brown, Burke, Cahill, Caldwell, Case, Curtis, Davidson, Drumm, Hazard, Hussman, Loomis, McCuiston, McElroy, Murphy, Oldham, Sampson, Shelly, Sowers, Talcott, Williams, and Mr. Speaker—22.

NAYS—Amodei, Barr, Brooks, Carroll, Conine, Cooper, David, Fee, Fisher, Germain, Kennett, Lynch, Russell, and Smith—14.

Not voting—Coleman, Richard, Sloan, and Springer—4.

Assembly Concurrent Resolution No. 11 having received a constitutional majority, Mr. Speaker declared it adopted, as amended.

Senate Bill No. 14.

Remarks by Mr. McCuiston.

Mr. Oldham moved a call of the House.

Remarks by Messrs. Oldham and Germain.

Roll call on Senate Bill No. 14:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Talcott, Williams, and Mr. Speaker—39.

NAYS—Fisher.

Senate Bill No. 14 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Shelly moved that Assembly Bill No. 99 be rereferred to the Committee on Insurance.

Carried.

Senate Bill No. 47.

Remarks by Messrs. Drumm, Loomis, Bernard, and Cooper.

Roll call on Senate Bill No. 47:

YEAS—Amodei, Barr, Bernard, Brown, Caldwell, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Hazard, Hussman, Kennett, Lynch, McElroy, Murphy, Richard, Russell, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—28.

NAYS—Carroll.

Absent—Burke, Cahill, Fisher, McCuiston, and Oldham—5.

Not voting—Brooks, Case, Germain, Loomis, Sampson, and Mr. Speaker—6.

Senate Bill No. 47 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 307.

Remarks by Messrs. Coleman and Murphy.

Roll call on Assembly Bill No. 307:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Caldwell, Carroll, Coleman, Conine, Cooper, Curtis, Davidson, Drumm, Fee, Germain, Hussman, Kennett,

Loomis, Lynch, McCuiston, McElroy, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—31.

NAYS—Murphy.

Absent—Burke, Cahill, Case, Fisher, Hazard, and Oldham—6.

Not voting—David and Mr. Speaker—2.

Assembly Bill No. 307 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 99.

Remarks by Messrs. Coleman and Russell.

Roll call on Senate Bill No. 99 :

YEAS—Amodei, Barr, Bernard, Burke, Carroll, Case, Coleman, Cooper, Curtis, Davidson, Drumm, Germain, Hazard, Kennett, Lynch, McElroy, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—26.

NAYS—Hussman, Loomis, McCuiston, and Murphy—4.

Absent—Cahill, David, Fee, Fisher, and Oldham—5.

Not voting—Brooks, Brown, Caldwell, Conine, and Mr. Speaker—5.

Senate Bill No. 99 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Joint Resolution No. 20.

Remarks by Mr. Smith.

Roll call on Assembly Joint Resolution No. 20 :

YEAS—Amodei, Bernard, Brooks, Brown, Burke, Caldwell, Carroll, Case, Coleman, Curtis, David, Davidson, Drumm, Fee, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—34.

NAYS—None.

Absent—Cahill, Cooper, and Fisher—3.

Not voting—Barr, Conine, and Mr. Speaker—3.

Assembly Joint Resolution No. 20 having received a constitutional majority, Mr. Speaker declared it adopted.

Senate Bill No. 127.

Mr. Murphy moved that Senate Bill No. 127 be tabled.

Motion lost.

Remarks by Messrs. Oldham, Hazard, and Kennett.

Roll call on Senate Bill No. 127 :

YEAS—Amodei, Barr, Brooks, Brown, Burke, Carroll, Case, Coleman, Cooper, Curtis, Davidson, Drumm, Fee, Hazard, Hussman, Kennett, Loomis, Lynch, McElroy, Oldham, Richard, Russell, Sampson, Sloan, Smith, Sowers, Springer, Williams, and Mr. Speaker—29.

NAYS—Conine, David, Murphy, and Talcott—4.

Absent—Cahill, Caldwell, Fisher, and Shelly—4.

Not voting—Bernard, Germain, and McCuiston—3.

Senate Bill No. 127 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 126.

Remarks by Mr. Oldham.

Roll call on Senate Bill No. 126 :

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Carroll, Case, Coleman, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham,

Richard, Russell, Sampson, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—34.

NAYS—Conine.

Absent—Cahill, Caldwell, Fisher, McCuiston, and Shelly—5.

Senate Bill No. 126 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 125.

Remarks by Mr. Oldham.

Roll call on Senate Bill No. 125:

YEAS—Amodei, Barr, Bernard, Brooks, Burke, Carroll, Case, Coleman, Cooper, Curtis, David, Davidson, Drumm, Fee, Germain, Hussman, Kennett, Lynch, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—32.

NAYS—Conine.

Absent—Cahill, Caldwell, Fisher, Hazard, Loomis, McCuiston, and Shelly—7.

Senate Bill No. 125 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 124.

Mr. Oldham moved the adoption of the amendment.

Amendment adopted.

Roll call on Senate Bill No. 124.

YEAS—Amodei, Barr, Brooks, Brown, Burke, Carroll, Case, Coleman, Cooper, Curtis, David, Davidson, Drumm, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Oldham, Russell, Richard, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—31.

NAYS—Conine and Murphy—2.

Absent—Cahill, Caldwell, Fee, Fisher, and Shelly—5.

Not voting—Bernard and Sampson—2.

Senate Bill No. 124 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Senate Substitute for Assembly Bill No. 121.

Mr. Davidson moved that the Assembly concur in the Senate Substitute for Assembly Bill No. 121.

Carried.

Senate Bill No. 144.

Remarks by Mr. Kennett.

Roll call on Senate Bill No. 144:

YEAS—Amodei, Barr, Bernard, Burke, Carroll, Coleman, Curtis, David, Davidson, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, and Williams—26.

NAYS—Cooper and Murphy—2.

Absent—Cahill, Caldwell, Fisher, and Fee—4.

Not voting—Brooks, Brown, Case, Conine, Drumm, McCuiston, McElroy, and Mr. Speaker—8.

Senate Bill No. 144 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Oldham moved that the Assembly recess subject to the call of the Chair.

Carried.

Assembly in recess at 4:20 p. m. subject to the call of the Chair.

HOUSE IN SESSION

At 7:05 p. m.

Mr. Burke, Speaker pro tempore, 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 this day adopted the report of the Conference Committee on Assembly Bill No. 133.

Also, to inform your honorable body that the Senate refused to concur in the Assembly amendments to Senate Bill No. 103, and requested the President to appoint a Conference Committee to confer with the Assembly. The President appointed Senators Horsey, Gibson, and Wadsworth.

F. BUCKINGHAM,
Assistant Secretary of the Senate.

Mr. Hazard moved that the Speaker pro tempore appoint a Conference Committee to confer with the committee from the Senate on Senate Bill No. 103.

Carried.

The Speaker pro tempore appointed Messrs. Bunker, Hazard, and Sloan on the Conference Committee.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Fish and Game has had Senate Bill No. 150 under consideration, and begs leave to offer the proposed amendment with the recommendation that the bill do pass, as amended. Amend section 1 of Senate Bill No. 150 by striking out in line 1, page 2 of the printed bill, the word "Topaz," and in line 2 the words and figures "lake, district No. 11." Further amend the said section by inserting after the semicolon in line 4, page 2 of the printed bill, the following: "and it shall be unlawful for any person to fish in or from the waters of Topaz Lake, district No. 11, between the dates of the first day of October of each year and the first day of May of the following year."

C. H. SLOAN, *Chairman.*

Mr. Speaker:

Your Select Committee of Mineral County Delegation has had Senate Bill No. 155 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

H. E. SPRINGER, *Chairman.*

Mr. Speaker:

Your Committee on Mines and Mining has had Senate Joint Resolutions Nos. 13 and 14 under consideration, and begs leave to report favorably on the same, with the recommendation that they do pass.

H. E. SPRINGER, *Chairman.*

Mr. Speaker:

The majority of your Joint Committee on Ways and Means and State Publicity has had Senate Bill No. 13 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

R. E. CAHILL,	IRVIN CASE,
H. E. HAZARD,	CHAS. V. WILLIAMS,
M. E. MCCUITION,	CHAS. L. CALDWELL,
PETER A. BURKE,	CHAS. H. RUSSELL,
H. E. SPRINGER,	R. R. GERMAIN,
THOMAS CARROLL,	

Mr. Speaker:

The minority of your Joint Committee on Ways and Means and State Publicity has had Senate Bill No. 13 under consideration, and begs leave to report unfavorably on the same, with the recommendation that it do not pass.

