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STATE OF NEBRASKA

FIFTY-FIFTH SESSION

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LINCOLN, NEBRASKA

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By
HUGO F. SRB, CLERK

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MEMBERS

Dist.	Name	Address	Occupation	Counties
1	Otto Kotouc, Jr.	Humboldt	Attorney	Johnson, Pawnee, Richardson
2	Frank Sorrell	Syracuse	Auctioneer, Realtor, Insurance	Otoe, Nemaha
3	Wm. A. Metzger	Cedar Creek	Farmer, Stockman	Sarpy, Cass
4	William J. Norman	Omaha	Printer, Publisher	Douglas
5	John Adams, Jr.	Omaha	Lawyer	Douglas
6	George T. Sullivan	Omaha	Attorney	Douglas
7	Charles F. Tvrdik	Omaha	Clerk	Douglas
8	George W. Bevins	Omaha	Laborer	Douglas
9	Amos Thomas	Omaha	Attorney	Douglas
10	Ernest A. Adams	Omaha	Insurance	Douglas
11	Richard N. Johnson	Fremont	Lawyer	Dodge, Washington
12	George C. Weborg	Pender	Farmer	Cuming, Burt
13	Louis M. Jeppesen	Hubbard	Farmer, Stockman	Dakota, Thurston, Dixon
14	Martin J. Mischke	Crofton	Farmer, Rancher	Cedar, Knox
15	H. G. Greenamyre	Norfolk	Lawyer	Pierce, Madison
16	William A. Crossland	Wayne	Lawyer	Stanton, Wayne, Colfax
17	A. J. Brodahl	Wahoo	Garage	Butler, Saunders
18	James E. Reed	Lincoln	Farmer	Lancaster
19	Jack W. Price	Lincoln	Lawyer	Lancaster
20	C. Petrus Peterson	Lincoln	Lawyer	Lancaster
21	John S. Callan	Odell	Hardware, Implements	Gage
22	J. Lyndon Thornton	Fairbury	Retired	Thayer, Jefferson
23	John E. Mekota	Crete	Attorney	Fillmore, Saline
24	Stanley A. Matzke	Seward	Lawyer	York, Seward

MEMBERS (Concluded)

Dist.	Name	Address	Occupation	Counties
25	Ray Thomas	Clay Center	Hatchery	Hamilton, Polk, Clay
26	*Tom Lambert	Columbus	Oil Jobber	Nance, Platte
27	Elmer C. Rakow	Neligh	Lawyer	Antelope, Boone
28	Tony Asimus	O'Neill	Grocery and Market	Holt, Boyd, Keya Paha, Rock
29	Joseph T. Knezacek	Ord	Abstracter, Realtor, Insurance	Wheeler, Greeley, Valley, Howard
30	Walter R. Raecke	Central City	Lawyer	Hall, Merrick
31	Harry E. Bowman	Hastings	Realtor, Loans, Insurance	Kearney, Adams
32	Daniel Garber	Red Cloud	Farmer	Franklin, Nuckolls, Webster
33	E. M. Neubauer	Orleans	Farmer, Stockman	Harlan, Furnas, Red Willow
34	Fred A. Mueller	Kearney	Automobile Dealer	Buffalo, Sherman
35	A. C. Van Diest	Taylor	Rancher, Realtor	Custer, Loup, Garfield
36	Swan Carlson	Funk	Farmer	Dawson, Gosper, Phelps
37	Arthur Carmody	Trenton	Farmer, Realtor	Perkins, Chase, Hayes, Dundy, Hitchcock
38	Robert B. Crosby	North Platte	Attorney	Lincoln, Frontier
39	R. M. Howard	Flats	Rancher	Keith, Deuel, Garden, Arthur, Grant, Hooker, McPherson, Thomas, Logan, Blaine
40	Don E. Hanna	Brownlee	Cattle Rancher	Cherry, Sheridan, Brown
41	Harry E. Gantz	Alliance	Attorney	Dawes, Box Butte, Sioux
42	L. B. Murphy	Scottsbluff	Merchant, Stockman	Scotts Bluff
43	E. R. Blome	Sidney	Automobile Dealer	Banner, Kimball, Cheyenne, Morrill

CLERK

Hugo F. Srb.....Dodge

*Resigned May 28, 1941

APPORTIONMENT

Congressional Districts

First district consists of the counties of Richardson, Nemaha, Johnson, Pawnee, Gage, Lancaster, Saline, Jefferson, Thayer, Fillmore, Clay, Nuckolls, Webster, Adams, Kearney, Franklin, Phelps, Harlan, Furnas, Gosper, Frontier, Red Willow, Hitchcock, Hayes, Chase and Dundy.

Second district consists of the counties of Douglas, Sarpy, Cass, Otoe and Washington.

Third district consists of the counties of Burt, Thurston, Dakota, Dixon, Cuming, Dodge, Saunders, Seward, Butler, Colfax, Stanton, Wayne, Cedar, Knox, Pierce, Madison, Platte, Polk, York, Hamilton, Merrick, Nance, Boone and Antelope.

The fourth district consists of the counties of Boyd, Holt,Wheeler, Greeley, Howard, Hall, Buffalo, Sherman, Valley, Garfield, Keya Paha, Rock, Brown, Blaine, Loup, Custer, Dawson, Lincoln, Logan, Thomas, Cherry, Hooker, McPherson, Grant, Arthur, Keith, Perkins, Deuel, Garden, Sheridan, Dawes, Box Butte, Morrill, Cheyenne, Kimball, Banner, Scotts Bluff and Sioux.

Legislative Districts

District No. 1. The counties of Johnson, Pawnee, Richardson.

District No. 2. The counties of Otoe and Nemaha.

District No. 3. The counties of Sarpy and Cass.

District No. 4. Includes the following territory in the county of Douglas and the city of Omaha: All north of Bedford Avenue to Evans St. between 43rd, and 48th St.; all north of Evans St. between 44th St. and 48th St.; all north of Paxton St. between 44th St. and Florence Blvd.; all north of Ames Ave. between Florence Blvd. and the eastern corporate limits.

District No. 5. Includes the following territory in the county of Douglas and the city of Omaha: All north from Blondo Street to Lake between 49th and 50th Streets; north from Charles to Lake between 48th and 49th Streets; north from Charles to Bedford Ave. between 43rd and 48th Streets; north from Charles to Evans between 36th and 43rd Sts.; north from Evans to Paxton between 36th and 44th Streets; north from Cuming to Paxton St. between 30th and 36th Streets; north from Indiana to Paxton between 24th and 30th Streets; north from Nicholas to Paxton between 24th St. and Florence Blvd.; north from Nicholas to Ames between 16th St. and Florence Blvd.; north of Charles to Ames between 16th St. and the eastern corporate limits; and east Omaha.

District No. 6. Includes the following territory in the county of Douglas and the city of Omaha: All north of Pacific to Leavenworth, between Park Ave. and 30th St.; north from Pacific to Farnam between 20th St. and Park Ave.; north from Farnam to Indiana, between 24th and 40th Streets; north from Pacific to Nicholas, between 20th and 24th Streets; north from Pierce to Nicholas, between 16th and 20th Streets; north from Hickory to Charles between 10th and 16th Streets; north from Pine to Charles, between 10th Street and the eastern corporate limits.

District No. 7. Includes the following territory in the county of Douglas and the city of Omaha: All north from Hickory St. to Woolworth Ave., between 29th St. and Park Ave.; north from Hickory to Poppleton Ave., between 28th and 29th Streets; north from Hickory to Pacific, between 25th Ave. and 28th St.; north from Center to Pacific, between 24th St. and 25th Ave.; north from Center to Pacific, between 20th and 24th Streets; north from Center to Pierce, between 16th and 20th Streets; north from Center to Hickory, between 10th and 16th Streets; north from Center to Pine, between 10th Street and the eastern corporate limits; north from G to Center, between the Burlington RR east to the corporate limits; north from H to G, be-

tween the Burlington RR and 27th Street; all south of G to the corporate limits, between 24th St. and its extension to the Burlington on U St., east to the corporate limits.

District No. 8. Includes the following territory in the county of Douglas and the city of Omaha: North from Woolworth Ave. to Pacific St., between 63rd and 66th Streets; north from Center to Pacific, between 60th and 63rd Sts.; north from Spring to Pacific, between 52nd and 60th Streets; north from F to Pacific, between 46th Ave. and 52nd St.; north from F to Pacific, between 42nd St. to 46th Ave.; north from F to Center, between 42nd St. and the Burlington RR; north from Center to Leavenworth, between 30th and 42nd Streets; north from Poppleton Ave., to Pacific St., between 28th and 30th Streets; north from Woolworth to Poppleton, between 29th and 30th Streets; north from Hickory to Woolworth, between Park Ave. and 30th St.; north from Center to Hickory, between 25th Ave. and 30th St.; north from H to F, between 42nd St. and the Burlington RR; north from H to G, between 24th and 27th Sts.; north from Madison to H, between 42nd and 24th and its extension to the RR; north from Harrison to Madison, between 45th St., and The Burlington RR.

District No. 9. Includes the following territory in the county of Douglas and the city of Omaha: North from Pacific to Howard, between the western corporate limits and 60th St.; north from Pacific to Dodge, between 56th and 60th Streets; north from Pacific to Charles, between the western corporate limits and 56th Ave.; north from Leavenworth to Charles, between 46th Ave. and 36th Street; north from Leavenworth to Cuming, between 30th and 36th Streets; north from Leavenworth to Farnam, between 30th and Park Ave.

District No. 10. Includes the following territory in the county of Douglas and the city of Omaha: North from Charles to Blondo, between western corporate limits and 49th St.; north from Blondo to Lake, between 66th St. and 50th Streets; all north of Lake between 72nd St. and 48th St.; and all of the rural precincts.

District No. 11. Includes Dodge and Washington.

District No. 12. Includes Cuming and Burt.

District No. 13. Includes Dakota, Thurston and Dixon.

District No. 14. Includes Cedar and Knox.

District No. 15. Includes Pierce and Madison.

District No. 16. Includes Stanton, Wayne and Colfax.

District No. 17. Includes Butler and Saunders.

District No. 18. Includes the following territory in the county of Lancaster and the city of Lincoln: All north of Potter between 22nd and 29th; all north of Vine between 29th and 58th; all north of R between 58th and 63rd; all east of 63rd within the corporate limits of the city of Lincoln; all of the county precincts of Lancaster county except Garfield.

District No. 19. Includes the following territory in the county of Lancaster and the city of Lincoln: Territory west of 29th between Potter and Vine to 22nd; west of 28th between Vine and O to 22nd; west of 27th between O and Randolph to 22nd; west of 22nd and north of Randolph and extension thereof on G to 14th, and west of 17th, between G and D to 14th, all west of 14th, and north of A to corporate limits, and Garfield precinct of Lancaster county.

District No. 20. Includes the following territory in the county of Lancaster and the city of Lincoln: All west of 14th, and south of A to corporate limits, all south of D between 14th and 17th, all south of G and its extension on Randolph between 17th and 22nd, all south of Randolph between 22nd and 27th, all south of Vine between 28th and 33rd to O, all east of 33rd between Vine and O, all east of 27th between O and Randolph, all south of Randolph and east of 27th to corporate limits.

District No. 21. The county of Gage.

District No. 22. The counties of Thayer and Jefferson.

District No. 23. The counties of Fillmore and Saline.

District No. 24. The counties of York and Seward.

District No. 25. The counties of Hamilton, Polk and Clay.

District No. 26. The counties of Nance and Platte.

District No. 27. The counties of Antelope and Boone.

District No. 28. The counties of Holt, Boyd, Keya Paha and Rock.

District No. 29. The counties of Wheeler, Greeley, Valley and Howard.

District No. 30. The counties of Hall and Merrick.

District No. 31. The counties of Kearney and Adams.

District No. 32.	The counties of Franklin, Webster and Nuckolls.
District No. 33.	The counties of Harlan, Furnas and Red Willow.
District No. 34.	The counties of Buffalo and Sherman.
District No. 35.	The counties of Custer, Loup and Garfield.
District No. 36.	The counties of Dawson, Gosper and Phelps.
District No. 37.	The counties of Perkins, Chase, Hayes, Dundy and Hitchcock.
District No. 38.	The counties of Lincoln and Frontier.
District No. 39.	The counties of Keith, Deuel, Garden, Arthur, Grant, Hooker, McPherson, Thomas, Logan and Blaine.
District No. 40.	The counties of Cherry, Sheridan and Brown.
District No. 41.	The counties of Dawes, Box Butte and Sioux.
District No. 42.	The county of Scotts Bluff.
District No. 43.	The counties of Banner, Kimball, Cheyenne and Morrill.

Judicial Districts

District No. 1 shall consist of the counties of Johnson, Pawnee, Nemaha and Richardson.

District No. 2 shall consist of the counties of Sarpy, Cass and Otoe.

District No. 3 shall consist of the county of Lancaster.

District No. 4 shall consist of the counties of Burt, Washington and Douglas.

District No. 5 shall consist of the counties of Hamilton, Polk, York, Butler, Seward and Saunders.

District No. 6 shall consist of the counties of Boone, Nance, Merrick, Platte, Colfax and Dodge.

District No. 7 shall consist of the counties of Fillmore, Saline, Thayer and Nuckolls.

District No. 8 shall consist of the counties of Thurston, Dakota, Dixon and Cedar.

District No. 9 shall consist of the counties of Knox, Antelope, Cuming, Pierce, Madison, Stanton and Wayne.

Districe No. 10 shall consist of the counties of Phelps, Kearney, Adams, Harlan, Franklin, Webster and Clay.

District No. 11 shall consist of the counties of Hall, Howard, Greeley, Valley, Wheeler, Garfield, Loup, Grant, Hooker, Thomas and Blaine.

District No. 12 shall consist of the counties of Custer, Sherman, Logan and Buffalo.

District No. 13 shall consist of the counties of McPherson, Lincoln, Deuel, Cheyenne, Kimball, Dawson, Keith, Banner and Arthur.

District No. 14 shall consist of the counties of Chase, Hayes, Frontier, Gosper, Furnas, Red Willow, Hitchcock, Perkins and Dundy.

District No. 15 shall consist of the counties of Brown, Keya Paha, Boyd, Rock and Holt.

District No. 16 shall consist of the counties of Cherry, Sheridan, Dawes, Box Butte and Sioux.

District No. 17 shall consist of the counties of Garden, Morrill and Scotts Bluff.

District No. 18 shall consist of the counties of Jefferson and Gage.

Provided, in the fourth district there shall be nine judges of the district court; in the third district there shall be four judges of the district court; in the fifth, sixth, ninth, tenth and eleventh districts there shall be two judges of the district court in each of said districts; in the thirteenth district there shall be two judges of the district court; in all other districts there shall be one judge of the district court in each of such other districts.

LEGISLATIVE SESSIONS SINCE THE LEGISLATURE ORGANIZED

First session. Held at Omaha, the State Capital, on July 4, A.D., 1866. Adjourned July 11, 1866. Session eight days. Convened in compliance with adoption of the Constitution. Membership consisted of thirteen senators and thirty-nine representatives elected from the territorial districts.

Second session. (Special) Held at Omaha, the State Capital, February 20, 1867, and adjourned February 21, 1867. Session two days. Session was called to consider certain conditions made by act of Congress for the admission of Nebraska into the Union.

Third session. (Special) Held at Omaha, the State Capital, May 16, 1867, and adjourned June 24, 1867. Session forty days. Session called by the Governor to carry out provisions of the new Constitution.

Fourth session. (Special) Held at Omaha, the State Capital, October 27, 1868. Adjourned October 28, 1868. Session two days. Called to provide for the election of Presidential and Vice-presidential electors.

Fifth session. (Special) Held at Lincoln the State Capital, January 7, 1869. Adjourned February 15, 1869. Session forty days.

Sixth session. (Special) Held at Lincoln, where the State Capital was permanently located. Convened February 17, 1870. Adjourned March 4, 1870. Session sixteen days. Called to ratify the proposed Fifteenth Amendment to the Constitution of the United States, and special business.

Seventh session. (Special) Convened March 4, 1870. Adjourned March 4, 1870. Session one day.

Eighth session. Convened January 5, 1871. Adjourned on the 29th of March to the 30th of May for the purpose of sitting as a court to try impeachment proceedings against Governor Butler. On June 7, 1871, adjourned a second time until January 9, 1872, for the purpose of trying impeachment proceedings against Auditor John Gillespie. Adjourned January 26, 1872. Session 110 days.

Session	Convened	Adjourned
Ninth	Jan. 9, 1873	Mar. 4, 1873
Tenth (Special)	Mar. 27, 1873	Mar. 29, 1873
Eleventh	Jan. 7, 1875	Feb. 25, 1875
Twelfth (Special)	Dec. 5, 1876	Dec. 5, 1876
Thirteenth (Special)	Dec. 5, 1876	Dec. 5, 1876
Fourteenth	Jan. 2, 1877	Feb. 15, 1877
Fifteenth	Jan. 7, 1879	Feb. 25, 1879

Session	Convened	Adjourned
Sixteenth	Jan. 4, 1881	Feb. 26, 1881
Seventeenth (Special)	May 10, 1882	May 24, 1882
Eighteenth	Jan. 2, 1883	Feb. 26, 1883
Nineteenth	Jan. 6, 1885	Mar. 5, 1885
Twentieth	Jan. 4, 1887	Mar. 31, 1887
Twenty-first	Jan. 1, 1889	Mar. 30, 1889
Twenty-second	Jan. 6, 1891	Apr. 4, 1891
Twenty-third	Jan. 3, 1893	Apr. 8, 1893
Twenty-fourth	Jan. 1, 1895	Apr. 5, 1895
Twenty-fifth	Jan. 5, 1897	Apr. 9, 1897
Twenty-sixth	Jan. 3, 1899	Mar. 31, 1899
Twenty-seventh	Jan. 1, 1901	Mar. 28, 1901
Twenty-eighth	Jan. 6, 1903	Apr. 8, 1903
Twenty-ninth	Jan. 3, 1905	Mar. 30, 1905
Thirtieth	Jan. 1, 1907	Apr. 4, 1907
Thirty-first	Jan. 5, 1909	Apr. 1, 1909
Thirty-second	Jan. 3, 1911	Apr. 6, 1911
Thirty-third	Jan. 7, 1913	Apr. 16, 1913
Thirty-fourth	Jan. 5, 1915	Apr. 8, 1915
Thirty-fifth	Jan. 2, 1917	Apr. 24, 1917
Thirty-sixth (Special)	Mar. 26, 1918	Apr. 8, 1918
Thirty-seventh	Jan. 7, 1919	Apr. 17, 1919
Thirty-eighth (Special)	July 29, 1919	Aug. 2, 1919
Thirty-ninth (Special)	Oct. 14, 1919	Oct. 18, 1919
Fortieth	Jan. 4, 1921	Apr. 28, 1921
Forty-first (Special)	Jan. 24, 1922	Feb. 2, 1922
Forty-second	Jan. 2, 1923	May 2, 1923
Forty-third	Jan. 6, 1925	Apr. 1, 1925
Forty-fourth	Jan. 4, 1927	Apr. 23, 1927
Forty-fifth	Jan. 1, 1929	Apr. 24, 1929
Forty-sixth (Special)	Mar. 4, 1930	Mar. 15, 1930
Forty-seventh	Jan. 6, 1931	May 2, 1931
Forty-eighth (Special)	June 9, 1931	June 20, 1931
Forty-ninth	Jan. 3, 1933	May 9, 1933
Fiftieth	Jan. 1, 1935	May 25, 1935
Fifty-first (Special)	Oct. 28, 1935	Nov. 25, 1935
Fifty-second	Jan. 5, 1937	May 15, 1937
Fifty-third	Jan. 3, 1939	June 7, 1939
Fifty-fourth (Special)	Jan. 2, 1940	Jan. 13, 1940
Fifty-fifth	Jan. 7, 1941	May 23, 1941

RULES OF LEGISLATURE

RULE I

Duties of the President

1. The Lieutenant Governor shall preside as President of the Legislature, and the Speaker, as President pro tempore shall preside when the Lieutenant Governor shall be absent, incapacitated, or shall act as Governor. All references herein made to the President shall be construed as meaning the Speaker whenever he may preside in the absence of the Lieutenant Governor.

2. The President shall take the chair each legislative day at the hour to which the Legislature shall have adjourned at the last sitting. He shall call the Legislature to order, and a quorum being present, shall proceed to business in the manner and order prescribed by these rules. A majority of the members elected to the Legislature shall constitute a quorum.

3. If the President finds that a number less than a quorum is present, he shall so state, and a majority of the members present, if five in number, may compel the presence of all members subject to a call of the Legislature.

4. He shall preserve order and decorum, and in case of disturbance or disorderly conduct in the galleries, or in the lobby, may cause the same to be cleared.

5. He shall sign, in the presence of the Legislature while the same is in session and capable of transacting business, all bills and resolutions passed by the Legislature. All writs, warrants and subpoenas issued by the order of the Legislature shall be under his hand and seal, attested by the Clerk.

6. He shall rise to put a question, but he may state it sitting.

7. He may speak to a point of order in preference to members, rising from his seat for that purpose, and shall decide the questions of order, subject to an appeal to the Legislature by any members, on which appeal no member may speak more than once, unless by leave of the Legislature.

8. The President shall have the right to name any member to perform the duties of the Chair, but such substitution shall not extend beyond the adjournment.

9. The Lieutenant Governor when presiding over the Legislature shall vote only when the Legislature is equally divided.

10. In the absence of both the Lieutenant Governor and the Speaker the chairman of the Judiciary Committee shall preside, and shall exercise all the powers herein conferred on the President, except the authority to sign bills or resolutions that may be passed by the Legislature.

RULE II

Officers Elected and Their Duties

1. At the commencement of its first session the Legislature shall nominate by informal ballot and shall elect by ballot the following officers:

Speaker.
Clerk of the Legislature.
Assistant Clerk.
Sergeant-at-arms.
Doorkeeper—Assistant Sergeant-at-arms.
Postmaster.
Chaplain.

2. The vote of a majority of the elected members shall be required for the election of each such officer.

3. In general the duties of the officers of the Legislature shall be those usual to such offices.

4. The Clerk of the Legislature shall keep a brief but accurate daily journal of the proceedings of the Legislature. He shall enter in the daily journal messages of the Governor in full; titles of bills; every vote, including the ayes and nays, and a brief statement of the contents of each resolution, petition, and memorial or other paper presented for the consideration of the Legislature.

5. The Assistant Clerk, in the absence of the Clerk, shall be authorized to excercise all of the duties herein prescribed for the Clerk of the Legislature, including the signing of those papers which may require the signature of the Clerk of the Legislature.

6. The Sergeant-at-arms shall attend the Legislature during its sittings, to execute the commands of the Legislature from time to time, together with all such processes issued by authority thereof as shall be directed to him by the presiding officer.

7. The Doorkeeper or Assistant Sergeant-at-arms shall enforce strictly the rules as they relate to the privileges of the legislative chamber.

8. The Postmaster shall superintend the post office kept in the capitol for the accommodation of the members, and shall be responsible for the prompt and safe delivery of their mail.

9. The Chaplain shall attend and shall open with prayer each day's sitting of the Legislature.

10. Each permanent officer shall take an oath to support the constitution of the United States, and the constitution of the state of Nebraska, and to faithfully discharge the duties of his office according to the best of his ability.

11. Any officer of the Legislature may be recalled upon a two-thirds majority vote of the members elected to the Legislature, and the vacancy thus created shall be filled by a majority vote of the members.

RULE III

Employees, Their Selection and Duties

1. The Committee on Legislative Administration to be elected by the Legislature upon the recommendation of the Committee on Committees, and to consist of one member from each congressional district, shall have authority to select and employ suitable persons for all of the positions which may be determined upon as necessary by the Legislature.

2. The Committee on Legislative Administration shall have complete supervision of all employees, including the right to discharge any one or more of them. All employees shall be selected without reference to party affiliation, and shall be chosen upon the basis of merit.

3. The Committee on Legislative Administration shall print no paper or document, except bills and the daily journal, unless authorized by a majority vote of the Legislature.

4. The committee shall make a detailed and itemized report to the Legislature each month, concerning the number of employees, and the amount paid for their services, especially setting out the amount of regular time and overtime and to whom paid.

5. The Committee on Legislative Administration shall have general charge, except as may be provided by law or by rule, of such parts of the capitol and its passages as are or may be set apart for the use of the Legislature and its officers and employees.

RULE IV

Members

1. Every member shall be present within the legislative chamber during the sittings of the Legislature and shall attend the regular meetings of the standing committees of which he is a member, unless excused or necessarily prevented.

2. The presence of any member may be compelled, if necessary, by sending the Sergeant-at-arms, or such other person or persons, as the membership present may authorize, at the expense of such absent member, unless such excuse for non-attendance is made, as the Legislature may judge sufficient; and in that case the expense shall be paid out of the contingent fund.

3. Upon the completion of the roll call on the final passage of a bill any member may explain the absence of any other member, if requested in writing to do so, may state at his request how he would have voted if present, and such statement, if submitted to the Clerk in writing, and containing not more than thirty words, shall be entered in the daily journal.

4. If during consideration of bills on either the general file or the select file the introducer of a bill requests the Legislature to pass over said bill, it shall be placed at the bottom of the file, except by unanimous consent. Provided, if some member other than the introducer makes the request the bill shall retain its place on the file.

5. No member shall be expelled except by a vote of two-thirds of all members elected to the Legislature, and no member shall be twice expelled for the same offense.

RULE V

Decorum and Debate

1. When any member desires to speak in debate or to deliver any matter to the Legislature, he shall rise from his seat and respectfully address himself to "Mr. President", and when recognized shall confine himself to the question and shall avoid personalities.

2. No member shall speak more than twice upon any one question in debate during the same legislative day without leave of the Legislature, except in explanation, unless he be the mover, proposer or introducer of the matter pending, in which case he shall be permitted to speak in reply, but not until every other member choosing to speak shall have spoken.

3. No member shall speak to another, except when he may yield to a question, or otherwise interrupt the business of the Legislature. No member shall use profane or abusive language when speaking to or about another member.

4. If any member in speaking or otherwise transgress the rules of the Legislature, the presiding officer shall, or any member may, call him to order, in which case he shall immediately sit down, unless permitted on motion of another member to explain, and the Legislature shall, if appealed to, decide on the case without debate; if the decision is in favor of the member called to order, he shall be at liberty to proceed, but not otherwise; and if the case requires it, he shall be liable to censure or such punishment as the Legislature may deem proper.

5. If a member is called to order for words spoken in debate, the member calling him to order shall indicate the words excepted to, and they shall be taken down in writing at the Clerk's desk and read aloud to the Legislature; but he shall not be held to answer, nor be subject to the censure of the Legislature therefor, if further debate or other business has intervened.

6. A member shall be permitted to explain his vote upon any question, but such explanation of his vote on roll call shall be limited to fifty words, and shall not be entered in the daily journal unless the same be submitted to the Clerk in writing.

RULE VI

Committee on Committees

1. At the commencement of its first session the Legislature shall elect a Committee on Committees to consist of eleven members, one at large who shall be chairman, and two from each congressional district to be nominated by the members residing therein.

2. The Committee on Committees shall recommend to the Legislature for its approval and adoption the following standing committees, each with the number of members as hereinafter set forth. A majority of all the members of the Committee on Committees shall be required to decide assignments.