CLAUDE SMITH,
ERNEST BROOKS,
GEO. G. HUSSMAN.

Mr. Speaker:

Your Committee on Ways and Means has had Senate Substitute for Senate Bill No. 55 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. 55, page 1, line 13 of the printed bill, by striking out the words and figures "twelve thousand (\$12,000)," and insert in lieu thereof the words and figures "two thousand five hundred (\$2,500)."

Amend section 2 of Senate Substitute for Senate Bill No. 55, page 2, line 8 of the printed bill, by striking out the words and figures "eighty-six thousand (\$86,000)," and insert in lieu thereof the words and figures "seventy-six thousand five hundred (\$76,500)."

Amend section 4 of Senate Substitute for Senate Bill No. 55, page 3, line 18 of the printed bill, by striking out the words and figures "eighty-six thousand (\$86,000)," and insert in lieu thereof the words and figures "seventy-six thousand five hundred (\$76,500)," and further amend section 4, page 3, line 23 of the printed bill, by striking out the words and figures "one thousand (\$1,000)," and insert in lieu thereof the words and figures "five hundred (\$500)."

Amend section 5 of Senate Substitute for Senate Bill No. 55, page 4, lines 15 and 16 of the printed bill, by striking out the words and figures "one thousand (\$1,000)," and insert in lieu thereof the words and figures "five hundred (\$500)."

Also, Senate Bill No. 153, and begs leave to report on the same without recommendation.

Also, Senate Substitute for Senate Bill No. 25, and begs leave to report favorably on the same, with the recommendation that it do pass, as amended.

Amend section 4 of Senate Substitute for Senate Bill No. 25, page 2, line 15 of the printed bill, by striking out the figures "\$32,301.00," and insert in lieu thereof the figures "\$32,901.00." Further amend section 4, page 2, line 20 of the printed bill, by striking out the figures "\$3,600.00," and insert in lieu thereof the figures "\$4,200.00."

Amend section 7 of Senate Substitute for Senate Bill No. 25, page 3, line 25 of the printed bill, by striking out the figures "\$4,000.00," and insert in lieu thereof the figures "\$5,000.00."

Amend section 10 of Senate Substitute for Senate Bill No. 25, page 4, line 21 of the printed bill, by striking out the figures "\$12,000.00," and insert in lieu thereof the figures "\$13,000.00." Further amend section 10, page 4, line 25 of the printed bill, by striking out the words "Office supplies, plats and expenses." Further amend section 10, page 4 of the printed bill, by striking out the figures "\$1,200.00" in line 25, and insert in lieu thereof the figures "\$2,200.00."

Amend section 26 of Senate Substitute for Senate Bill No. 25, page 10, line 25 of the printed bill, by striking out the figures "\$57,500.00," and insert in lieu thereof the figures "\$62,260.00." Further amend section 26, page 10, line 33 of the printed bill, by striking out the figures "\$28,040.00," and insert in lieu thereof the figures "\$32,800.00."

Amend section 44 of Senate Substitute for Senate Bill No. 25, page 15, line 28 of the printed bill, by striking out the figures "\$4,000.00," and insert in lieu thereof the figures "\$6,000.00."

Amend section 47 of Senate Substitute for Senate Bill No. 25, page 16, line 5 of the printed bill, by striking out the period after the word "Service," and insert a comma and the following: "and Dental Hygiene."

Amend Senate Substitute for Senate Bill No. 25, page 15 of the printed bill, by inserting a new section after section 45 to be known as section 45½, and to

read as follows: "SEC. 45 $\frac{1}{2}$. State Planning Board. For the support of the State Planning Board \$1,000.00."

R. E. CAHILL, *Chairman*.

INTRODUCTION AND FIRST READING

By Committee on Ways and Means:

Assembly Bill No. 314. An Act making an appropriation for the support of the State Hygienic Laboratory under the supervision of the State Board of Health of the State of Nevada, from April 1, 1939, to June 30, 1939, and for the first half of the fiscal year 1939-1940, and other matters properly relating thereto.

On motion of Mr. Shelly, duly seconded, all rules were suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution, and placed on third reading and final passage.

By Committee on Roads and Highways:

Assembly Bill No. 315—An Act to amend an Act entitled "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 and regulating 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 for official inspectors and salary and allowances therefor, providing penalties for the violation hereof, and other civil actions for the recovery of license fees herein, providing for refund in certain cases, 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," approved March 23, 1933, together with the Acts amendatory hereof or supplemental hereto.

On motion of Mr. Shelly, duly seconded, all rules were suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution, and placed on third reading and final passage.

By Committee on Claims:

Assembly Bill No. 316—An Act providing for an appropriation for the compensation of certain persons for services rendered to the Thirty-ninth Session of the Nevada Legislature.

On motion of Mr. Barr, duly seconded, all rules were suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution, and placed on third reading and final passage.

The Chief Clerk read the following communication:

MOTIONS, RESOLUTIONS, AND NOTICES

To the Honorable the Assembly of the State of Nevada.

GENTLEMEN: In has come to my knowledge that you have seen fit to pay me a most splendid tribute in passing a resolution upon my one hundredth

birthday. To have been so honored by you has given me much pleasure, for Nevada's interests have been close to my heart for nearly all of this century of life, and it is most gratifying to have you feel that I have accomplished my little bit in the building of this, our fine State.

With very deep appreciation, I am

Sincerely yours,

R. K. COLCORD.

By Mr. Oldham:

Assembly Resolution No. 20, providing payment of certain sums to attachés of the Thirty-ninth Session of the Assembly of the State of Nevada.

WHEREAS, E. C. Mulcahy, Chief Clerk of the Assembly, is required to remain for an indefinite period after adjournment to complete the work of the Legislature; and

WHEREAS, Peter Breen is required to remain for an indefinite period after adjournment to complete the work of the Legislature; and

WHEREAS, A. J. Maestretti, Bill Drafter of the Assembly, has been required to and has rendered extraordinary services beyond those required in his regular services and his services to be performed; now, therefore, be it

Resolved by the Assembly of the State of Nevada, That for the services rendered and to be rendered by the persons above named, there be paid to E. C. Mulcahy the sum of two hundred and fifty (\$250) dollars; to Peter Breen the sum of fifty (\$50) dollars; and to A. J. Maestretti the sum of three hundred and fifty (\$350) dollars, to be paid from the Legislative Fund heretofore created, and the State Controller is hereby directed to draw his warrant in favor of said persons for the sums specified, and the State Treasurer is hereby directed to pay the same out of the Legislative Fund.

Mr. Oldham moved the adoption of the resolution.

Resolution adopted.

Mr. Curtis moved that Assembly Bill No. 289 be withdrawn from the Committee on Labor, returned to the Chief Clerk's desk, and placed on general file.

Remarks by Messrs. Oldham and Hazard.

Motion lost.

GENERAL FILE AND THIRD READING

Senate Substitute for Senate Bill No. 25.

Mr. Cahill moved the adoption of the committee amendments to sections 4, 7, 10, 26, and 44.

Remarks by Mr. Cahill.

Amendments adopted.

Mr. Cahill moved the adoption of the committee amendment to the bill as a whole.

Remarks by Messrs. Murphy, Davidson, Oldham, Hazard, and Coleman.

Amendment adopted.

Mr. Cahill moved the adoption of the committee amendment.

Remarks by Mr. Cahill.

Amendment adopted.

Amendment proposed by Committee on Ways and Means: Amend section 7 of Senate Substitute for Senate Bill No. 25 by striking the figures "\$40,200.00," page 3, line 15, and inserting in lieu thereof the figures "\$41,200.00."

Mr. Cahill moved the adoption of the amendment to section 7.

Amendment adopted.

Roll call on Senate Substitute for Senate Bill No. 25:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Drumm, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—37.

NAYS—None.

Absent—Fisher.

Not voting—Davidson and Fee—2.

Senate Substitute for Senate Bill No. 25 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly Bill No. 314.

Remarks by Mr. Shelly.

Roll call on Assembly Bill No. 314:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—36.

NAYS—None.

Absent—Caldwell, Fee, Fisher, and Richard—4.

Assembly Bill No. 314 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 315.

Remarks by Mr. Smith.

Roll call on Assembly Bill No. 315:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Germain, Hussman, Kennett, Loomis, Lynch, McCuistion, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—36.

NAYS—None.

Absent—Case, Fee, and Fisher—3.

Not voting—Hazard.

Assembly Bill No. 315 having received a constitutional majority, Mr. Speaker declared it passed.

INTRODUCTION AND FIRST READING

Unanimous consent was given to Mr. Loomis to introduce a bill.