Agriculture (including conservation, fish and game, live stock and grazing) .....9 members

Appropriations (formerly referred to as the committee on finance, ways and means, and including state institutions) .....11 members

Banking, Commerce and Insurance ..... 9 members

Claims and Deficiencies ..... 5 members

Education (including university and normal schools, public schools and libraries and school lands and funds) ..... 9 members

Enrollment and Review (including arrangement, phraseology and correlation) ..... 5 members

Government (including state, county and municipal governments; elections and apportionment)..... 9 members

Judiciary ..... 9 members

Labor and Public Welfare (including social security and child labor) ..... 9 members

Legislative Administration (including employees, printing, audit and accounts) ..... 5 members

Public Health and Miscellaneous Subjects ..... 5 members

Public Works ..... 9 members

Revenue (including revenue and taxation, salaries, licenses and fees) ..... 9 members

Rules (including procedure and order of business) ..... 5 members

3. The Committee on Committees shall select, aside from the standing committees of the Legislature, all other committees, except where otherwise ordered by the Legislature.

4. The Committee on Committees shall arrange and publish a schedule of regular standing committee meetings in such manner as to avoid, as far as possible, conflicts in the assignment of members to such committees, and shall cause a copy of such schedule to be posted in some conspicuous place in the capitol near the legislative chamber.

RULE VII

Standing Committees

1. Standing committees shall consider and report without unnecessary delay all bills and resolutions referred to them.

2. The chairman of each standing committee shall be chosen by the Committee on Committees.

3. Each standing committee shall elect from its membership a vice-chairman to serve in the absence of the chairman.

4. Before taking final action on a bill or resolution, a committee shall hold a public hearing thereon and shall give at least five (calendar) days' notice by publication in the legislative journal of the date and time of said hearing.

5. The Legislature may, by a vote of a majority of the elected members, request a report from any standing committee at any time after said committee shall have been in possession of a bill or resolution for at least ten legislative days.

6. Each standing committee shall, when reporting a bill, submit therewith a brief statement of the main purpose of the bill. Said statement shall give the committee's reason for so reporting and the minority view, if such there be, shall also be given; copies of such statement shall be furnished to the members.

7. Standing committees shall be authorized to combine and to correlate the provisions of different bills referred to them and related to the same subject; provided that where the changes made are such as to constitute a substitute bill the committee shall cause the same to be so introduced and printed.

8. When a standing committee introduces a bill as provided in the preceding section, and if the required committee hearings have been held thereon, the bill, after its second reading, shall be placed upon the general file.

9. Each standing committee shall keep a record of the proceedings in committee meetings. Any two members of the committee may demand a roll call upon the reporting of any bill, or upon amendments thereto, and the vote so taken shall be made a part of the committee report, and shall be entered in the daily journal.

10. Standing committees shall take final action in reporting bills at regularly scheduled committee meetings only.

11. In reporting bills to the Legislature, whether with or without amendments, a standing committee shall recommend (a) that the bill reported be placed on the general file for the consideration of the Legislature, or (b) that the bill reported be indefinitely postponed.

12. If the standing committee report on a bill be to indefinitely postpone, the bill shall stand indefinitely postponed, subject to reconsideration in the manner provided by the rules of the Legislature.

13. The time of the meetings of standing committees shall be at 2 p. m., unless otherwise ordered by the Legislature.

14. The Committee on Enrollment and Review shall be a privileged committee, and shall be in order at any time in reporting bills which have been engrossed for third reading and final passage.

RULE VIII

Order of Business

1. The order of business of the Legislature shall be as follows:
   a. Prayer by the Chaplain.
   b. Roll call.
   c. Call for correction of the journal.
   d. Petitions and memorials.
   e. Notice of committee hearings.
   f. Report of standing committees.
   g. Report of select committees.
   h. Resolutions.
   i. Introduction of bills.
   j. Bills on first reading by title.
   k. Bills on second reading by title.
   l. Bills on third reading.
   m. Special order of the day.
   n. Consideration of bills on select file.
   0. Consideration of bills on general file.
   p. Unfinished business, including messages on the President's desk.
   q. Miscellaneous business.

2. The unfinished business in which the Legislature was engaged at the adjournment of the last preceding sitting shall have the preference in the special order of the day.

3. The hour of meeting of the Legislature shall be at 9:00 a. m. of each legislative day; hour of adjournment shall not be later than 1:00 p. m., unless otherwise ordered by the Legislature.

4. Each day except Saturday and Sunday shall be considered a legislative day, unless otherwise specifically ordered by the Legislature.

RULE IX

Daily Journal

1. A daily journal of the proceedings of the Legislature, as prepared by the Clerk, shall be printed and placed each day upon the desks of the members; and the presiding officer shall call in the regular order for corrections thereof. After corrections, if any, are made, the journal shall stand approved without motion.

2. The bound journal of the session shall be printed from the corrected daily journal.

3. Additional copies of the daily journal, to be mailed out at his direction, shall be supplied for the use of each member, in such manner as shall be provided by the Legislature.

4. In addition to the title, only such parts of a bill as shall be affected by proposed amendments shall be entered in the daily journal.

RULE X

Manner and Record of Voting

1. All votes shall be taken viva voce. Questions shall be distinctly put in this form, to-wit: "Those who are in favor of the question say 'aye'; those who are opposed to the question say 'no'."

2. If a division is called for or if the presiding officer is in doubt, he shall cause the result to be obtained by means of the "electric roll call system".

3. Any member may call for the ayes and nays upon any question, and upon the declaration of the ayes and nays by the members, the record thereof shall be made and taken upon the "electric roll call system", unless the Legislature by a majority vote decides that a roll call shall be taken.

4. In taking the ayes and nays, and upon the call of the Legislature, the members shall register their vote upon the "electric roll call system". When the ayes and nays are taken upon any question in the manner heretofore indicated, no member shall be permitted to vote after the decision is announced from the chair.

5. In all instances where the vote necessary to adopt a motion or other proposition is other than that of a majority voting upon the question, the presiding officer shall, unless the Legislature by unanimous vote decides otherwise, cause the result thereof to be obtained by means of the "electric roll call system".

6. Any member may demand the verification of the vote on roll call. Provided that on the final passage of bills the verification shall always be made.

7. A call of the Legislature must be seconded by at least five members. Thereupon, and upon call of the presiding officer, each member present shall indicate his presence upon the "electric roll call system". The Clerk shall note the names of the absentees. A majority of the members present, if five in number, may compel the presence of all members subject to a call of the Legislature. The proceedings under the call may be suspended at any time by a majority vote of the members present, and when so suspended shall not again be ordered on the proposition pending except by a majority vote of the members present and voting thereon.

8. Any member may call for a division of a question, which shall be divided if it comprehends propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the Legislature. A motion to strike out and insert shall be deemed indivisible; but a motion to strike out being lost, shall not preclude an amendment or a motion to strike out or insert.

RULE XI

Motions and Their Precedence

1. When a motion has been made and seconded, the presiding officer shall state it, or being in writing, shall cause it to be read aloud by the Clerk before being debated.

2. Every motion shall be reduced to writing, if the presiding officer or any member desires it.

3. After a motion has been stated by the presiding officer, or read by the Clerk, it shall be deemed in possession of the Legislature, but may be withdrawn or modified by the mover at any time before a decision, amendment, or ordering of the yeas and nays, except a motion to reconsider which shall not be withdrawn without leave.

4. When a question is under debate no motion shall be received but (a) to adjourn; (b) to lay on the table; (c) for the previous question; (d) to postpone to a certain time; (e) to commit or amend; (f) to postpone indefinitely; except that motions to indefinitely postpone and amend do not yield to each other; which several motions shall have precedence in the order in which they are arranged; and no motion to postpone to a certain time, to commit or to postpone indefinitely, being decided, shall again be allowed on the same day at the same stage of the bill or proposition.

5. A motion to strike out the enacting clause of a bill shall have precedence over a motion to amend, and if carried, is equivalent to rejection of the bill.

6. A motion to adjourn, or a motion to fix the day to which the Legislature shall adjourn shall always be in order, except:

a. While a member is speaking.
b. When a motion to adjourn has just been defeated.
c. When a motion to fix the day to which the Legislature shall adjourn has just been defeated.
d. After the third reading of a bill and during roll call thereon.

7. Pending a motion to suspend the rules, the presiding officer may entertain one motion to adjourn, but after the result thereon is announced he shall entertain no other motion until the vote has been taken on suspension.

8. The hour at which the Legislature adjourns shall be entered in the daily journal.

RULE XII

Bills—General Provisions

1. When the introduction of bills is called for any member or standing committee may introduce one or more bills.

2. Members shall introduce such bills only as they are willing to personally endorse and support.

3. Bills shall be given preference on the general file in the order in which they shall be reported from the standing committees, and no change shall be made in such order, except by a majority vote of the elected members.

4. In the consideration of bills on general or select file, amendments offered, but not adopted, shall not be entered in the journal except where a record vote is demanded.

5. Every bill shall receive three readings previous to its passage, by title when first introduced, likewise by title upon a legislative day subsequent to its introduction, and the bill and all amendments thereto shall be read at large before the vote is taken upon its final passage.

6. After the second reading of a bill a printed copy thereof shall be provided for the use of each member of the Legislature.

7. An amendatory bill shall be so prepared and printed as to show the new matter proposed, old matter to be retained, and old matter to be omitted from the statutes.

8. All bills before being advanced to third reading and final passage shall be engrossed by typewriter, and if amended, shall be reprinted in the manner prescribed in the preceding section, and copies thereof shall be supplied for the use of the members.

9. Upon the final passage of a bill, or of a resolution if the same require the same consideration as a bill, the vote shall be by yea and nay, and this rule shall not be suspended.

10. The question after the third reading of a bill shall be: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?'" If the emergency clause is contained in the bill, the words "with the emergency clause attached" shall be added to the question.

11. When a bill containing the emergency clause does not receive the required two-thirds constitutional majority on third reading, then the emergency clause shall be considered stricken and the bill without the emergency clause shall be pending on its third reading.

12. Upon the day of receipt of a message from the Governor announcing his veto of a bill, or on either of the next five legislative days, any member may move that the bill so vetoed be taken up for passage. Whereupon, the question shall be "shall the bill pass, notwithstanding the objection of the Governor?"

13. The general appropriation bills, necessary for the support of the state government for the biennium, shall take precedence over all other bills on the general file.

14. It shall require a vote of a majority of the members elected to expend money by the Legislature or to change the compensation of any officer or employee.

15. No bill shall contain more than one subject, and the same shall be clearly expressed in the title. And no law shall be amended unless the new act contains the section or sections, as amended and the section or sections so amended shall be repealed.

16. No bills shall be introduced after the twentieth legislative day, except upon the recommendation of the Governor, or in the manner defined in Sections 7 and 8, of Rule VII.

17. A bill shall be referred to as Legislative Bill No. .....

RULE XIII

Bills—Stages in Consideration

1. Introduction and first reading.

2. Second reading and reference to standing or select committee.

3. Consideration by standing or select committee, together with desired committee hearings.

4. Report by standing or select committee, and reference to the general file.

5. Consideration and general debate by the Legislature, wherein each section shall be open to amendment as read, and the amendments, if any, recommended by the standing committee shall first be considered for adoption or rejection, after which other amendments may be offered.

6. Reference to the Committee on Enrollment and Review for recommendations relative to arrangement, phraseology and correlation, unless indefinitely postponed or recommitted to a standing committee.

7. Report by the Committee on Enrollment and Review and reference to the select file.

8. Consideration a second time by the Legislature, in review, wherein any of the following motions shall be in order:

a. A motion to approve or reject any or all of the changes recommended by the Committee on Enrollment and Review.

b. A motion to agree to any specific amendment clearly intended to correct an error.

c. A motion to adopt a unanimous consent amendment, to which no objection shall be offered.

d. A motion to recommit to the proper standing committee.

e. A motion to recommit to the general file for one or more specific amendments.

f. A motion to indefinitely postpone.

g. Provided, no bill shall be considered on select file until three legislative days after its reference from the general file to the Committee on Enrollment and Review.

9. Rereference to the Committee on Enrollment and Review for engrossment, unless recommitted to a standing committee or indefinitely postponed.

10. Report by the Committee on Enrollment and Review and reference to the third reading file, or to select file for specific amendment.

11. Consideration on third reading and final passage; provided that at any time before the roll call shall have begun on the third reading of the bill it shall be in order to move:

a. To recommit the bill to the Committee on Enrollment and Review to correct an error, and for reengrossment.

b. To recommit the bill to the proper standing committee, with or without instructions.

c. To recommit to select file for specific amendment.

12. No bill shall be placed upon third reading and final passage until—

a. Five legislative days after the initial reference to the Committee on Enrollment and Review.

b. Two legislative days after its reference to third reading file.

c. Printed copies of the bill in its final form, as amended shall have been available to members and on their desks for at least one legislative day.

RULE XIV

Amendments

1. When a motion or other proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order, and it shall also be in order to offer a further amendment by way of substitute, to which one amendment may be offered, but which shall not be voted on until the original matter is perfected, but either may be withdrawn before amendment or decision is had thereon.

2. Amendments to the title shall not be in order during the consideration of a bill or resolution on general or select file until the bill or resolution shall have been considered in full.

3. When an amendment proposed to any pending measure is laid on the table, it shall not carry with it, or prejudice such measure.

4. When the Legislature is considering bills on either general or select file, after giving consideration to standing committee amendments, it shall give preference to such amendments as may have been on file with the Clerk, with copies on the members' desks for one legislative day in advance.

5. No motion or proposition, or subject different from that under consideration shall be admitted under color of amendment.

6. No bill or resolution shall at any time be amended by annexing thereto, incorporating therewith, or substituting therefor, any other bill or resolution before the Legislature.

RULE XV

Resolutions

1. Resolutions which propose amendments to the state constitution; propose the ratification of amendments to the federal constitution; provide for the grant of money out of the contingent or any other fund, or require the approval of the Governor shall be considered in the same manner as that adopted for the consideration of bills.

2. All other resolutions, except by the unanimous consent of the members present and voting, shall lie over for consideration until the next legislative day.

3. When called up for consideration on the second legislative day after its introduction, any such resolution shall be referred to the proper standing committee, if as many as five members object to its immediate consideration at that time.

4. A resolution shall be referred to as Legislative Resolution No. .....

RULE XVI

Petitions and Memorials

1. Every petition, or memorial, or other paper shall be referred to the proper committee without putting a question for that purpose, unless the reference be objected to by any member at the time such petition, memorial, or other paper is presented, in which case the Legislature shall decide the question of reference without debate.

2. Before any petition or memorial addressed to the Legislature is received and read at the table, whether the same be presented

by the presiding officer or a member, a brief statement of the contents of the petition or memorial may be verbally made by the introducer.

RULE XVII

The Previous Question

1. The previous question shall be in this form: "Shall the debate now close?"

2. It shall be admitted when demanded by five or more members and must be sustained by the vote of a majority of the elected members, and until decided shall, except as provided in Section 5 of this rule, preclude further debate and all amendments and motions, except one motion to adjourn and one motion to lay on the table.

3. On a previous question there shall be no debate, all incidental questions of order, arising after a motion is made for a previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

4. A call of the Legislature shall not be in order after the previous question is ordered, unless it shall appear upon an actual count by the presiding officer that a quorum is not present.

5. When the previous question shall have been ordered on a proposition under debate, the mover, proponent or introducer of such proposition shall be given the right to close the debate thereon.

RULE XVIII

Reconsideration

1. When a motion has once been made and carried in the affirmative or negative, it shall be in order for any member voting with the prevailing side or not voting to move a reconsideration thereof on the same day or on either of the next two legislative days; and if the Legislature shall refuse to reconsider, or upon reconsideration shall affirm its first decision, no further motion to reconsider shall be in order unless by unanimous consent.

2. Every motion to reconsider shall take precedence of all other questions except a motion to adjourn.

3. For its adoption a motion to reconsider shall require the vote of a majority of the elected members, except where such motion be to reconsider the vote on a bill which lacked the constitutional majority on a third reading, then a three-fifths vote shall be required for adoption.

RULE XIX

Special Order and Adjournment

1. When a bill shall have been made a special order for a definite time and an adjournment shall intervene for a time beyond the time fixed for such special order, then in that event the bill so made a special order shall be placed in its order on the general file.

RULE XX

Questions and References

1. The Lieutenant Governor, the Speaker, and the Chairman of the Committee on Committees shall constitute the Reference Committee for the assignment of bills and resolutions to the various standing committees.

2. Any member may object to the reference of any bill or other proposition, and correction in case of error in reference may be made by the Legislature on any legislative day immediately following corrections of the daily journal, by unanimous consent, or by the vote of a majority of the elected members.

3. When motions are made for reference of the same subject to a select committee and to a standing committee, the question on reference to the standing committee shall be put first.

RULE XXI

Communications from the Governor

1. Messages from the Governor may be received at any stage of the proceedings, except when a question is being put, the yeas and nays are being called for, the ballots are being counted, or a question of order or a motion to adjourn is pending.

2. All nominations made to the Legislature by the Governor requiring confirmation by the Legislature shall be referred to the Committee on Committees and the same procedure shall be followed as governs the handling of other matters before standing committees, unless the Legislature shall otherwise direct by unanimous vote.

RULE XXII

Questions of Privilege

Questions of privilege shall be, first, those affecting the rights

of the Legislature collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of members, individually, in their representative capacity only; and shall have precedence of all other questions, except motions to adjourn.

RULE XXIII

Privileges of the Floor

No person shall be admitted to the floor of the Legislature except the following:

Members of the Legislature, officers and employees

State officers, their deputies and clerks

Judges of the Supreme Court

Judges of the District Courts

Senators and Representatives in Congress

Reporters of regularly accredited newspapers and broadcasting stations

and such other persons as the Legislature may deem proper to admit.

RULE XXIV

Suspension of Rules

These rules may be suspended by a two-thirds majority vote of the elected members, and may be amended by a three-fifths majority vote of the members elected. Provided any proposed amendment must first be referred to the Committee on Rules for consideration and report.

RULE XXV

Gregg's Parliamentary Law

The rules of parliamentary practice comprised in Gregg's Parliamentary Law shall govern the Legislature in all cases to which they are applicable, and in which they are not inconsistent with the standing rules of the Legislature.

LEGISLATIVE JOURNAL

FIFTY-FIFTH SESSION

FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, January 7, 1941.

Pursuant to the provisions of Section 10, Article III of the Constitution of Nebraska, the fifty-fifth session of the Legislature assembled in Legislative Hall of the Capitol Building at the hour of 12 o'clock, noon, Tuesday, January 7, 1941, and was called to order by the Lieutenant Governor, William Edward Johnson.

Prayer was offered by the Reverend Walter Rundin of Wahoo, Nebraska.

The roll was called and the following members were present:

Adams, Ernest A.
Adams, John, Jr.
Asimus, Tony
Bevins, George W.
Blome, E. R.
Bowman, Harry E.
Brodahl, A. J.
Callan, John S.
Lambert, Tom
Matzke, Stanley A.
Mekota, John E.
Metzger, Wm. A.
Mischke, Martin J.
Murphy, L .B.
Neubauer, E. M.
Norman, William J.

Carlson, Swan
Carmody, Arthur
Crosby, Robert B.
Crossland, William A.
Gantz, Harry E.
Garber, Daniel
Greenamyre, H. G.
Hanna, Don E.
Howard, R. M.
Jeppesen, Louis M.
Johnson, Richard N.
Knezacek, Joseph T.
Kotouc, Otto, Jr.
Peterson, C. Petrus
Price, Jack W.
Raecke, Walter R.
Rakow, Elmer C.
Reed, James E.
Sorrell, Frank
Sullivan, Geo. T.
Thomas, Amos
Thomas, Ray
Thornton, J. Lyndon
Tvrdik, Charles F.
Van Diest, A. C.
Weborg, George C.

COMMUNICATIONS

A telegram was read from Mr. Fred A. Mueller of the thirty-fourth district advising that he was absent because he had just been released from a hospital. Excused.

MOTION—Rules

Mr. President: I move that the rules of the last session be adopted until further ordered by the Legislature.

(Signed) Amos Thomas

The motion prevailed.

MOTION—Temporary Clerk

Mr. President: I move that Thomas H. Adams be appointed as temporary assistant to the clerk.

(Signed) Reed

The motion prevailed.

MOTION—Temporary Sergeant-at-arms

Mr. President: I move that Harold E. Tagg be appointed to serve as temporary sergeant-at-arms and that he be authorized to select the temporary doorkeepers.

(Signed) Lambert

The motion prevailed.

MOTION—Committee on Credentials

Mr. President: I move that a committee of five be appointed on credentials.

(Signed) Gantz

The motion prevailed.

The President appointed the following members to serve on said committee:

Gantz, Chairman
Carlson Van Diest Tvrdik Thornton

The Legislature was at ease for ten minutes.

REPORT OF COMMITTEE ON CREDENTIALS

Your Committee on Credentials begs leave to report that we find the following to be the duly elected members of the Legislature of the State of Nebraska for the fifty-fifth session, and that there is a contest in District Eight.

Dist.		Dist.	
1.	Otto Kotouc, Jr.	23.	John E. Mekota
2.	Frank Sorrell	24.	Stanley A. Matzke
3.	Wm. A. Metzger	25.	Ray Thomas
4.	William J. Norman	26.	Tom Lambert
5.	John Adams, Jr.	27.	Elmer C. Rakow
6.	Geo. T. Sullivan	28.	Tony Asimus
7.	Charles F. Tvrdik	29.	Joseph T. Knezacek
8.	George W. Bevins	30.	Walter R. Raecke
9.	Amos Thomas	31.	Harry E. Bowman
10.	Ernest A. Adams	32.	Daniel Garber
11.	Richard N. Johnson	33.	E. M. Neubauer
12.	George C. Weborg	34.	Fred A. Mueller
13.	Louis M. Jeppesen	35.	A. C. Van Diest
14.	Martin J. Mischke	36.	Swan Carlson
15.	H. G. Greenamyre	37.	Arthur Carmody
16.	William A. Crossland	38.	Robert B. Crosby
17.	A. J. Brodahl	39.	R. M. Howard
18.	James E. Reed	40.	Don E. Hanna
19.	Jack W. Price	41.	Harry E. Gantz
20.	C. Petrus Peterson	42.	L. B. Murphy
21.	John S. Callan	43.	E. R. Blome
22.	J. Lyndon Thornton		

(Signed) Harry E. Gantz, Chairman
J. Lyndon Thornton
Charles F. Tvrdik
Swan Carlson
A. C. Van Diest

MOTION—To Adopt Report

Mr. President: I move that we adopt the report.

(Signed) Gantz

The motion prevailed.

MOTION—Committee to Wait Upon Chief Justice

Mr. President: I move that a committee of three be appointed to wait upon the Chief Justice and escort him to the Legislative Chamber for the purpose of administering the oath of office to the members-elect.

(Signed) Howard

The motion prevailed, and the President appointed the following members to serve on said committee:

Howard, Chairman Carmody Johnson

The committee withdrew and escorted the Chief Justice of the Supreme Court of Nebraska, Robert G. Simmons, to the rostrum where he administered the following:

MEMBERS' OATH OF OFFICE

STATE OF NEBRASKA }
} ss.
Lancaster County }

I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of Nebraska and will faithfully discharge the duties of member of the legislature according to the best of my ability, and that at the election at which I was chosen to fill said office, I have not improperly influenced in any way the vote of any elector, and have not accepted, nor will I accept or receive, directly or indirectly, any money or other valuable thing from any corporation, company or person, or any promise of office, for any official act or influence (for any vote I

may give or withhold on any bill, resolution or appropriation), so help me God.

Arthur Carmody	Charles F. Tvrdik	E. R. Blome
George W. Bevins	William J. Norman	H. G. Greenamyre
George T. Sullivan	Don E. Hanna	Elmer C. Rakow
Jack W. Price	Swan Carlson	Martin J. Mischke
Tom Lambert	Ernest A. Adams	Richard N. Johnson
Harry E. Gantz	Louis M. Jeppesen	Earl M. Neubauer
R. M. Howard	William A. Crossland	J. T. Knezacek
Robert B. Crosby	Harry E. Bowman	Tony Asimus
John Adams, Jr.	Amos Thomas	Stanley A. Matzke
George C. Weborg	L. B. Murphy	John E. Mekota
J. Lyndon Thornton	A. C. Van Diest	Daniel Garber
Walter R. Raecke	Otto Kotouc, Jr.	Ray Thomas
James E. Reed	Wm. A. Metzger	John S. Callan
C. Petrus Peterson	A. J. Brodahl	Frank Sorrell

Subscribed in my presence and sworn to before me this 7th day of January, 1941.

(Signed) Robert G. Simmons

Chief Justice of Supreme Court of Nebraska.

The Committee escorted the Chief Justice to his chambers.

MOTION—Permanent Organization

Mr. President: I move that we proceed to the election of the officers of the Legislature, that we vote by ballot and that the vote of a majority of the elected members be required for the election of each such officer.

(Signed) Ernest A. Adams

The motion prevailed.

MOTION—Informal Ballot

Mr. President: I move that we nominate candidates for office by means of informal ballot.

(Signed) Sorrell

The motion prevailed.

MOTION—Election of Speaker

Mr. President: I move that we proceed to vote on a candidate for speaker.

(Signed) John Adams, Jr.

The motion prevailed.

The President appointed Messrs. Kotouc and Price to serve as tellers.

Nominating ballot for Speaker:

L. B. Murphy	16
Hugo F. Srb	3
R. M. Howard	13
C. Petrus Peterson	1
Ernest A. Adams	2
Adams	1
Harry E. Gantz	6

Upon the request of Mr. Srb, Mr. Van Diest moved that Mr. Srb's name be withdrawn. The motion prevailed.

Mr. Tvrdik moved that the high three be voted upon in the formal ballot. The motion prevailed.

Formal ballot for Speaker:

L. B. Murphy	17
R. M. Howard	20
Harry E. Gantz	5

Mr. Gantz moved that a vote be taken on the two high candidates.

The motion prevailed.

L. B. Murphy	19
R. M. Howard	23

Having received a majority vote of the members elected, the President declared R. M. Howard elected Speaker for the fifty-fifth session of the Nebraska State Legislature.

Mr. Howard made a few remarks of appreciation for the honor accorded him.

MOTION—Clerk of Legislature

Mr. President: I move that we proceed to vote on Clerk of the Legislature.

(Signed) Tvrdik

The motion prevailed.

Nominating ballot for Clerk:

Hugo F. Srb	39
Louis R. Eby	1
C. W. Cannon	2

Having received a majority vote of the members elected, the

President declared Hugo F. Srb elected Clerk of the Legislature.

MOTION—Assistant Clerk of Legislature

Mr. President: I move that we proceed to vote on the assistant clerk.

(Signed) Mischke

The motion prevailed.

Nominating ballot for assistant clerk:

M. E. Westley	12
Louis R. Eby	25
W. O. Larson	5

Having received a majority vote of the members elected, the President declared Louis R. Eby elected Assistant Clerk of the Legislature.

MOTION—Sergeant-at-arms

Mr. President: I move that we proceed to vote on sergeant-at-arms.

(Signed) Rakow

The motion prevailed.

Nominating ballot for Sergeant-at-arms:

George Santo	29
Tracy T. Frost	7
M. E. Westley	1
George Sandal	2
Henry Remington	1
Oscar F. Roeser	1
George A. Roberts	1

Having received a majority vote of the members elected, the President declared George Santo elected Sergeant-at-arms.

MOTION—Assistant Sergeant-at-arms

Mr. President: I move that we proceed to elect the Assistant Sergeant-at-arms.

(Signed) Metzger

The motion prevailed.

Nominating ballot for Assistant Sergeant-at-arms:

Tracy T. Frost	21
George A. Roberts	12
W. O. Larson	1
Roy Miller	1
Mr. Chambers	1
Mr. Quackenbush	2
John Queen	4

Mr. Murphy moved that the two high be voted upon in the formal ballot. The motion prevailed.

Formal ballot for Assistant Sergeant-at-arms:

Tracy T. Frost	24
George A. Roberts	18

Having received a majority vote of the members elected, the President declared Tracy T. Frost elected Assistant Sergeant-at-arms.