By Mr. Loomis:

Assembly Bill No. 317—An Act authorizing clerks for justice courts in townships having fifteen thousand or more population; fixing the duties of said clerks, and other matters relative thereto.

On motion of Mr. Loomis, duly seconded, all rules were suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution, and placed on third reading and final passage.

By Committee on Social Welfare:

Assembly Bill No. 318—An Act to amend the title of and to amend an Act entitled "An Act to promote the public welfare by providing for public assistance to needy blind persons; defining certain terms;

designating the State agency to supervise the administration of such assistance to the needy blind and defining the authority and duties thereof; providing for cooperation with the government of the United States in furnishing such assistance; fixing the eligibility requirements to receive such assistance; authorizing the administration of funds made available to or by the State Welfare Department for assistance to needy blind persons; authorizing the making and promulgation of rules and regulations relating to the administration of this Act; providing for the establishment of certain State and county funds and regulating the expenditures therefrom; providing penalties for the violation of the provisions of this Act; repealing all Acts and parts of Acts, and other matters relating thereto," approved March 8, 1939.

On motion of Mr. Coleman, duly seconded, all rules were suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution, and placed on third reading and final passage.

GENERAL FILE AND THIRD READING

Assembly Bill No. 317.

Remarks by Mr. Loomis.

Roll call on Assembly Bill No. 317:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Richard, Russell, Sampson, Shelly, Sloan, Sowers, Springer, Talcott, Williams, and Mr. Speaker—36.

NAYS—None.

Absent—Cahill, Fee, Fisher, and Smith—4.

Assembly Bill No. 317 having received a constitutional majority, Mr. Speaker declared it passed.

Assembly Bill No. 318.

Remarks by Mr. Coleman.

Roll call on Assembly Bill No. 318:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Germain, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Russell, Sampson, Shelly, Sloan, Sowers, Springer, Talcott, Williams, and Mr. Speaker—35.

NAYS—None.

Absent—Fee, Fisher, Hazard, and Smith—4.

Not voting—Richard.

Assembly Bill No. 318 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Cahill moved that Senate Bill No. 13, and Senate Substitute for Senate Bill No. 55 be placed on top of the general file.

Carried.

Senate Bill No. 13.

Remarks by Messrs. Oldham, Loomis, Hazard, Murphy, Curtis, and Hussman.

Mrs. Drumm, and Messrs. David and Murphy moved the previous question.

Roll call on Senate Bill No. 13:

YEAS—Barr, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Cooper, Curtis, Germain, Hazard, Kennett, Lynch, McCuiston, McElroy, Oldham, Russell, Sampson, Shelly, Sloan, Sowers, Talcott, and Mr. Speaker—23.

NAYS—Amodei, Brooks, Brown, Conine, David, Davidson, Drumm, Fisher, Hussman, Loomis, Murphy, and Williams—12.

Absent—Fee, Richard, and Smith—3.

Not voting—Bernard and Springer—2.

Senate Bill No. 13 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Substitute for Senate Bill No. 55.

Mr. Cahill moved the adoption of committee amendment to section 1.

Amendment adopted.

Amendment proposed by Committee on Ways and Means: Amend section 1 of Senate Substitute for Senate Bill No. 55, page 1, line 11, strike out the words "accoustically treating and."

Mr. Cahill moved the adoption of the committee amendments to sections 1, 2, 4, and 5.

Amendments adopted.

Mr. Cahill moved the adoption of the further committee amendment to section 4.

Amendment adopted.

Remarks by Messrs. Cahill, Oldham, Kennett, Davidson, Hazard, and Burke.

Messrs. Hazard, Amodei, and Russell moved the previous question.

Roll call on Senate Substitute for Senate Bill No. 55:

YEAS—Amodei, Barr, Burke, Cahill, Carroll, Case, Coleman, Conine, Cooper, David, Drumm, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Oldham, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—31.

NAYS—Brooks, Brown, Davidson, and Murphy—4.

Absent—Curtis and Fee—2.

Not voting—Brooks, Caldwell, and Fisher—3.

Senate Substitute for Senate Bill No. 55 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

MOTIONS, RESOLUTIONS, AND NOTICES

By Mr. Caldwell:

Assembly Resolution No. 21, expressive of confidence in and esteem for Speaker Bunker.

WHEREAS, Speaker Bunker has demonstrated rare ability and efficiency in presiding over the Thirty-ninth Session of the Nevada Legislature; and

WHEREAS, Combined with such ability, he has been ever considerate of the interest and wishes of every member in his rulings and decisions; and

WHEREAS, These sterling qualities have proven him a friend worthy of the commendation and respect of his coworkers; now, therefore, be it

Resolved by the Assembly of the State of Nevada, That, reposing full confidence and respect in the efficiency and integrity of our Speaker, we do hereby attest our appreciation of Hon. Berkeley L. Bunker by having this testimonial spread upon the minutes of our Journal; and be it further

Resolved, That a properly certified copy of this resolution, under the hand of our Speaker pro tempore and the Chief Clerk of the Assembly, be delivered to our beloved Speaker in open session from the floor of the Assembly.

Mr. Caldwell moved the adoption of the resolution.
Resolution adopted.

GENERAL FILE AND THIRD READING

Assembly Bill No. 316.

Roll call on Assembly Bill No. 316:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—37.

NAYS—None.

Absent—Burke, Hussman, and Richard—3.

Assembly Bill No. 316 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 150.

Mr. Sloan moved the adoption of the amendments to section 1.

Amendments adopted.

Remarks by Mr. Brown.

Roll call on Senate Bill No. 150:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Carroll, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Drumm, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Russell, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—34.

NAYS—Murphy.

Absent—Burke, Oldham, and Richard—3.

Not voting—Caldwell and Sampson—2.

Senate Bill No. 150 having received a constitutional majority, Mr. Speaker declared it passed.

Senate Bill No. 155.

Remarks by Mr. Springer.

Roll call on Senate Bill No. 155:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Cahill, Caldwell, Case, Coleman, Conine, Cooper, Curtis, David, Davidson, Fee, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McElroy, Russell, Sampson, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—31.

NAYS—Murphy.

Absent—Burke, Carroll, McCuiston, Oldham, Richard, and Shelly—6.

Not voting—Drumm and Fisher—2.

Senate Bill No. 155 having received a constitutional majority, Mr. Speaker declared it passed.

There being no objection, the Speaker and the Chief Clerk signed Senate Bills Nos. 58, 132, 77, and 30.

Senate Joint Resolution No. 14.

Roll call on Senate Joint Resolution No. 14:

YEAS—Amodei, Barr, Bernard, Caldwell, Coleman, Cooper, Curtis, David, Fee, Germain, Hazard, Kennett, Lynch, McElroy, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—24.

NAYS—Brooks, Brown, Conine, Davidson, Drumm, and Murphy—6.

Absent—Burke, Cahill, Carroll, Case, Hussman, McCuiston, Oldham, and Richard—8.

Not voting—Fisher and Loomis—2.

Senate Joint Resolution No. 14 having received a constitutional majority, Mr. Speaker declared it adopted.

Senate Joint Resolution No. 13.

Remarks by Messrs. Springer and Loomis.

Roll call on Senate Joint Resolution No. 13:

YEAS—Amodei, Barr, Bernard, Cahill, Caldwell, Carroll, Coleman, Conine, Cooper, Curtis, David, Drumm, Fee, Germain, Hazard, Kennett, Lynch, McCuiston, McElroy, Russell, Sampson, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—28.

NAYS—Murphy.

Absent—Burke, Case, Hussman, Oldham, Richard, and Shelly—6.

Not voting—Brooks, Brown, Davidson, Fisher, and Loomis—5.

Senate Joint Resolution No. 13 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. 313, which passed the Senate by the following vote: Yeas, 17; nays, none.

Also, Assembly Bill No. 286, which passed: Yeas, 15; nays, 1; absent, 1.

Also, Assembly Bill No. 227, which passed: Yeas, 17; nays, none.

Also, Assembly Bill No. 183, which passed: Yeas, 15; nays, none; absent, 1; not voting, 1.

Also, Assembly Bill No. 290, which lost: Yeas, 4; nays, 13.

Also, to present for your consideration Senate Bill No. 148, which passed: Yeas, 16; nays, none; absent, 1.

Also, to inform you that Senate Concurrent Resolution No. 8 was this day adopted.

Also, to return Assembly Bill No. 310, which passed, as amended: Yeas, 16; nays, 1. Amend section 1 by striking out in line 3 the words and figures "thirty thousand (\$30,000)." and insert in lieu thereof the words and figures "fifty-one thousand nine hundred (\$51,900) dollars."