MOTION—Postmaster

Mr. President: I move that we proceed to elect the Postmaster

(Signed) Norman

The motion prevailed

Nominating ballot for Postmaster:

Mrs. May W. Douglas	11
Irene C. Murphy	4
Henry Vauck	6
W. O. Schewe	3
John McAllister	2
Oscar F. Roeser	3
Nora Helfrich	6
John C. Tefft	5
Ruth Zimmerman	1
John Reynolds	1

Mr. Norman moved that the four high candidates be voted upon in the formal ballot. The motion prevailed.

Formal ballot for Postmaster:

May W. Douglas	11
Henry Vauck	15
Nora Helfrich	9
John C. Tefft	7

Mr. Mischke moved that the two high candidates be voted upon in the next ballot. The motion prevailed.

Second formal ballot for Postmaster:

May W. Douglas	16
Henry Vauck	26

Having received a majority vote of the members elected the President declared Henry Vauck elected Postmaster.

MOTION—Chaplain

Mr. President: I move that we proceed to elect the Chaplain.

(Signed) Knezacek

The motion prevailed.

Nominating ballot for Chaplain:

John D. Hammel	10
Ruth V. Zimmerman	3
Leonard L. Chambers	22
James F. Wells	4
Hugo F. Srb	1
John W. Henderson	1
Wm. Grahm	1

Having received a majority vote of the members elected, the President declared Leonard L. Chambers elected Chaplain.

OFFICERS' OATH OF OFFICE

STATE OF NEBRASKA, ss.

We, and each of us, do solemnly swear that we will support the Constitution of the United States, the Constitution of the State of Nebraska, and faithfully discharge the duties of our respective offices to the best of our ability, so help us God.

Hugo F. Srb, Clerk of the Legislature
Louis R. Eby, First Assistant to the Clerk
George L. Santo, Sergeant-at-arms
Henry Vauck, Postmaster
Leonard L. Chambers, Chaplain
Tracy T. Frost, Assistant Sergeant-at-arms

Subscribed in my presence and sworn to before me this 7th day of January, 1941.

(Signed) Robert G. Simmons

Chief Justice of the Supreme Court of Nebraska

(SEAL)

COMMITTEE TO NOTIFY GOVERNOR

Mr. President: I move that a committee of five be appointed to wait upon the Governor and notify him that the Legislature is organized and ready to transact business.

(Signed) Murphy

The motion prevailed.

The President appointed the following members to serve on said committee:

Murphy, Chairman

Weborg Jeppesen Brodahl Neubauer

COMMITTEE ON ELECTION RETURNS

Mr. President: I move that a committee of five be appointed to invite the Secretary of State to appear and bring with him the returns of the regular election of 1940.

(Signed) Ray Thomas

The motion prevailed.

The President appointed the following members to serve on said committee:

Ray Thomas, Chairman

Asimus Bowman Bevins Hanna

The committee retired and subsequently returned with the Secretary of State.

Mr. Swanson, Secretary of State, reported as follows:

CERTIFICATE

I, Harry R. Swanson, Secretary of State of the State of Nebraska, do hereby certify that the attached four sheets constitute a true and correct list of candidates for public office required to file for office

with the Secretary of State who received the highest number of votes for each particular office, as shown thereon, together with a list of measures voted on, at the general election in the State of Nebraska held on November 5, 1940. I further certify that at said election the proposed amendment to the Constitution, amending Section 1, Article VII, and Article XVII of the State Constitution, was adopted.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Nebraska. Done at Lincoln this seventh day of January in the year of our Lord, one thousand nine hundred and forty-one.

(Signed) Harry R. Swanson

Secretary of State

SEAL.

OFFICERS ELECTED AT 1940 GENERAL ELECTION

United States Senator, Hugh A. Butler, Omaha
Governor, Dwight Griswold, Gordon
Lieutenant Governor, William Edward Johnson, Schuyler
Secretary of State, Frank Marsh, Lincoln
Auditor of Public Accounts, Ray C. Johnson, Lincoln
State Treasurer, L. B. Johnson, Omaha
Attorney General, Walter R. Johnson, Omaha
Railway Commission, Richard H. Larson, Lincoln

Congressmen

First District, Oren S. Copeland, Lincoln
Second District, Charles F. McLaughlin, Omaha
Third District, Karl Stefan, Norfolk
Fourth District, Carl T. Curtis, Minden
Fifth District, Harry B. Coffee, Chadron

Supreme Court Justices

Second District, John W. Yeager, Omaha
Fourth District, Fred W. Messmore, Beatrice
Sixth District, Edward F. Carter, Gering

Members of the Legislature

First District, Otto Kotouc, Jr., Humboldt
Second District, Frank Sorrell, Syracuse
Third District, Wm. A. Metzger, Cedar Creek
Fourth District, William J. Norman, Omaha

Fifth District, John Adams, Jr., Omaha
Sixth District, Geo. T. Sullivan, Omaha
Seventh District, Charles F. Tvrdik, Omaha
Eighth District, George W. Bevins, Omaha
Ninth District, Amos Thomas, Omaha
Tenth District, Ernest A. Adams, Omaha
Eleventh District, Richard N. Johnson, Fremont
Twelfth District, George C. Weborg, Pender
Thirteenth District, Louis M. Jeppesen, Hubbard
Fourteenth District, Martin J. Mischke, Crotton
Fifteenth District, H. G. Greenamyre, Norfolk
Sixteenth District, William A. Crossland, Wayne
Seventeenth District, A. J. Brodahl, Wahoo
Eighteenth District, James E. Reed, Lincoln
Nineteenth District, Jack W. Price, Lincoln
Twentieth District, C. Petrus Peterson, Lincoln
Twenty-first District, John S. Callan, Odell
Twenty-second District, J. Lyndon Thornton, Fairbury
Twenty-third District, John E. Mekota, Crete
Twenty-fourth District, Stanley A. Matzke, Seward
Twenty-fifth District, Ray Thomas, Clay Center
Twenty-sixth District, Tom Lambert, Columbus
Twenty-seventh District, Elmer C. Rakow, Neligh
Twenty-eight District, Tony Asimus, O'Neill
Twenty-ninth District, Joseph T. Knezacek, Ord
Thirtieth District, Walter R. Raecke, Central City
Thirty-first District, Harry E. Bowman, Hastings
Thirty-second District, Daniel Garber, Red Cloud
Thirty-third District, E. M. Neubauer, Orleans
Thirty-fourth District, Fred A. Mueller, Kearney
Thirty-fifth District, A. C. Van Diest, Taylor
Thirty-sixth District, Swan Carlson, Funk
Thirty-seventh District, Arthur Carmody, Trenton
Thirty-eighth District, Robert B. Crosby, North Platte
Thirty-ninth District, R. M. Howard, Flats
Fortieth District, Don E. Hanna, Brownlee
Forty-first District, Harry E. Gantz, Alliance
Forty-second District, L. B. Murphy, Scottsbluff
Forty-third District, E. R. Blome, Sidney

District Judges

First District, Virgil Falloon, Falls City
Second District, W. W. Wilson, Nebraska City
Third District, E. B. Chappell, Lincoln
Fred Shepherd, Lincoln
Jefferson H. Broady, Lincoln

John L. Polk, Lincoln
Fourth District, Willis G. Sears, Omaha
Charles Leslie, Omaha
Jas. M. Fitzgerald, Omaha
Arthur C. Thomsen, Omaha
W. A. Day, Omaha
Frank M. Dineen, Omaha
John A. Rine, Omaha
Herbert Rhoades, Tekamah
Henry J. Beal, Ralston
Fifth District, Harry D. Landis, Seward
L. S. Hastings, David City
Sixth District, Louis Lightner, Columbus
Frederick L. Spear, Fremont
Seventh District, Stanley Bartos, Wilber
Eighth District, Sidney T. Frum, South Sioux City
Ninth District, Adolph E. Wenke, Stanton
Charles H. Stewart, Norfolk
Tenth District, Edmund Nuss, Hastings
Frank J. Munday, Red Cloud
Eleventh District, E. G. Kroger, Grand Island
William F. Spikes, St. Paul
Twelfth District, E. G. Reed, Kearney
Thirteenth District, Isaac J. Nisley, North Platte
James L. Tewell, Sidney
Fourteenth District, Charles E. Eldred, McCook
Fifteenth District, Robert R. Dickson, O'Neill
Sixteenth District, Earl L. Meyer, Alliance
Seventeenth District, C. G. Perry, Gering
Eighteenth District, Cloyde B. Ellis, Beatrice

Regents of State University

Second District (To Fill Vacancy), William E. Reed, Omaha
Third District, Chas. Y. Thompson, West Point
Fourth District, M. A. Shaw, David City

DIRECTORS OF POWER DISTRICTS

Boone and Nance Rural Public Power District

	Edward C. Hall	G. M. Cox
(To Fill Vacancy)	Guy S. Bowman	James I. Clark

Cedar-Knox County Rural Public Power District

F. P. Felber	John Mueller	Paul Sellentin

The Central Nebraska Public Power and Irrigation District

O. T. Anderson
Claude Smith
Neil Shreck
J. H. Taylor

Consumers Public Power District

Dyo F. Davis

Chimney Rock Public Power District

J. L. Gorst
L. A. Moomaw
Ralph Townsend
L. T. Thompson
Ira Blackburn
Jake Diedrichsen
(To Fill Vacancy)

Eastern Nebraska Public Power District

Edward L. Hahn
Frank H. Johnson
Daniel E. Roberts

Loup River Public Power District

Chas. B. Fricke
Edd Kelly
John B. Preston

Middle Loup Public Power and Irrigation District

Subdivision Three — Fred Murray
Subdivision Four — Clark S. Reynolds

The Mirage Flats Public Power and Irrigation District

Elmer E. Sturgeon
Lee Alcorn

Norris Rural Public Power District

L. S. Hiatt
Herman Rohlfing
C. W. Buck
F. P. McIlnay

North Loup River Public Power and Irrigation District

District Three — Frank W. Blaha
District Four — Herman Grunkemeyer
District Five — Charles R. Newbecker

Platte Valley Public Power and Irrigation District

C. H. Fisher
Harold H. Buis
George F. Lawless

The Republican River Public Power and Irrigation District

S. W. Frisbie
Wm. Dependehner
H. S. Nelson

Roosevelt Rural Public Power District

George E. Nash
Thomas W. Shepard
C. W. Wright
(To Fill Vacancy)
Buford L. Jones

Southern Nebraska Rural Public Power District

First Subdivision—Phelps County	Ernest Sjogren
Third Subdivision—Adams County	Carl J. Ground
Third Subdivision—Adams County (To Fill Vacancy)	Chas. G. Roeder

AMENDMENT TO THE CONSTITUTION--Proposed By The Legislature

To amend
Section 4, Article IX, and Article XVII,
Constitution of Nebraska

For	Against
173,107	254,639

AMENDMENT TO THE CONSTITUTION--Proposed By The Legislature

To amend
Section 1, Article VII, and Article XVII,
Constitution of Nebraska

For	Against
239,805	179,600

MOTION—To Dispense With Reading Returns

Mr. President: I move that the reading of the tabulated returns be dispensed with and that the abstract prepared by the Secretary of State be accepted as the accredited returns of the election held November 5, 1940 in the State of Nebraska and that the tabulated returns be printed in the Journal.

(Signed) Callan

The motion prevailed.

At the request of the President the Speaker read the list of State officers elected.

The Speaker moved that the State Officers be declared duly elected.

The motion prevailed and the President so declared.

The Committee escorted the Secretary of State to his office.

NOTICE OF CONTEST OF ELECTION

The Clerk read the following notice:

"TO THE FIFTY-FIFTH LEGISLATIVE SESSION, STATE OF NEBRASKA

Peter P. Gutoski, Contestant, vs. George W. Bevins, Incumbent	Notice of Contest of Election

You are hereby notified that Peter P. Gutoski, a duly qualified elector of the Eighth Legislative District of the State of Nebraska, has heretofore commenced a contest of the validity of the election in which a certificate of election was granted to George W. Bevins for the office of State Legislator of the Eighth Legislative District, State of Nebraska, by serving a notice of said contest as required by law, all papers in connection therewith being now on file with the Secretary of State of the State of Nebraska, a copy of which notice and complaint is attached hereto for the information of the Legislature. There is also attached a copy of the deposition of Peter P. Gutoski and Albert E. May, which is likewise for the information of the Legislature.

(Signed) Peter P. Gutoski

I hereby acknowledge receipt of a copy of this within notice and papers attached thereto, this 7th day of January, 1941, at 10:30 a. m.

(Signed) Wm. Edw. Johnson

Lieutenant Governor

State of Nebraska"

REPORT OF COMMITTEE TO NOTIFY GOVERNOR

Mr. President: Your committee to notify the Governor begs leave to report that we have done so and ask that we be dismissed.

Murphy

The committee was dismissed.

Committee to Hear Contest

Mr. President: I move that a committee of five be appointed by the President to hear the contest on the legislative seat in District No. 8, and that Peter P. Gutoski, the contestant, and George W. Bevins be notified to appear before said committee.

(Signed) Mekota

The motion prevailed.

The President appointed the following members to serve on said committee:

Mekota, Chairman
Mischke Jeppesen Crosby Price

And report to the Legislature at their convenience.

MOTION—Committee on Committees

Mr. President: I move that we proceed to vote upon the chairman of Committee on Committees.

(Signed) Garber

The motion prevailed.

Nominating ballot for Chairman of Committee on Committees:

E. Adams	17
Gantz	6
Tvrdik	3
Neubauer	1
Peterson	8
Johnson	1
Murphy	4
Callan	2

Mr. Mischke moved to vote on the three high candidates.

The motion prevailed.

Formal ballot on Chairman of Committee on Committees:

E. Adams	22
Peterson	9
Gantz	11

Having received a majority vote of the members elected, the President declared Ernest A. Adams elected Chairman of Committee on Committees.