Also, Assembly Bill No. 215, which passed: Yeas, 16; nays, 1.

Also, Assembly Bill No. 312, which passed: Yeas, 17; nays, none.

Also, Assembly Bill No. 283, which passed: Yeas, 16; nays, 1.

Also, Assembly Bill No. 305, which passed: Yeas, 17; nays, none.

Also, Assembly Concurrent Resolution No. 11, which was this day adopted.

Also, Assembly Bill No. 117, which passed, as amended: Yeas, 17; nays, none. Amend section 1 by striking out in line 7 the word "eight," and insert the word "four." Further amend by striking the figures in brackets "\$28,000," and insert in lieu thereof the figures "\$24,000."

F. BUCKINGHAM,

Assistant Secretary of the Senate.

Mr. Cahill moved that the Assembly concur in the Senate amendments to Assembly Bill No. 310.

Carried.

Mr. McCuiston moved that the Assembly concur in the Senate amendments to Assembly Bill No. 117.

Carried.

MOTIONS, RESOLUTIONS, AND NOTICES

Assembly Resolution No. 22, acknowledging courtesies of the press.

WHEREAS, The Carson City Daily Appeal, the Chronicle, and the Nevada State Journal have been very courteous and generous to the members of the Assembly in furnishing the issues of their respective papers; and

WHEREAS, The courtesy is fully appreciated by the members of the Legislature as being an evidence of the patriotism of these papers which are, in a large measure, responsible for Nevada being "One Sound State"; now, therefore, be it

Resolved by the Assembly of the State of Nevada, That the Assembly hereby acknowledges with a full sense of appreciation the many courtesies extended to this body during the 1939 session of the Nevada Legislature; and be it further

Resolved, That properly certified copies of this resolution be transmitted, under the certificate of the Speaker of the Assembly and the Chief Clerk thereof, to the newspapers herein designated.

Mr. Oldham moved the adoption of the resolution.

Resolution adopted.

GENERAL FILE AND THIRD READING

Senate Bill No. 153.

Mr. Cooper moved that Senate Bill No. 153 be tabled.

Roll call requested by Messrs. Murphy, Hazard, and David.

Roll call on motion to table Senate Bill No. 153:

YEAS—Amodei, Bernard, Brooks, Brown, Caldwell, Conine, Cooper, Davidson, Drumm, Fisher, Loomis, Murphy, Oldham, Shelly, Smith, Springer, and Talcott—18.

NAYS—Barr, Burke, Cahill, Carroll, Coleman, Curtis, David, Fee, Germain, Hazard, Hussman, Kennett, Lynch, McElroy, Sloan, Sowers, Williams, and Mr. Speaker—18.

Absent—Case and Richard—2.

Not voting—McCuistion and Sampson—2.

Motion lost.

Remarks by Messrs. Germain, Russell, Hazard, Curtis, Loomis, and Cooper.

Messrs. Springer, McCuistion, and Murphy moved the previous question.

Roll call on Senate Bill No. 153:

YEAS—Barr, Cahill, Carroll, Coleman, Curtis, David, Fee, Fisher, Hazard, Hussman, Kennett, Lynch, Sloan, Sowers, and Mr. Speaker—15.

NAYS—Bernard, Brooks, Brown, Caldwell, Conine, Cooper, Davidson, Drumm, Loomis, McCuistion, McElroy, Murphy, Oldham, Russell, Shelly, Smith, Springer, Talcott, and Williams—19.

Absent—Case and Richard—2.

Not voting—Amodei, Burke, Germain, and Sampson—4.

Senate Bill No. 153 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

INTRODUCTION AND FIRST READING

Senate Bill No. 148.

Mr. Oldham moved that 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 Concurrent Resolution No. 8.

Mr. Oldham moved that 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.

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. 106.

Also, that the Senate refuses to concur in the Assembly amendments to Senate Substitute for Senate Bill No. 25.

F. BUCKINGHAM,
Assistant Secretary of the Senate.

Mr. Cahill moved that the Assembly refuse to recede from its action on Senate Bill No. 106, and that the Speaker appoint a Conference Committee to meet with a like committee from the Senate.

Carried.

Mr. Speaker appointed the following Conference Committee: Messrs. Springer, Hussman, and McCuiston.

Mr. Oldham moved that the Assembly refuse to recede from its action on Senate Substitute for Senate Bill No. 25, and that the Speaker appoint a Conference Committee to meet with a like committee from the Senate.

Carried.

Mr. Speaker appointed the following Conference Committee: Messrs. Cahill, Hussman, and McCuiston.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means has had Senate Bill No. 148 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

R. E. CAHILL, *Chairman.*

Mr. Speaker:

Your Committee on Roads and Highways has had Senate Concurrent Resolution No. 8 under consideration, and begs leave to report favorably on the same, without recommendation.

Also, Assembly Bill No. 177, and reports favorably on the same, with the recommendation that it do pass.

CLAUDE SMITH, *Chairman.*

There being no objection the Speaker and the Chief Clerk signed Senate Bills Nos. 144, 67, and 135.

GENERAL FILE AND THIRD READING

Senate Bill No. 148.

Remarks by Mr. Cahill.

Roll call on Senate Bill No. 148:

YEAS—Amodel, Barr, Bernard, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Curtis, Drumm, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—31.

NAYS—Fee.

Absent—Brooks, Brown, Conine, Cooper, David, Davidson, Fisher, and Richard—8.

Senate Bill No. 148 having received a constitutional majority, Mr. Speaker declared it passed.

MOTIONS, RESOLUTIONS, AND NOTICES

Senate Concurrent Resolution No. 8.

Remarks by Messrs. Smith and Loomis.

Mr. Oldham moved the adoption of the resolution.
Resolution adopted.

GENERAL FILE AND THIRD READING

Assembly Bill No. 177.

Amendment proposed by Mr. Loomis: Amend section 1 of Assembly Bill No. 177 by striking out in line 14, page 1 of the printed bill, the word "second," and insert in lieu thereof the word "subsequent." Further amend by striking out the number "3" in line 8, page 2 of the printed bill, and insert in lieu thereof the number "2."

Mr. Loomis moved the adoption of the amendment to section 1.

Amendment adopted.

Remarks by Mr. Davidson.

Roll call on Assembly Bill No. 177:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Caldwell, Carroll, Coleman, Curtis, Davidson, Drumm, Fee, Germain, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Oldham, Russell, Sampson, Sloan, Smith, Springer, Talcott, Williams, and Mr. Speaker—29.

NAYS—Murphy and Richard—2.

Absent—Conine and Fisher—2.

Not voting—Cahill, Case, Cooper, David, Hazard, Shelly, and Sowers—7.

Assembly Bill No. 177 having received a constitutional majority, Mr. Speaker declared it passed.

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 President has appointed a Conference Committee consisting of Senators Winters, Dressler, and Heidtman to confer with the Assembly Committee on Senate Substitute for Senate Bill No. 25.

Also, That the President appointed Senators Getchell, Wittenberg, and DeVotie to confer with the Conference Committee of the Assembly on Senate Bill No. 106.

Also, to return Assembly Bill No. 239, which passed, as amended: Yeas, 16; nays, none; absent, 1. Amend by striking on page 1, line 14, after the word "of" the words and figures "one thousand, one hundred and sixty-two dollars and fifty cents (\$1,162.50)," and insert in lieu thereof the words and figures "seven hundred (\$700) dollars." On Page 2, section 1, lines 10 and 11, strike the words and figures "one thousand, one hundred and sixty-two dollars and fifty cents (\$1,162.50)," and insert in lieu thereof the words "seven hundred (\$700) dollars." Further amend on page 2, section 1, lines 11 and 12, striking the words and figures "one thousand, one hundred and sixty-two dollars and fifty cents (\$1,162.50)," and insert in lieu thereof the words and figures "seven hundred (\$700) dollars."

Also, Assembly Bill No. 102, which passed, as amended: Yeas, 16; nays, 1. Amend section 1 by striking out, after the word "not" in line 9, page 1 of the printed bill, the words and figures "exceed the sum of two hundred (\$200) dollars," and insert in lieu thereof "be less than a sum of three hundred (\$300) dollars."

Amend section 2 by striking out after the word "after" in line 32, page 2, the words: "its passage and approval," and insert in lieu thereof the word and figures "July 1, 1939."

Also, Assembly Bill No. 315, which passed: Yeas, 17; nays, none.

Also, Assembly Bill No. 116, which passed: Yeas, 14; nays, 1; absent, 2.

Also, Assembly Bill No. 284, which passed: Yeas, 17; nays, none.

Also, Assembly Bill No. 263, which passed: Yeas, 12; nays, 4; absent, 1.

Also, Assembly Bill No. 188, which passed, as amended: Yeas, 10; nays, 6; absent, 1. Amend section 2 by striking out on page 2, section 2, line 27, after the word "sources" all of subsection (b). Amend section 4 of Assembly Bill No. 188, page 6, line 3, by striking the words and figures "fifteen thousand dollars (\$15,000)," and insert in lieu thereof the words and figures "five thousand dollars (\$5,000)." Further amend Assembly Bill No. 188, page 6 of the printed bill, by striking all of section 5, as outlined in lines 5 to 19, inclusive, of said page. Further amend Assembly Bill No. 188 on page 6 of the printed bill, line 20 of said page, by striking the figure "6" immediately following the word "Sec." and by inserting in lieu thereof the figure "5." Further amend Assembly Bill No. 188, page 7 of the printed bill, line 7, by striking the figure "7" immediately following the word "Sec." and by inserting in lieu thereof the figure "6." Further amend Assembly Bill No. 188, page 7 of the printed bill, line 9, by striking the figure "8" immediately following the word "Sec." and by inserting in lieu thereof the figure "7."

F. BUCKINGHAM,

Assistant Secretary of the Senate.

Mr. Amodei moved that the Assembly refuse to concur in the Senate amendments to Assembly Bill No. 188, and that the Speaker appoint a Conference Committee to meet with a like committee from the Senate.

Carried.

Mr. Speaker appointed the following Conference Committee: Messrs. Amodei, Oldham, and Shelly.

Mr. Springer moved that the Assembly concur in the Senate amendments to Assembly Bill No. 239.

Carried.

Mr. Germain moved that the Assembly concur in the Senate amendment to Assembly Bill No. 102.

Carried.

Mr. Amodei moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 315.

Carried.

Assembly in recess subject to the call of the Chair.

HOUSE IN SESSION

Mr. Speaker in the Chair.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Conference Committee has been unable to agree on Senate Substitute for Senate Bill No. 25, and we request that you appoint a Free Conference Committee to confer with a like committee from the Senate on this bill.

R. E. CAHILL,
GEO. HUSSMAN,
M. E. MCCUISTION.

Mr. Oldham moved the adoption of the report.

Report adopted.

Mr. Speaker appointed the following Free Conference Committee: Messrs. Cahill, Hussman, and Smith.

Assembly at ease.

HOUSE IN SESSION

Mr. Speaker in the Chair.

Quorum present.

There being no objection, the Speaker and the Chief Clerk signed Senate Bills Nos. 59, 133, and 110.

MESSAGES FROM THE SENATE

To the Honorable the Assembly:

I have the honor herewith to inform your honorable body that the Senate Conference Committee on Senate Substitute for Senate Bill No. 25 refuses to concur, and recommended that a Free Conference Committee be appointed.

The President appointed the following Senators as a Free Conference Committee: Winters, Dressler, and Heidtman.

I also wish to inform your honorable body that the Senate Conference Committee on Senate Bill No. 106 refuses to concur, and requests a Free Conference Committee be appointed. The President appointed Senators Gibson, Bell, and Heidtman as a Free Conference Committee.

F. BUCKINGHAM,

Assistant Secretary of the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Conference has had Senate Bill No. 106 under consideration, and begs leave to report that it has met and considered the difference between the two houses, but has been unable to agree, and recommend the appointment of a Free Conference Committee.

M. E. McCUISTION,

NOBLE GETCHELL,

GEO. HUSSMAN,

HARRY M. DEVOTIE,

H. E. SPRINGER.

C. F. WITTENBERG.

Mr. Springer moved the adoption of the Conference Committee report, and that the Speaker appoint a Free Conference Committee.

Carried.

Mr. Speaker appointed the following Free Conference Committee: Messrs. Springer, McCuiston, and Talcott.

MESSAGES FROM THE SENATE

To the Honorable the Assembly:

I have the honor herewith to return to your honorable body Assembly Bill No. 304, which passed by the following vote: Yeas, 16; nays, none; absent, 1.

Also, Assembly Bill No. 316, which was declared an emergency measure under the Constitution, and passed by the following vote: Yeas, 17; nays, none.

Also, Assembly Bill No. 140, which passed: Yeas, 16; nays, none; absent, 1.

Also, to present for your consideration Senate Bill No. 149, which passed, as amended: Yeas, 16; nays, 1. Amend as follows: Strike in line 3, page 2, the words and figures "six thousand (\$6,000)," and insert in lieu thereof the words and figures "three thousand (\$3,000)." Amend section 2, page 2, line 10, by striking the words and figures "three thousand (\$3,000)," and insert in lieu thereof the words and figure "one thousand, five hundred (\$1,500)."

Also, to inform you that the Senate has receded from the action taken on Senate Bill No. 103, and begs to inform your honorable body that the Senate concur in the Assembly amendments to Senate Bill No. 103.

Also, to return Assembly Bill No. 300, which passed, as amended: Yeas, 17; nays, none. Amend as follows: After the period at the end of line 36, page 12, insert a new section to be known as section 2 to read as follows: "SEC. 2. Nothing in this Act shall be construed to direct or designate the order in which repairs, construction, or reconstruction shall be performed upon the routes

herein designated." Further amend by striking in line 37, page 12, the figure "2" after the abbreviated word "section," and insert in lieu thereof the figure "3."

F. BUCKINGHAM,
Assistant Secretary of the Senate.

Mr. Kennett moved the Assembly concur in the Senate amendment to Assembly Bill No. 300.

Carried.

INTRODUCTION AND FIRST READING

Senate Bill No. 149.

Mr. Oldham moved that 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.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Shelly moved that Senate Bill No. 87 be withdrawn from the Committee on Ways and Means, placed on the Chief Clerk's desk, and rereferred to a Joint Committee on Labor and Judiciary.

Remarks by Messrs. Shelly, Smith, Kennett, Cahill, Davidson, Burke, Oldham, and Loomis.

Carried.

Assembly at ease.

HOUSE IN SESSION

Mr. Speaker in the Chair.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee of Free Conference on Senate Substitute for Senate Bill No. 25 has agreed on the bill as amended by the Assembly, with the following additional amendments agreed to by the Committees of Free Conference, and recommend the passage of the bill as amended by the Free Conference Committee.

Amend section 10 of Senate Substitute for Senate Bill No. 25, page 4, line 21 of the printed bill, by striking out the figures "\$13,000.00," and insert in lieu thereof the figures "\$12,750.00." Further amend section 10, line 25 of the printed bill, by striking out the figures "\$2,200.00," and insert in lieu thereof the figures "\$1,950.00."

Amend section 44 of Senate Substitute for Senate Bill No. 25, page 15, line 28, by striking out the figures "\$6,000.00," and insert in lieu thereof the figures "\$5,000.00."

Amend section 50 of Senate Substitute for Senate Bill No. 25, line 25, page 16 of the printed bill, by striking out the figures "\$74,400.00," and insert in lieu thereof the figures "\$74,800.00." Further amend section 50, line 32 of the printed bill, by striking out the figures "\$1,700.00," and insert in lieu thereof the figures "\$2,100.00."

Amend section 52 of Senate Substitute for Senate Bill No. 25, page 17, line 8 of the printed bill, by striking out the figures "\$49,050.00," and insert in lieu thereof the figures "\$52,050.00." Further amend section 52, line 15, striking out the figures "\$4,200.00," and insert in lieu thereof the figures "\$7,200.00."

H. C. HEIDTMAN,	R. E. CAHILL.
W. F. DRESSLER,	CLAUDE SMITH.
IRA L. WINTERS,	GEO. HUSSMAN.

Mr. Speaker:

The Conference Committees on Senate Bill No. 103 have met and failed to agree.

H. E. HAZARD, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Oldham moved the adoption of the report of the Free Conference Committee on Senate Substitute for Senate Bill No. 25.

Report adopted.

Mr. Conine moved that Assembly Bill No. 298 be withdrawn from the Committee on Ways and Means, returned to the Chief Clerk's desk, and placed on the general file.

Remarks by Mr. Cahill.

Motion lost.

By Mr. Burke:

Assembly Resolution No. 23, directing the payment to the members of the Assembly of certain sums for postage allowance.