MOTION—Committee on Committees

Mr. President: I move that we authorize the members residing within each Congressional District to nominate two members who shall be elected by the Legislature and who shall serve on said Committee on Committees.

(Signed) Peterson

The motion prevailed.

RECESS

At 2:17 p. m. the President declared the Legislature at ease.

At 2:45 p. m. the President called the Legislature to order.

Nominations from Congressional Districts were reported as follows:

First District:	
C. Petrus Peterson	Otto Kotouc, Jr.
Second District:	
George Sullivan	Charles F. Tvrdik
Third District:	
Martin J. Mischke	Richard N. Johnson
Fourth District:	
E. M. Neubauer	J. Lyndon Thornton
Fifth District:	
L. B. Murphy	Harry E. Gantz

MOTION—Committee on Committees

Mr. President: I move that the Committee on Committees, chosen by the members from the different Congressional Districts be declared duly elected thereto.

(Signed) Crossland

The motion prevailed, and the President declared said members elected on the Committee on Committees.

INVITATION

A letter was read from L. E. Gunderson, Finance Secretary of the University of Nebraska, inviting the members to attend the basketball games of the season, and enclosing two tickets for each member.

Committee Meeting

Ernest E. Adams, Chairman, announced that the Committee on Committees would meet at 3:30 p. m. in Room 350.

Adjournment

At 2:52 p. m. Mr. Matzke moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Wednesday.

The motion prevailed with 41 ayes, no nays, 2 not voting.

Hugo F. Srb,
Clerk of the Legislature.

SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, January 8, 1941.

Pursuant to adjournment, the Legislature met at 10:00 a. m., President Johnson presiding.

Prayer was offered by the Reverend Leonard L. Chambers, Chap'ain.

The roll was called and all members were present except Mr. Mueller, who was excused.

The Journal for the First Day was approved as corrected.

STANDING COMMITTEE REPORTS

Committee on Committees

Mr. President: Your Committee on Committees recommends this selection of the following committee of five to be known as the Committee on Legislative Administration:

Charles F. Tvrdik, Chairman

Jack W. Price	Harry E. Bowman
Richard N. Johnson	A. C. Van Diest

I move the confirmation of these members to that committee.

(Signed) Ernest A. Adams, Chairman

The motion prevailed.

MOTION—To Arrange Legislative Chamber

Mr. President: I move that the Committee on Legislative Ad-

ministration be authorized to submit a plan to arrange the Legislative Chamber to suit the convenience of the members.

(Signed) Carmody

The motion prevailed.

MOTION—Arrangements for Inaugural Ceremonies

Mr. President: I move that the President appoint a committee of five to notify the Governor and the Governor-elect that the inaugural ceremony has been arranged for Thursday, January 9, 1941 at 1:30 p. m. in the Legislative Hall and that the committee assist in making final arrangements for inaugural ceremonies.

(Signed) Crosby

The motion prevailed and the President appointed the following members to serve on said committee:

Crosby, Chairman

Greenamyre Raecke Sullivan Blome

MOTION—Statutes and Journals for Members

Mr. President: I move that the State Librarian be directed to furnish to each member of the Legislature, the Lieutenant Governor, the Clerk and the Press, in all, forty-six copies of the Compiled Statutes of Nebraska, 1929, the Session Laws of the 1940 Special Session and the Legislative Journals of the Fifty-third and Fifty-fourth sessions of the Nebraska Legislature, and that the Committee on Legislative Administration be directed to purchase from the compiler forty-six copies of the Compiled Supplement of the Nebraska Statutes, 1939, for distribution to the above named recipients.

(Signed) Amos Thomas

The motion prevailed.

MOTION—Courtesies to the Press

Mr. President: I move that the several representatives of the Press who are regularly assigned to report the proceedings of this Legislature be furnished with the same books, copies of bills, and other supplies that are furnished members.

(Signed) Sorrell

The motion prevailed.

MOTION—Committee to Wait Upon Governor's Secretary

Mr. President: I move that a committee of five be appointed to wait upon the Governor's Secretary and to escort him to Legislative Hall for the purpose of delivering the Governor's budget message.

(Signed) Lambert

The motion prevailed and the President appointed the following members to serve on said committee:

Lambert, Chairman

Kotouc Metzger Norman Reed

The Committee withdrew to the Governor's office.

MOTION—Postage for Members

Mr. President: I move that the members be allowed the same postage this year as they had last year.

(Signed) Bevins

The motion prevailed.

MOTION—Supplies for Lieutenant Governor

Mr. President: I move that the Lieutenant Governor be furnished with the same supplies and postage that are furnished to members.

(Signed) Weborg

The motion prevailed.

MOTION—Mailing Legislative Journals

Mr. President: I move that each member be allowed to mail Legislative Journals not to exceed forty to his constituents.

(Signed) Carlson

The motion prevailed.

REPORT—Arrangements for Inaugural Ceremonies

Mr. President: Your Committee reports that the Governor and Governor-elect are both away, at the penitentiary attending a meeting of the Board of Pardons, and your committee will wait upon them at their earliest convenience and notify them of the inaugural ceremonies.

Crosby

REPORT—Committee to Wait Upon Governor's Secretary

The Committee to wait upon the Governor's Secretary and escort him to the Legislative Chamber returned with Mr. Otho K. DeVilbiss, Secretary to the Governor, who read the following message to the Legislature.

BUDGET MESSAGE OF R. L. COCHRAN, GOVERNOR

To the Members of the fifty-fifth session of the Legislature of Nebraska:

Gentlemen:

Section 7 of Article 4 of the Constitution of Nebraska, provides that the Governor "at the commencement of each regular session, shall present by message a complete itemized budget of the financial requirements of all departments, institutions and agencies of the state, for the ensuing biennium. Said budget shall be prepared with such expert assistants, and under such regulations as may be provided by law. No appropriation shall be made in excess of the recommendation contained in such budget, unless by three-fifths vote of the Legislature, and such excess so approved by three-fifths vote shall not be subject to veto by the Governor."

Section 81-302, of the Compiled Statutes of Nebraska for 1929 provides that "in case of a change of administration, the outgoing Governor shall deliver the budget to the legislature previous to the close of his term, and the incoming Governor shall have fifteen days in which to review the budget as prepared and delivered by his predecessor, and may send to the Legislature a supplementary budget message, making suggestions of any changes which he deems wise, and the constitutional requirement for a three-fifths vote to increase the items and recommendations contained in the budget shall relate to the supplemental message of the Governor."

In accordance with the foregoing constitutional and statutory provisions, I am transmitting herewith my budget recommendations to your honorable body, and my worthy successor will later submit to you his recommendations, in accordance with the provisions of the statute.

In the preparation of this budget I have kept in mind, as I have heretofore in the preparation of budgets, not only the needs of the various expending agencies, but also the ability of the taxpayers to pay for those needs. Six years ago my worthy predecessor called attention to the fact that, added to our other adversities, we had, in 1934, just preceding his message, the worst drought in the history of the state. I call your attention to the fact that we have had six

additional years of drought of quite general character since the condition referred to by Goveronr Bryan.

Farm income, our main and almost exclusive source of revenue, has declined by more than fifty per cent in the past ten years. Our population has declined and the valuation of property for assessment purposes has declined.

The ability of people to pay taxes is best measured by income and by assessed valuation of property. As a result of reassessment of real property in 1940, we have seen a decline of 6.1% in the valuation of all property. In the preparation of this budget, I have felt that total expenditures should be reduced in a percentage equal to the overall reduction in assessed valuation of all property for taxation purposes. In this we found many cases where reductions were not possible because of constitutional or statutory provisions. Accordingly, I made a reduction of 7% where possible in order to obtain a net reduction in the total of property tax appropriations in proportion to the reduction in the assessed valuation of the state.

BOARD OF CONTROL

During the past six years we have, by taking advantage of all available federal funds together with appropriated state funds, expended $2,501,894.00 for improvements, mainly for mental hospital ward buildings. These expenditures were made not alone for the purpose of providing safe housing facilities but also to relieve the waiting list of those confined and cared for in counties at a cost greater than that for which they can be cared for by the state. Because of these increased facilities and the resultant increase in population, amounting to 1,348 additional patients by the beginning of the next biennium, an increase in maintenance of institutions under the Board of Control is recommended.

EDUCATION

In keeping with the policy of this budget, I recommend a 7% reduction in maintenance fund of the University and the four normal schools.

I eliminated an item of $94,000.00 for aid to normal training in high schools as heretofore appropriated to the Superintendent of Public Instruction. I am advised by educational authorities that Nebraska is one of the few states which still make appropriations to high schools for normal training. My study convinces me that there is no reason for a continuation of this policy. Normal training is provided through four state normal schools and the state university.

I believe that this sum can be used more efficiently by allocating it to these institutions which are specifically provided with facilities for doing this kind of educational work. In this budget I have, accordingly, allocated the item of $94,000.00, appropriated to the State Superintendent of Public Instruction in 1939, to the Four Normal Schools and the State University. Certain it is, too, that from a geographic standpoint, this arrangement will provide more equitable distribution of educational advantages.

I have not recommended any appropriation for payment of tuition for children living in Army posts and attending public schools. I do not consider this a state responsibility. I consider it a responsibility either of the federal government or of the local community in which the Army posts are located. I think that each community where a post is located derives in federal money, directly or indirectly, a substantial advantage. It is my belief that these advantages they accept should carry also the responsibility that goes with them.

DEPARTMENT OF ROADS AND IRRIGATION

This budget contemplates a continuation of the present sources of revenue at the same rates for financing our highway program. The increase in the budget for the Bureau of Irrigation is occasioned by the expansion of the irrigated area in Nebraska by the building of new projects requiring an additional office to be located at St. Paul for the administration of the irrigation laws.

GAME, FORESTATION AND PARKS COMMISSION

Six years ago I recommended to the legislature that the maintenance of state parks be financed entirely from property tax. This recommendation was adopted by the legislature of 1935. Since that time, according to members of the Game, Forestation and Parks Commission, there are increased needs and burdens which have accrued to the parks division of the service so that larger appropriations are being requested for maintenance. Then, too, there are requests for additional parks such as Fort Kearney and others. I can visualize this becoming a considerable financial burden to the state.

Two years ago the Legislature raised the license fees for hunting and fishing from $1.00 to $1.50. This provides additional revenue for this department and I think it is entirely appropriate to spend out of this increased fund what is necessary to maintain the parks of the state. Therefore, in my budget I have omitted any item for maintenance of parks from property tax funds. This budget proposes that the maintenance of parks as well as all other activities under this commission be financed by proceeds from fishing and hunting

licenses. I recommend the repeal of Section 37-212, C. S. of N., 1929, as amended in 1935.

EXECUTIVE DEPARTMENT

Your Governor's mansion is an adequate and comfortable home for the Governor and his family, provided it is properly maintained and operated so that it does not prove to be too great a financial burden to the occupants.

Therefore, I make the following recommendations which only an outgoing Governor would feel free to make:

1. The responsibility of the physical maintenance of the mansion and grounds be given to the custodian of the capitol.

2. An increase from $3,200 to $5,740 for the maintenance of the Governor's mansion. There are two reasons for this increase: First, the unwarranted and excessivee cut of almost one-third made for the Governor's mansion by the legislature two years ago; and second, I have estimated $750 as the amount necessary to repaint the mansion, which is badly needed for its preservation.

I have recommended an increase from $4,272.61 to $5,000 in the maintenance of the Governor's office. My experience in the office convinces me that the increased responsibility of the office makes this increase necessary.

ATTORNEY GENERAL

My recommendations for this department represent a reduction of approximately $23,000 below the appropriation made two years ago.

During the past two biennial periods, appropriations made for this department showed considerable increases over the previous biennniums, during a time when general reductions were being effected. For the general administration of the office, exclusive of the item for interstate irrigation litigation, I have recommended the same amount as for the 1935-1937 biennium, allowing for salary difference prior to Supreme Court decision.

CUSTODIANSHIP OF CAPITOL

An increase of $8,332.33 has been recommended for the maintenance of the capitol. This increase is made necessary because of diminishing receipts from the old capitol building levy which in previous years have gone for maintenance of the capitol.

SOCIAL SECURITY

Attention is called to the fact that the law providing for the use of one cent of gasoline tax for state assistance will expire July 1, 1941. This budget is based upon the assumption that this law will be re-enacted and continued for the coming biennium. This budget contemplates collection of revenue for state assistance from the present, four sources: beer and liquor taxes, one cent of gasoline tax, the per capita tax of $2.00 on those between the ages of 21 and 50 and estate taxes.

PLANNING BOARD

I recommended the discontinuance of this activity, and therefore recommend no appropriation.

LEGISLATIVE COUNCIL

I recommended the discontinuance of this activity, and therefore recommend no appropriation.

HISTORICAL SOCIETY

This budget shows an increase in the amount of $8,550.00 recommended for the State Historical Society. This recommendation is made for the reason that I think the amounts previously recommended have been so small and the work of the Historical Society has so grown that in my judgment the amounts recommended are seriously needed to the end that a record of Nebraska's history be properly maintained for its educational value to present and future generations.

DEPARTMENT OF AGRICULTURE

Two years ago the legislature passed a bill providing for egg inspection. However, through error an appropriation was not made for its administration. This budget includes $10,000.00 for making effective the law passed two years ago.

DEPARTMENT OF HEALTH

I have recommended an appropriation of $5,000.00 for the installation of a master filing system, the necessity for which is due to present emergency condition in world affairs and defense activities in this nation which have created tremendous demands for copies of birth certificates.

PUBLICATION OF GOVERNORS' MESSAGES

It is my understanding that the University of Nebraska is sponsor-

ing a WPA project costing $30,000 in federal funds for the purpose of making a permanent record of certain historical documents, including the publication of the addresses of the Governors of Nebraska. It appears that the good which can be realized from this project will largely be lost wtihout the publication of these records and I have, therefore, recommended $3,000.00 for the publication of the Governors' messages.

CONCLUSION

In general there are two classes of taxes—those derived from property and those derived from fees, licenses, etc.