Resolved by the Assembly of the State of Nevada, That the State Controller of the State of Nevada be and he is hereby authorized to draw his warrants in favor of each of the members of the Assembly of the Thirty-ninth Session of the Nevada Legislature in the sum of \$40 each for expenditures for postage. The persons in whose favor said warrants are to be drawn are as follows, to wit: Peter A. Amodei, A. C. Barr, Virgil Bernard, Ernest Brooks, Fred J. Brown, Peter A. Burke, Robbins Cahill, Charles L. Caldwell, Thomas Carroll, Irvin Case, Henry S. Coleman, Howard L. Conine, Joe S. Cooper, John W. Curtis, LeRoy F. David, John Davidson, Luella K. Drumm, M. E. Fee, William Fisher, R. R. Germain, H. E. Hazard, George Hussman, William Kennett, E. Frandsen Loomis, Thomas Lynch, M. E. McCuiston, J. F. McElroy, Morley Murphy, John W. Oldham, Andy J. Richard, Charles H. Russell, Dewey E. Sampson, Carl B. Shelly, C. H. Sloan, Claude Smith, Lewis L. Sowers, H. E. Springer, F. S. Talcott, Charles V. Williams, and Berkeley L. Bunker, and the State Treasurer is hereby authorized to pay the same out of the Legislative Fund.

Mr. Burke moved the adoption of the resolution.

Remarks by Messrs. Oldham, Smith, and Cooper.

Assembly at ease.

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 refuses to recede from their amendments to Assembly Bill No. 188, and requests that a Free Conference Committee be appointed. The President appointed Messrs. Dressler, Horsey, and Winters.

Also, to present for your consideration Senate Concurrent Resolution No. 9, which was this day adopted by the Senate.

Also, to return Assembly Bill No. 318, which was declared an emergency measure under the Constitution, and passed by the following vote: Yeas, 17; nays, none.

Also, Assembly Bill No. 254, which passed: Yeas, 11; nays, 6.

Also, Assembly Bill No. 124, which passed, as amended: Yeas, 11; nays, 6. Amend section 1, page 3, line 9, insert after the word "commission," the words "shall be deemed notice of such sessions."

F. BUCKINGHAM,
Assistant Secretary of the Senate.

Mr. Amodei moved that the Assembly concur in the Senate amendments to Assembly Bill No. 188.

Remarks by Messrs. Hussman, Shelly, and Loomis.
Carried.

Mr. Oldham moved the Assembly concur in the Senate amendment to Assembly Bill No. 124.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Free Conference Committee agrees that Senate Bill No. 106 shall be amended to read as follows: Page 1, line 4 of the printed bill, strike the words and figures "seven thousand, five hundred (\$7,500.00)," and insert in lieu thereof the words and figures "eight thousand, seven hundred fifty (\$8,750.00)."

M. C. McCUISTION,	FORREST F. BELL.
F. S. TALCOTT,	H. E. HEIDTMAN,
H. E. SPRINGER,	R. N. GIBSON.

Mr. Speaker:

Your Joint Committee on Labor and Judiciary has had Senate Bill No. 87 under consideration, and begs leave to report same, with an amendment thereto, with the recommendation that the bill, as amended, do pass.

H. E. HAZARD, *Chairman.*

GENERAL FILE AND THIRD READING

Senate Bill No. 87.

Amendment proposed by Joint Committee on Labor and Judiciary: Amend Senate Bill No. 87 by striking out all of section 2 of the printed bill as the same appears on pages 3 and 4 thereof.

Mr. Hazard moved the adoption of the amendment.

Amendment adopted.

Further amend Senate Bill No. 87 by striking out all of section 5 of the printed bill as it appears on pages 5 and 6 thereof.

Mr. Hazard moved the adoption of the amendment.

Amendment adopted.

Further amend by renumbering the sections to conform.

Mr. Hazard moved the adoption of the amendment.

Amendment adopted.

Remarks by Mr. Shelly.

Roll call on Senate Bill No. 87:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Cooper, Davidson, Drumm, Fee, Fisher, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—35.

NAYS—None.

Absent—Conine, Curtis, David, Germain, and Richard—5.

Senate Bill No. 87 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assembly at ease.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means has had Senate Bill No. 149 under consideration, and begs leave to report favorably on the same, with the recommendation that it do pass.

R. E. CAHILL, *Chairman.*

GENERAL FILE AND THIRD READING

Senate Bill No. 149.

Remarks by Mr. Cahill.

Roll call on Senate Bill No. 149:

YEAS—Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Conine, Drumm, Germain, Hazard, Kennett, Loomis, McElroy, Murphy, Oldham, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—28.

NAYS—Amodei, Barr, Cooper, and Fee—4.

Absent—Curtis, Fisher, and Richard—3.

Not voting—David, Davidson, Hussman, Lynch, and McCuistion—5.

Senate Bill No. 149 having received a constitutional majority, Mr. Speaker declared it passed.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Oldham moved that the Assembly do not consider any more bills with the exception of those on general file, those in transit, or the tax bill.

Remarks by Messrs. Oldham and Kennett.

MESSAGES FROM THE SENATE

To the Honorable the Assembly:

I have the honor herewith to return to your honorable body Assembly Bill No. 257, which passed by the following vote: Yeas, 17; nays, none.

Also, Assembly Bill No. 177, which passed: Yeas, 17; nays, none.

F. BUCKINGHAM,

Assistant Secretary of the Senate.

There being no objection, the Speaker and the Chief Clerk signed Senate Bills Nos. 47, 126, and 13, Senate Joint Resolution No. 14, Assembly Bills Nos. 243, 245, 248, 288, 13, 117, 249, 118, 191, 201, 309, 133, and 292, Assembly Substitutes for Assembly Bills Nos. 138 and 107, and Senate Substitutes for Assembly Bills Nos. 46 and 21.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Contingent Expenses has had Senate Concurrent Resolution No. 9 under consideration, and begs leave to report favorably on the same, with the recommendation that it be adopted.

JOE S. COOPER, *Chairman.*

Mr. Kennett moved the adoption of the resolution.

Resolution adopted.

MESSAGES FROM THE SENATE

To the Honorable the Assembly:

I have the honor herewith to return to your honorable body Senate Bill No. 156, which was this day declared an emergency measure under the Constitution, and passed by the following vote: Yeas, 17; nays, none.

Also, Assembly Bill No. 314, which was this day declared an emergency measure under the Constitution, and passed by the following vote: Yeas, 17; nays, none.

F. BUCKINGHAM,

Assistant Secretary of the Senate.

INTRODUCTION AND FIRST READING

Senate Bill No. 156.

On motion of Mr. Oldham, duly seconded, all rules were suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution, and placed on third reading and final passage.

GENERAL FILE AND THIRD READING

Senate Bill No. 156.

Roll call on Senate Bill No. 156:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Caldwell, Carroll, Case, Coleman, Conine, Cooper, Curtis, Davidson, Fee, Fisher, Germain, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Russell, Sampson, Shelly, Sloan, Smith, Sowers, Springer, Talcott, Williams, and Mr. Speaker—35.

NAYS—None.

Absent—Burke, Cahill, David, Drumm, and Richard—5.

Senate Bill No. 156 having received a constitutional majority, Mr. Speaker declared it passed.

MOTIONS, RESOLUTIONS, AND NOTICES

By Mr. Burke:

Assembly Concurrent Resolution No. 13.

Resolved by the Assembly of the State of Nevada, the Senate concurring. That the State Controller is hereby authorized, empowered, and directed to draw his warrants against the Legislative Fund of the State of Nevada in the sum of two thousand, two hundred eighty (\$2,280.00) dollars in the names of the Assemblymen and Senators of the Thirty-ninth Session of the Nevada State Legislature, at the rate of forty (\$40) dollars for each of said persons, as the same have been certified to the office of the State Controller of the State of Nevada, and the State Treasurer is hereby directed to pay said warrants in the respective names of each of the persons constituting the Legislature of the State of Nevada.

Mr. Burke moved the adoption of the resolution.

Resolution adopted.

Mr. Oldham moved that Assembly Substitute for Assembly Bill No. 56 be taken from the table and placed on the general file.

Carried.

Mr. Oldham moved the Assembly concur in the Senate amendments to Assembly Bill No. 56.

Carried.

Mr. Loomis asked that the following remarks be entered in the Journal: "Assembly Bill No. 56 was first introduced at the instance of the Barr Association of Nevada. A substitute bill was offered which was proposed by certain of the judges in this State. Objections were raised to both the substitute bill and to the original bill, and in an attempt to compromise, the bill was amended by the committee. At no one time did the committee ever have the unanimous consent of all of the judges on any one measure, and at no time did the committee ever have the agreement of all attorneys on any amendment to the bill. Assembly Substitute for Assembly Bill No. 56 was called to a vote. At the request of a judge of this State I offered an amendment to that bill.