I hope this legislature does not attempt to delude the public as did the last, which attempted to show by making the low estimates of appropriations from fees and other cash sources, that reductions in appropriations had been made where no such reductions existed. For example, I quote from a report of the Director of Research of the Legislative Council: "There was a reduction of $4,419,840.13 in appropriations made by the 1939 Legislature under those made by the Legislature of 1937."

The real facts are that reductions in appropriations were made by the last Legislature in the amount of $1,581,144.01.

The only way to give the taxpayer a reduction in taxes other than property taxes is by actually reducing the rate of assessment of the gas tax, the insurance tax, game and fish licenses, the auto registration, etc., rather than merely inserting a figure that in no way influences either collection or expenditure. Let us be honest with the public. The budget message I submit shows no reductions except in property tax. I have made a reduction in property tax recommendations in line with the reduction in assessed valuation for 1940. I hope this legislature can find ways to reduce my budget. To go beyond my budget means an increased burden on property, or in lieu thereof, a new form of taxation. May I say, frankly, I am opposed to either. I do believe that he who advocates a greater appropriation than that which I have submitted in effect advocates a new form of tax such as a state income tax or a general sales tax. I am opposed to both. I am likewise opposed to levying a heavier burden on property taxes.

The people of Nebraska are proud of the fact that we have during the past six years resolutely avoided the adoption of an income tax or a general sales tax, and have likewise succeeded in maintaining the state property tax levy at a consistently low rate.

In preparing this budget I have found it necessary to depart from my knowledge of needs and have been guided rather by my

knowledge of the reduced ability of the taxpayers to pay. In this I have used as a measuring stick the reduction in assessed valuation of property made in 1940.

As required by Section 81-313, Compiled Statutes of Nebraska, 1929, I am submitting bills for appropriations as recommended in this budget.

Respectfully submitted,

(Signed) R. L. COCHRAN,
Governor

Submitted with his Budget Message was a copy of the Governor's Budget for the 1941-1943 biennium and his proposed budget bill for the fifty-fifth session.

At 10:50 a. m. the President declared the Legislature at ease.

At 11:14 a. m. the President called the Legislature to order.

REPORT—Committee on Committees

Mr. President: Your Committee on Committees submits the following action taken by the committee in the selection of the standing committees.

(Signed) Ernest A. Adams, Chairman

Standing Committees

AGRICULTURE—Neubauer, Chairman

Metzger	Matzke
Weborg	Mischke
Carmody	Ray Thomas
Hanna	Knezacek

APPROPRIATIONS—Callan, Chairman

Reed	Jeppesen
Norman	Carlson
Tvrdik	Garber
Greenamyre	Mueller
Raecke	Howard

BANKING, COMMERCE & INSURANCE—Thornton, Chairman

Peterson	Van Diest
Sullivan	Kotouc
Lambert	Ernest Adams
Bowman	Asimus

CLAIMS & DEFICIENCIES—Lambert, Chairman

Metzger	Van Diest
Bowman	Blome

EDUCATION—Matzke, Chairman

Crossland	Ernest Adams
Neubauer	Peterson
Mischke	Crosby
Thornton	Hanna

ENROLLMENT & REVIEW—Crosby, Chairman

Sorrell	Blome
Bevins	Rakow

GOVERNMENT—Sorrell, Chairman

Weborg	Crossland
Crosby	Bowman
Bevins	Knezacek
Matzke	Peterson

JUDICIARY—Gantz, Chairman

Price	Amos Thomas
J. Adams	Rakow
Johnson	Murphy
Mekota	Kotouc

LABOR & PUBLIC WELFARE—Sullivan, Chairman

Weborg	Asimus
Brodahl	Carmody
R. Thomas	Knezacek
Bevins	Sorrell

LEGISLATIVE ADMINISTRATION—Tvrdik, Chairman

Johnson	Bowman
Van Diest	Price

PUBLIC HEALTH AND MISCELLANEOUS SUBJECTS—

Ray Thomas, Chairman

Brodahl	Thornton
Asimus	Hanna

PUBLIC WORKS—Mischke, Chairman

E. Adams	Blome
Neubauer	Van Diest
Carmody	Metzger
Lambert	Sullivan

REVENUE—Murphy, Chairman

Brodahl	Price
Amos Thomas	J. Adams
Johnson	Crossland
Mekota	Gantz

RULES—Mekota, Chairman

Rakow	Sullivan
Peterson	Murphy

Ernest Adams moved that the report be adopted.

The motion prevailed.

Adjournment

At 11:20 a. m. Mr. Lambert moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Thursday.

The motion prevailed with 40 ayes, no nays, 3 not voting.

Hugo F. Srb,
Clerk of the Legislature.

THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, January 9, 1941.

Pursuant to adjournment, the Legislature met at 10:00 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Mueller, who was excused.

The Journal for the Second Day was approved.

Communications

Letters were read from James Houska of Los Angeles and Abbie M. Lusk of Arlington, California, both in regard to securing birth certificates from Nebraska.

SELECT COMMITTEE REPORTS

Legislative Council

January 9th, 1941

To the Members of the Legislature
of the State of Nebraska:

The Nebraska Legislative Council submits herewith the following items: (1) a copy of its report to the Fifty-fifth Session of the Nebraska Legislature; (2) a copy of the minutes of each of its meetings during the past two years; and (3) a copy of each research report published since the adjournment of the last regular session of the Legislature.

The report of the Legislative Council, including a summary of

its legislative program, was made public thirty days before the opening of the current legislative session, and a copy thereof was mailed to each member. Likewise, copies of the minutes and of the research reports have been mailed to members of the Legislature as they were released. The Council now desires, however, to present to the assembled Legislature copies of these documents to become a part of the official records of the Legislature of the State of Nebraska.

Respectfully submitted,

Nebraska Legislative Council,

(Signed) Amos Thomas, Chairman

Legislative Council Reports numbered 4 to 15 inclusive were submitted with the above report.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 1. By Sorrell of Otoe, Gantz of Box Butte.

A bill for an Act relating to municipal corporations; to empower cities of the first class, cities of the second class and villages to exercise the right of eminent domain for acquiring public utility property; to provide validity and saving clauses; to repeal Sections 19-701, 19-702, 19-703, 19-704, 19-705, 19-706 and 19-707, Compiled Statutes of Nebraska, 1929; and to declare an emergency.

LEGISLATIVE BILL NO 2. By Sorrell of Otoe, Gantz of Box Butte.

A bill for an Act relating to municipal corporations; to amend Sec. 16-671, C. S. Supp., 1939, to provide that cities of the first class having a population of more than five thousand and less than twenty-five thousand inhabitants may construct, purchase or otherwise acquire a gas plant or a gas system, including a natural or bottled gas plant, gas distribution system or gas pipe lines, either within or without their corporate limits and may pay for the cost of the same by the issuance and sale of revenue bonds or debentures; to provide that cities of the second class and villages may likewise construct, purchase or otherwise acquire a waterworks plant or a water system, a gas plant or a gas system, including a natural or bottled gas plant, gas distribution system or gas pipe lines, either within or without its corporate limits and may pay for the cost of the same by the issuance and sale of revenue bonds or debentures; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 3. By Thomas of Douglas.

A bill for an Act to amend Sec. 27-601, C. S. Supp., 1939, relating to fiduciaries; to prescribe legal investments for trustees, executors, administrators or guardians in the absence of express instructions in the instrument creating the fiduciary relationship; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 4. By John Adams, Jr., of Douglas.

A bill for an Act to amend Sec. 71-3405, C. S. Supp., 1939, relating to the public health; to provide for the reporting of the birth and the enumeration of crippled children in the state of Nebraska; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 5. By Metzger of Cass, Van Diest of Loup, Ernest A. Adams of Douglas, Kotouc of Richardson, Hanna of Cherry, Brodahl of Saunders.

A bill for an Act relating to revenue; to authorize county boards and the governing bodies of municipalities to levy during the years 1941 and 1942, a tax of not to exceed one mill upon all the taxable property within their corporate limits for the relief of unemployed and indigent persons under certain conditions; to provide for the expenditure of moneys collected under the Emergency Act of 1939 and 1940; to limit the cost of administration of all activities thereunder in all counties having a population of less than one hundred and fifty thousand inhabitants to an amount not exceeding five per cent of the moneys arising under this act; to limit the cost of administration of all activities conducted thereunder in all counties having a population of more than one hundred and fifty thousand inhabitants to an amount not exceeding ten per cent of the moneys arising under this act; to repeal Secs. 77-1826, 77-1827 and 77-1828, C. S. Supp., 1939; and to declare an emergency.

LEGISLATIVE BILL NO. 6. By Lambert of Platte.

A bill for an Act to amend Section 28-1023, Compiled Statutes of Nebraska, 1929, relating to tobacco and cigarettes; to prohibit any wholesaler of tobacco and cigarettes from selling and delivering any cigars, tobacco, cigarettes or cigarette material to any retail dealer who is not, at the time of said sale or delivery, the recipient of a valid tobacco license for the current year to retail the same; to prohibit any person, partnership or corporation from purchasing or receiving any cigars, tobacco, cigarettes or cigarette material for purposes of resale who is not the recipient of a valid tobacco license to

retail the same at the time he purchases or receives tobacco products; and to repeal said original section.

REPORT—Arrangements for Inaugural Ceremonies

Mr. President: Your committee appointed to notify the Governor and Governor-elect that the inaugural ceremony is to be Thursday, January 9, at 1:30 p. m. has performed its duty and they have accepted.

(Signed) Crosby

MOTION—Citing Nebraska Statutes

Mr. President: I move that when referring to and citing any statutes enacted prior to the fifty-fourth session of the Nebraska State Legislature and not appearing in Compiled Statutes, 1929, such statutes be cited as "Sec. , Comp. St. Supp., 1939".

The motion prevailed.

(Signed) Gantz

RESOLUTIONS

Mr. President: I offer the following resolution, move that the rules be suspended, that said resolution be forthwith referred to the Committee on Appropriations and to the Committee on Legislative Administration for their joint action and their report thereon.

(Signed) Amos Thomas

LEGISLATIVE RESOLUTION NO. 1.

Authorizing Committee on Appropriations acting in conjunction with Committee on Legislative Administration to reimburse Nebraska Legislative Council for bill drafting and related services rendered this Legislature from December 7, 1940 to January 6, 1941, the pre-session bill drafting service period.

Introduced by Amos Thomas, Chairman Legislative Council, John Callan, Chairman Finance Committee, Charles F. Tvrdik.

PREAMBLE

WHEREAS, Sec. 50-502 (e), C. S. Supp., 1939, directs the Nebraska Legislative Council to establish and maintain for a thirty day period preceding the convening of regular legislative sessions a complete and efficient bill drafting service for the purpose of aiding and assisting members of the Legislature and the executive departments

of the state in the preparation of bills, resolutions or measures and in drafting the same in proper form, and

WHEREAS, the Nebraska Legislative Council performed the duties and rendered the services enjoined upon it in connection with bill drafting and related services from December 7, 1940 up to and including January 6, 1941, and

WHEREAS, no appropriation for pre-session bill drafting and related services was made in Section 2, Chapter 133, Laws of Nebraska, 1939, and

WHEREAS, the Nebraska Legislative Council has, pursuant to law, incurred necessary and reasonable expenses by way of legal and stenographic services and office supplies in the sum of eight hundred seventy-one dollars and twenty-five cents and has sworn vouchers on file for the expenses incurred for legal and stenographic services amounting to six hundred and ninety dollars for said period and invoices for supplies, not vouchered, in the sum of one hundred eighty-one dollars and twenty-five cents, which ought to be paid through a Nebraska Legislative Council Cash Fund for convenience in bookkeeping and accounting, NOW THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-FIFTH REGULAR SESSION ASSEMBLED:

1. That it is the sense of this Legislature that the Nebraska Legislative Council be reimbursed for necessary expenditures made during the thirty day pre-session bill drafting period for the reason set forth in the preamble hereof.

2. That the Committee on Appropriations, acting in conjunction with the Committee on Legislative Administration, upon proper vouchers, being presented to them, signed by the chairman of the Nebraska Legislative Council, be directed to pay over to said Council forthwith the sum of eight hundred seventy-one dollars and twenty-five cents with directions to credit the same to the "Bill Drafting Service, Cash Fund (6c)" of said Council out of the unexpended balance arising out of Section 1, Chapter 61, Laws of Nebraska, 1939, for incidental expenses incurred by the Fifty-third Session, Nebraska State Legislature, 1939, which unexpended balance is one thousand two hundred twenty-two dollars and sixty-three cents (Auditor's Fund No. Em. 3-4-5- Legislative Expenditures); and that the Auditor of Public Accounts and the State Treasurer be directed forthwith to set up in the books of their offices respectively "Bill Drafting Service, Cash Fund (6c), Nebraska Legislative Council".

Mr. Thomas' motion relating to Legislative Resolution No. 1 prevailed with 39 ayes, no nays, 4 not voting.

Employees of Legislative Council

Mr. President: The following officers and employees of the Nebraska Legislative Council are herewith submitted for confirmation:

Name	Title
Shumate, Dr. Roger V.	Research Director
Price, Marguerite	Secretary
Nixon, Louise A.	Librarian & Reference Clerk
Mann, George R.	Bill Drafter
Davies, Tom M.	Assistant Bill Drafter

Additional stenographic and clerical help to be employed as needed, but the number fo such employees varies from day to day during the legislative session, depending on the volume of work.

(Signed) Amos Thomas

MOTION—To Confirm Appointments

Mr. Amos Thomas moved that the appointments in the Legislative Council be approved by the Legislature.

The motion prevailed with 41 ayes, no nays, 2 not voting.

NOTICE OF COMMITTEE HEARING

Election Contest

Mr. Mekota announced that the Committee on Election Contest will meet at 2 p. m. Friday, January 10, 1941 in the West Lounge.

Recess

At 10:52 a. m. the President declared a recess of the Legislature until 1:00 p. m.

After Recess

The Legislature reconvened at 1:20 p. m. Speaker Howard presiding.