There was no debate on the measure. The Assembly Substitute was amended, passed the House, was sent to the Senate, and the Senate, upon receiving the substitute thought it wise that it be amended, and did so. I have no interest in this bill personally. The question has never arisen in my experience. I have no interest in anybody who is interested in the bill and I think I can express the opinion of everyone concerned in committee. We did our best. If they cannot agree it is not our fault. We are not endorsing this bill for any one person, or group of persons, but as a compromise. I am not speaking for any attorney nor as representing anyone as attorney."

Mr. Davidson asked that the following remarks be entered in the Journal: "I quite agree with my two members from Washoe County regarding the history of this bill. The bill as it originally came in was not an association bill. The committee, with the exception of one or two, agreed on a substitute to the bill, which said substitute was put into effect by Assembly Substitute for Assembly Bill No. 56. The bill went to the Senate, and came back with an amendment. To my point of view the Senate took the heart out of the bill and I am not in favor of the passage of the bill as it stands amended by the Senate. I want to state at this time that I will not vote for it, and I suggest that the bill be continued to remain on the table."

Mr. Burke asked that the following be entered in the Journal: "This is the first time that I have agreed with the two members of the Bar Association."

Remarks by Messrs. Burke, Coleman, Hazard, Kennett, and Talcott.

Mr. Oldham's motion to remove Assembly Substitute for Assembly Bill No. 56 from the table was lost.

Mr. Oldham moved that no further bills be considered without unanimous consent, except those on general file and those in transit.

There being no objection, the Speaker and the Chief Clerk signed Senate Bills Nos. 127, 148, 125, 149, 137, 103, Assembly Bills Nos. 286, 283, 227, 117, 116, 140, 312, 284, 248, 313, 310, 102, 305, 177, 183, Senate Concurrent Resolutions Nos. 8 and 9, Assembly Concurrent Resolution No. 11, and Senate Joint Resolutions Nos. 12 and 13.

Mr. Oldham moved that a vote of thanks be extended to the members of the press who have served during the Session.

Carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Enrollment has carefully compared Assembly Enrolled Bills Nos. 284, 312, 140, 116, 117, 227, 283, 286, 243, 245, 156, 248, 288, 13, 217, 118, 249, 191, 201, 309, 133, 292, Assembly Substitute for Assembly Bills Nos. 138, 107, and Senate Substitute for Assembly Bills Nos. 48 and 21 with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Governor.

FRED J. BROWN, *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. 13, which this day was adopted.

Also, to present Senate Bill No. 20, which passed, as amended, after the Senate rescinded their vote, by the following vote: Yeas, 17; nays, none. Amend as follows: Insert on page 2, line 5, a new paragraph to be designated as section 2, which shall be as follows: "SEC. 2. To carry out the purposes and accomplish the objective of this Act, there is hereby appropriated from any State fund or funds not otherwise appropriated the sum of one thousand dollars (\$1,000)." Further amend by changing the figure "2" to "3" after the word "Sec." and "3" to "4."

F. BUCKINGHAM,

Assistant Secretary of the Senate.

INTRODUCTION AND FIRST READING

By Mr. Oldham:

Assembly Bill No. 319—An Act to amend section 8 of an Act entitled "An Act to provide for the care, maintenance, medical treatment, and hospitalization of expectant mothers and their offspring, creating a board and giving it jurisdiction for the administration thereof, and repealing all Acts or parts of Acts in conflict therewith," approved March 30, 1936.

On motion of Mr. Oldham, duly seconded, all rules were suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution, and placed on third reading and final passage.

GENERAL FILE AND THIRD READING

Assembly Bill No. 319.

Remarks by Mr. Oldham.

Roll call on Assembly Bill No. 319:

YEAS—Amodei, Barr, Bernard, Brooks, Brown, Burke, Cahill, Caldwell, Carroll, Case, Coleman, Cooper, Curtis, Davidson, Drumm, Fee, Fisher, Hazard, Hussman, Kennett, Loomis, Lynch, McCuiston, McElroy, Murphy, Oldham, Sampson, Shelly, Sloan, Sowers, Springer, Talcott, Williams, and Mr. Speaker—34.

NAYS—None.

Absent—Conine, David, Germain, Richard, Russell, and Smith—6.

Assembly Bill No. 319 having received a constitutional majority, Mr. Speaker declared it passed.

Mr. Oldham moved that the Assembly do not concur in the Senate amendments to Assembly Substitute for Assembly Bill No. 56.

Remarks by Messrs. Oldham, Loomis, and Coleman.

Carried.

MOTIONS, RESOLUTIONS, AND NOTICES

By Mr. Cooper:

Assembly Resolution No. 4, compensating certain attachés for service rendered in the Thirty-ninth Session of the Nevada Legislature.

Resolved by the Assembly of the State of Nevada. That James Lynd and Alfred Congdon, pages of the Assembly in the Thirty-ninth Session of the Nevada Legislature, for extraordinary services as such, be paid the sum of thirty (\$30) dollars each for such services; and be it further

Resolved. That the State Controller of the State of Nevada be and he is hereby authorized and directed to draw his warrants in favor of each of said boys for the sum of thirty (\$30) dollars, and the Treasurer of the State of Nevada is directed to pay the same out of the Legislative Fund of the Thirty-ninth Session of the Nevada Legislature.

Mr. Cooper moved the adoption of the resolution.

Resolution adopted.

Mr. Burke moved that when the Assembly adjourns *sine die*, it do so in the memory of St. Patrick.

Carried.

There being no objection, the Speaker and the Chief Clerk signed Senate Bills Nos. 150, 106, 156, and 55.

MESSAGES FROM THE SENATE

To the Honorable the Assembly:

I have the honor herewith to return Assembly Substitute for Assembly Bill No. 56, and to inform your honorable body that the Senate has receded from the Senate amendments to Assembly Substitute for Assembly Bill No. 56.

Also, Assembly Bill No. 319, which was declared an emergency measure under the Constitution, and passed by the following vote: Yeas, 12; nays, none; absent, 5.

F. BUCKINGHAM,

Assistant Secretary of the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Enrollment has carefully compared Assembly Concurrent Resolutions Nos. 11 and 13 with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Secretary of State.

Also, has carefully compared Assembly Enrolled Bills Nos. 124, 134, 188, 215, 239, 254, 257, 263, 300, 304, 314, 315, 316, 318, 319, 183, 177, 305, 102, 310, 313, and Assembly Substitute for Assembly Bill No. 56 with the engrossed copies, finds the same correctly enrolled, and has this day delivered the same to the Governor.

FRED J. BROWN, *Chairman.*

Assembly at ease.

HOUSE IN SESSION

Mr. Speaker in the Chair.

Quorum present.

There being no objection, the Speaker and the Chief Clerk signed Senate Bill No. 66, Assembly Bills Nos. 56, 125, 134, 188, 215, 239, 254, 257, 263, 300, 304, 314, 315, 316, 318, and 319, and Assembly Concurrent Resolutions Nos. 11 and 13.

MOTIONS, RESOLUTIONS, AND NOTICES

By Mr. Oldham:

Assembly Resolution No. 25.

Resolved by the Assembly of the Thirty-ninth Session of the Nevada Legislature. That the following-named persons, to wit: Willette Bowers, Fern Cafrey, Philip York, Alice Elliott Nelson, Goldie Kellison, Kathryn Monohan, Edith Welty, Gladys Zumwalt, Carol Parsons, Wesley Johnson, Louise Graham, Yvonne Petrie, Victoria Dodds, Thelma Vaughn, Kathryn Phillips, Anita Harrington, Jess Campbell, Ruby Simonson, and Margaret Crosby each be allowed the sum of \$18 for extra services rendered as attachés of the Assembly; and be it further

Resolved, That the State Controller of the State of Nevada is hereby authorized, empowered, and directed to draw his warrant in favor of each of the said persons in the sum of \$18, and the Treasurer of the State of Nevada

is hereby directed to pay the same to the persons designated in such warrants out of the Legislative Fund of the State of Nevada for the Thirty-ninth Session of the Nevada Legislature.

Mr. Oldham moved the adoption of the resolution.

Carried.

There being no objection, the Speaker and the Chief Clerk signed Senate Bills Nos. 124, 149, 155, 80, and 156.

MESSAGES 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 taken by the Executive thereon to the moment of transmission of this message:

- A. B. No. 1—Received January 24, 1939; Approved January 24, 1939.
- A. B. No. 4—Received January 24, 1939; Approved January 24, 1939.
- A. J. R. No. 1—Received January 30, 1939; Approved February 3, 1939.
- A. B. No. 60—Received January 31, 1939; Approved February 4, 1939.
- A. J. R. No. 2—Received January 31, 1939; Approved February 2, 1939.
- A. B. No. 29—Received February 7, 1939; Approved February 9, 1939.
- A. B. No. 76—Received February 7, 1939; Approved February 7, 1939.
- A. B. No. 77—Received February 7, 1939; Approved February 8, 1939.
- A. J. R. No. 5—Received February 7, 1939; Approved February 8, 1939.
- A. B. No. 80—Received February 7, 1939; Approved February 7, 1939.
- A. B. No. 81—Received February 7, 1939; Approved February 8, 1939.
- A. B. No. 14—Received February 8, 1939; Approved February 9, 1939.
- A. B. No. 64—Received February 8, 1939; Approved February 9, 1939.
- A. B. No. 72—Received February 14, 1939; Approved February 21, 1939.
- A. B. No. 82—Received February 14, 1939; Approved February 15, 1939.
- A. B. No. 33—Received February 17, 1939; Approved February 23, 1939.
- A. B. No. 35—Received February 17, 1939; Approved February 23, 1939.
- A. B. No. 36—Received February 17, 1939; Approved February 23, 1939.
- A. B. No. 37—Received February 17, 1939; Approved February 23, 1939.
- A. B. No. 38—Received February 17, 1939; Approved February 23, 1939.
- A. B. No. 42—Received February 17, 1939; Approved February 23, 1939.
- A. B. No. 44—Received February 17, 1939; Approved February 23, 1939.
- A. B. No. 48—Received February 17, 1939; Approved February 23, 1939.
- A. B. No. 49—Received February 17, 1939; Approved February 23, 1939.
- A. B. No. 53—Received February 17, 1939; Approved February 23, 1939.
- A. B. No. 74—Received February 17, 1939; Approved February 23, 1939.
- A. B. No. 75—Received February 17, 1939; Approved February 23, 1939.
- A. B. No. 79—Received February 20, 1939; Approved February 25, 1939.
- A. B. No. 39—Received February 21, 1939; Approved February 27, 1939.
- A. B. No. 45—Received February 21, 1939; Approved February 27, 1939.
- A. B. No. 84—Received February 21, 1939; Approved February 27, 1939.
- A. B. No. 104—Received February 21, 1939; Approved February 27, 1939.
- A. B. No. 86—Received February 21, 1939; Approved February 27, 1939.
- A. B. No. 8—Received February 27, 1939; Approved March 4, 1939.
- A. B. No. 150—Received February 27, 1939; Approved March 4, 1939.
- A. B. No. 96—Received February 28, 1939; Approved March 6, 1939.
- A. B. No. 127—Received February 28, 1939; Approved March 4, 1939.
- A. B. No. 202—Received February 28, 1939; Approved March 6, 1939.
- A. B. No. 59—Received March 6, 1939; Approved March 10, 1939.
- A. B. No. 123—Received March 6, 1939; Approved March 10, 1939.
- A. B. No. 111—Received March 6, 1939; Approved March 10, 1939.
- A. B. No. 50—Received March 6, 1939; Approved March 10, 1939.
- A. B. No. 236—Received March 6, 1939; Vetoed; Returned to Assembly March 11, 1939.
- A. B. No. 237—Received March 6, 1939; Approved March 10, 1939.
- A. B. No. 238—Received March 6, 1939; Approved March 10, 1939.

- A. B. No. 57—Received March 8, 1939; Approved March 14, 1939.
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 A. B. No. 176—Received March 8, 1939; Recalled to Assembly by Resolution No. 9, March 14, 1939.
 A. B. No. 141—Received March 9, 1939; Approved March 15, 1939.
 A. B. No. 11—Received March 9, 1939; Approved March 16, 1939.
 A. B. No. 144—Received March 9, 1939; Recalled to Assembly by Resolution No. 10, March 14, 1939.
 A. J. R. No. 7—Received March 11, 1939; Approved March 14, 1939.
 A. B. No. 168—Received March 13, 1939; Approved March 14, 1939.
 A. B. No. 210—Received March 13, 1939; Approved March 15, 1939.
 A. B. No. 259—Received March 13, 1939; Approved March 15, 1939.
 A. B. No. 260—Received March 13, 1939; Approved March 15, 1939.
 A. S. for A. B. No. 185—Received March 13, 1939; Approved March 17, 1939.
 A. B. No. 218—Received March 15, 1939; Approved March 17, 1939.
 A. B. No. 180—Received March 11, 1939; Approved March 17, 1939.
 A. S. for A. B. No. 52—Received March 11, 1939; Approved March 14, 1939.
 A. B. No. 244—Received March 13, 1939; Approved March 17, 1939.
 A. B. No. 2—Received March 15, 1939.
 A. B. No. 90—Received March 15, 1939.
 A. B. No. 94—Received March 15, 1939.
 A. B. No. 112—Received March 15, 1939.
 A. B. No. 166—Received March 15, 1939.
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 A. B. No. 159—Received March 15, 1939.
 A. B. No. 208—Received March 15, 1939.
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 A. B. No. 223—Received March 15, 1939.
 A. B. No. 234—Received March 15, 1939.
 A. B. No. 247—Received March 15, 1939.
 A. B. No. 272—Received March 15, 1939.
 A. J. R. No. 17—Received March 15, 1939.
 A. B. No. 138—Received March 16, 1939.
 A. B. No. 114—Received March 16, 1939.
 A. B. No. 143—Received March 16, 1939.
 A. B. No. 149—Received March 16, 1939.
 A. B. No. 161—Received March 16, 1939.
 A. B. No. 164—Received March 16, 1939.
 A. B. No. 173—Received March 16, 1939.
 A. B. No. 193—Received March 16, 1939.
 A. B. No. 204—Received March 16, 1939.
 A. B. No. 205—Received March 16, 1939.
 A. B. No. 232—Received March 16, 1939.
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 A. B. No. 285—Received March 16, 1939.
 A. J. R. No. 12—Received March 16, 1939.
 A. B. No. 156—Received March 16, 1939.
 A. B. No. 243—Received March 16, 1939.
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 A. B. No. 288—Received March 16, 1939.

- A. B. No. 138—Received March 16, 1939.
- A. B. No. 13—Received March 16, 1939.
- A. B. No. 217—Received March 16, 1939.
- A. S. for A. B. No. 107—Received March 16, 1939.
- A. B. No. 118—Received March 16, 1939.
- A. B. No. 249—Received March 16, 1939.
- A. B. No. 191—Received March 16, 1939.
- A. B. No. 201—Received March 16, 1939.
- A. B. No. 309—Received March 16, 1939.
- A. B. No. 133—Received March 16, 1939.
- S. S. for A. B. No. 46—Received March 16, 1939.
- A. B. No. 292—Received March 16, 1939.
- S. Sub. for A. B. No. 21—Received March 16, 1939.
- A. J. R. No. 8—Received March 15, 1939.
- A. J. R. No. 10—Received March 15, 1939.
- A. B. No. 284—Received March 16, 1939.
- A. B. No. 312—Received March 16, 1939.
- A. B. No. 140—Received March 16, 1939.
- A. B. No. 116—Received March 16, 1939.
- A. B. No. 117—Received March 16, 1939.
- A. B. No. 227—Received March 16, 1939.
- A. B. No. 283—Received March 16, 1939.
- A. B. No. 286—Received March 16, 1939.
- A. B. No. 183—Received March 16, 1939.
- A. B. No. 177—Received March 16, 1939.
- A. B. No. 305—Received March 16, 1939.
- A. B. No. 102—Received March 16, 1939.
- A. B. No. 310—Received March 16, 1939.
- A. B. No. 313—Received March 16, 1939.

The Speaker appointed the following committee to wait upon the Senate and inform that honorable body that the Assembly was ready to adjourn: Messrs. Hazard, Shelly, and Springer.

The Speaker appointed the following committee to wait upon the Governor and inform him that the Assembly is now ready to adjourn: Messrs. Oldham, Bernard, and Sowers.

A committee from the Senate reported that the Senate had concluded its labors, and was ready to adjourn.

A committee from the Senate consisting of Senators Gibson, Wadsworth, and Parker reported to the Assembly that the Senate was ready to adjourn.

Mr. Oldham moved that the Speaker and the Chief Clerk be authorized to make allowance for certain Assembly attachés who worked overtime.

Carried.

Mr. Smith moved that the Thirty-ninth Session of the Assembly of the Legislature of the State of Nevada adjourn *sine die*.

Carried.

Mr. Speaker declared the Assembly adjourned *sine die*.

Approved:

BERKELEY L. BUNKER,

Speaker of the Assembly.

Attest: E. C. MULCAHY,

Chief Clerk of the Assembly.

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