The roll was called and all members were present except Mr. Mueller, who was excused.

MOTION—To Escort Governor Cochran

Mr. President: I move that a committee of five be appointed to escort Governor Cochran to the Legislative Chamber for the purpose of making his farewell address.

(Signed) Garber

The motion prevailed and the Speaker appointed the following members to serve on said committee:

Garber, Chairman
Weborg Jeppesen Mischke Brodahl

MOTION—Bonds of State Officers

Mr. President: I move that a committee of three be appointed to wait upon the Secretary of State for him to certify that Governor Dwight Griswold, Lieutenant Governor William Edward Johnson, Auditor of Public Accounts, Ray C. Johnson, State Treasurer, L. B. Johnson, Attorney General, Walter R. Johnson, and Railway Commissioner, Richard H. Larson, have furnished bond and have taken oath and both are on file with the Secretary of State; and that the same committee call upon the Auditor of Public Accounts for him to certify that the Secretary of State, Frank Marsh, has furnished bond and oath and that both bond and oath are on file with the Auditor of Public Accounts.

(Signed) John Adams, Jr.

The motion prevailed and the Speaker appointed the following members to serve on said committee:

John Adams, Jr., Chairman Price Matzke

MOTION—To Escort State Officers

Mr. President: I move that a committee of seven be appointed to notify the state officers elect, that the Legislature is in session and to escort them before the bar of the Legislative Assembly for the purpose of taking the oath and being inducted into office.

(Signed) Ernest A. Adams

The motion prevailed and the Speaker appointed the following members to serve on said committee:

Ernest A. Adams, Chairman

Crossland Knezacek Van Diest
Ray Thomas Sorrell Rakow

MOTION—To Escort Chief Justice and Associate Justices

Mr. President: I move that a committee of seven be appointed to escort the Chief Justice and Associate Justices of the Supreme Court before the Legislature for the purpose of administering the oath of office to the state officers elect.

(Signed) Peterson

The motion prevailed and the Speaker appointed the following members to serve on said committee:

Peterson, Chairman

Kotouc	Greenamyre	Raecke
Johnson	Callan	Crosby

REPORT—Bonds of State Officers

Mr. President: Your committee appointed to wait upon the Secretary of State and the Auditor of Public Accounts has performed its duty and reports that the Governor-elect and all other state officers-elect have furnished bond and taken oath as required by law.

(Signed) John Adams, Jr.

Certificate of Auditor of Public Accounts

January 9, 1941

I, Ray C. Johnson, Auditor of Public Accounts for the State of Nebraska, hereby certify that Bond No. 171994 of the Great American Indemnity Company of New York issued to Frank Marsh, Secretary of State for the State of Nebraska, in the amount of $50,000.00 has been approved as to form by the Attorney General of the State of Nebraska, as to Company and Agency by the Department of Insurance of the State of Nebraska, and by the Governor, R. L. Cochran, of the State of Nebraska on January 8, 1941, is now on file in the office of the Auditor of Public Accounts for the State of Nebraska together with his oath of office which has been properly sworn to.

(Signed) Ray C. Johnson
Auditor of Public Accounts for
the State of Nebraska

(SEAL)

MOTION—To Escort Governor-elect

Mr. President: I move that a committee of five be appointed to escort the Governor-elect to the Legislative Chamber for the inaugural ceremonies.

(Signed) Amos Thomas

The motion prevailed and the Speaker appointed the following members to serve on said committee:

Amos Thomas, Chairman

Norman	Tvrdik	Hanna	Neubauer

The following named officers were escorted to the rostrum by the respective committees:

Governor, R. L. Cochran
Railway Commissioner, Richard H. Larson
Auditor of Public Accounts, Ray C. Johnson
State Treasurer, L. B. Johnson
Attorney General, Walter R. Johnson
Lieutenant Governor, William Edward Johnson
Secretary of State, Frank Marsh
Chief Justice of the Supreme Court, Robert G. Simmons
Associate Justice, George A. Eberly
Associate Justice, William B. Rose
Associate Justice, Bayard H. Paine
Associate Justice, Edward F. Carter
Associate Justice, Fred W. Messmore
Associate Justice, John W. Yeager
Governor-elect, Dwight Griswold

Invocation

Invocation was pronounced by the Very Reverend Monsignor Clarence J. Riordan of Lincoln.

The Speaker presented Governor R. L. Cochran who delivered the following:

FAREWELL MESSAGE OF GOVERNOR R. L. COCHRAN

To the Members of the Fifty-Fifth Session
of the Legislature of Nebraska
January 9th, 1941

Mr. President and Members of the Legislature of Nebraska:

The Constitution of the State of Nebraska contemplates the submission of budget recommendations by the retiring Governor. This was submitted on January 8th, 1941. Under our Constitution the chief executive is also required to present to the Legislature a review of activities during the past two years, conditions at the present time and recommendations for the future. In view of the fact that the past two years have seen but a continuation of the conditions of the previous four years, my observations and recommendations are conditioned by this entire six year period.

There is every indication that my worthy successor will be confronted by much the same conditions that confronted me and he will face much the same problems that I faced.

He will be met by the same pressure groups and perhaps new ones, however improbable that may seem. I am sure, too, that veteran members of the Legislature are most familiar with the process of pressure and the new members will not long escape the close and cordial attention of those whose interests in their own eyes transcend all other considerations. Each group will favor economical government until it comes to the particular cause this group represents. May I predict, Mr. Governor, and members of the Legislature, that representatives of the educational field who ask you for greater appropriations will applaud any economies you may accomplish in reducing expenditures for other purposes. May I predict, too, that those seeking more for old age assistance will think nobly of your efforts in reducing public expenditures for highways and other agencies. It follows, too, that those who would speed up the highway building program will give you just credit for effecting economies in the assistance program and in other state activities.

The odd thing about all of this is that, for instance, those who most ardently advocate a reduction in highway expenditures will perhaps be the first asking for a highway project.

I am describing a condition and not a theory. I merely cite this to you to counsel you that as you consider the question of appropriations, which is the most important function of the Legislature, you will find, and must keep in mind, that everyone is for lower appropriations, lower taxes, except for his own pet activity. We cannot change human nature but we can be guided by it.

I have submitted a budget to this honorable legislative body in which I have attempted to appraise as a whole the needs of the people and the ability of our people to pay for those needs.

We must think in terms of majority instead of minority interest. We must think in terms not only of the state's needs but also in terms of our ability to supply those needs. We must think, too, of the decline in physical valuation of property for assessment purposes from three and one-third billion dollars in 1921 to one billion, nine hundred million dollars in 1940. We must think in terms of the reduction in farm income of more than 50% during the past ten years. We must think in terms of our dependence, to a considerable extent, during the past seven years on the federal government. A realistic view forces us to conclude that had we not had the benefits of this federal policy, our decline in population would have reached into the hundreds of thousands instead of a mere sixty-four thousand.

As your Governor for the past six years, I bring these things to your minds as a proper review of the past, as a possible guide to the future.

In making appropriations for state needs, whether it be for the state university, normal schools, charitable and penal institutions, state assistance, highways or any other purpose, the sound judgment of our people would have us determine appropriations on this basis of what we can afford. They would not have us fix our appropriations on the basis of the standards of other states, with vastly larger resources. Rather would our people have us make appropriations on the basis of Nebraska's resources.

Planning Board

This board was established by an act of the Legislature four years ago, one of its purposes being to study and report on the building needs for the next ten years. At that time we had in mind the construction and maintenance of additional buildings for education purposes and for charitable and penal institutions. I think this board has done a splendid job along the lines of reporting on these needs and of improving the maintenance of existing buildings. Since 1937, when this law was passed, we have had four additional years of drouth. Frankly, gentlemen, it is now a question in my mind not of whether we can build and maintain additional buildings but whether we can maintain existing buildings. If more buildings are constructed, it will be necessary to increase the property tax burden. The only alternative, in my judgment, would be to depart from our time-tested and may I say time-honored system of avoiding new forms of taxes and at the same time achieving reductions in the property tax burden. Has anything happened to warrant our departure from this policy? I do not think so. The farmers who cannot build new barns or even paint their old ones would have to pay for any new buildings and their future maintenance.

The report of the board on a building program will be valuable in assisting future legislatures to determine priority of construction in the event that our income and our physical valuation of property return to a level where the people can afford not only new construction but even more important to maintain additional buildings. Certain it is that the big problem of today is to maintain existing buildings. Let us not forget that during our more prosperous years we had fewer state buildings to maintain than now.

This board has rendered an outstanding service in their survey of Nebraska resources and also in their survey of the educational needs of Nebraska. This latter survey, covering higher education as well as secondary education was found necessary by the board so that they could intelligently report on a ten-year building program for institutions of higher learning. In arriving at their conclusions with reference to building needs, the board thought exclusively of needs. I am thinking, too, of ability to pay for those needs. I be-

lieve that the board has done its work well. I believe, too, that it should be discontinued as a state activity and recommend the repeal of the law creating the board.

Improvements at State Charitable and Penal Institutions

Because of the improvements made during the past six years not only has congestion been decreased in the state mental hospitals, but also the list of those held in counties awaiting admittance has been practically eliminated.

Six years ago when I became Governor, the total number of patients in state mental hospitals was 4,957. The total number today is 5,638. At the end of this biennium, within the next six months an additional capacity of 667 will be available. This means that during the six years of which I speak the capacity of our state mental hospitals has been increased by the grand total of 1,348 beds.

In addition this construction program has also made it possible to give proper facilities for 356 patients who previously had been sleeping on floors, in basement rooms and in other places not suitable for occupancy.

This has been not alone a humanitarian program. It has been a program of sound economics. It has been a program under which the taxpayers as a whole save by spending money. The savings result by providing facilities at state institutions at greatly reduced per patient cost under the cost of holding patients in the counties in private institutions, or county jails. Briefly, it is a building program which not alone improves living conditions and treatment of the patients but will reduce the total burden of the taxpayer as well, considering state and county taxes as a whole.

I do not wish to imply that all construction work necessary for the institutions under the State Board of Control has been accomplished. I merely wish to say that in my budget because of present economic conditions in the state I have limited my recommendations to actual emergencies such as provisions for sewage disposal at the Beatrice Feeble-Minded Institution and for a new boiler at the Norfolk institution.

In addition, attention is called to improved methods of treatment at state mental hospitals. Attention is also called to greatly improved purchasing methods with tests made of commodities purchased.

The population at the penal institutions has declined very considerably during recent years. The number of inmates at the men's reformatory is 194 at present, being less than one-half of the peak

number of 426. The population of the penitentiary is 150 less than the peak number of 981.

With the facilities now available of the Genoa state farm, it is suggested that study and consideration be given to elimination of the reformatory for men. It is estimated that $50,000.00 per biennium could be saved by such an elimination.

Consolidation of the schools for the blind and the deaf is also a matter for consideration, perhaps to be accomplished sometime in the future.

Social Security

We are expending now $8,000,000.00 per year for old age assistance, aid to dependent and cripped children and to the blind. The state revenue supporting these activities comes from beer and liquor taxes, the $2.00 head tax for those between 21 and 50 years of age, from estate taxes and from one cent gasoline tax. The law applying one cent of gasoline tax to state assistance expires under its own provisions on July 1st, 1941. I recommend the re-enactment of this law.

The principle of applying the provisions of the Social Security law having to do with retirement pay has been a matter of public discussion as to its application to public employees. I think the principle is sound and that eventually the state should make provision for retirement pay of state employees. The facts are that one state agency, the Board of Regents of the University, has already announced such a program for their teaching staff. To me it is inequitable and unjust for the state to pick one class for retirement pay to the neglect of all others and particularly when the group so preferred represents the highest income brackets. I do not believe that any administrative agency should establish such a policy without authorization from the Legislature. I do believe that if and when such a policy is established by legislative action, first consideration should be given to the low-salaried employees rather than to those whose employment at higher salaries over a long period of years should make it possible for them to provide for security in old age.

State Treasury

The prevailing overdraft in the general fund of the state treasury started approximately three years ago and was caused by three things:

1. In 1937, the Legislature allocated revenue from beer and liquor taxes to the state assistance fund. Previously such revenue had been allocated to the general fund of the state

treasury. The amount so transferred by the Legislature in 1937 from the general fund to the state assistance fund was approximately $1,300,000.00. The Legislature made no provision to replenish the general fund and consequently this large deficiency resulting from this transfer to the state assistance fund had to be absorbed out of property tax collections accruing to the general fund.

2. The Legislature of 1937 in the appropriation bill appropriated unexpended balances instead of allowing such unexpended balances to revert to the general fund, as had been the practice throughout the history of the state.

3. Due to greatly reduced crop production as a result of drouth during these years, tax delinquencies have increased materially.

Despite these handicaps in maintaining a general fund balance, collections have been made of taxes which have accrued to the general fund to the extent that for the fiscal year July 1st, 1939 to July 1st, 1940, the revenue which accrued to the state general fund totaled $6,232,830.86, whereas the expenditures from this fund for the same period totaled $5,697,152.67, the receipts for the year exceeding the expenditures by $535,678.19. In the month of December, 1938, the net general fund overdraft reached $1,042,737.26, its largest amount. By July 1st, 1940, the overdraft had been wiped out, with a small balance remaining. Owing to the usual slackening off of tax collections during the last six months of the year, the net general fund overdraft amounted to $192,971.17 on December 31, 1940. However, it is expected that with receipts in January, 1941, the overdraft will entirely disappear.

Fortunately a provision of the statute enacted in 1915 authorizes the state treasurer to carry as cash items out of any balances in the treasury, state warrants drawn against the fund in which there are inadequate receipts to meet the same. Because of this provision and the fact that there were ample proceeds in other funds in the office of the state treasurer, it has not been necessary to register warrants or pay interest on any sums whatsoever because of the general fund overdraft.

Board of Educational Lands and Funds

As chairman of this board, I am happy to report that the affairs of this board are in the best condition that they have been for many years. This was made possible by elimination of the office of Commissioner of Public Lands and Buildings and as a result of the Board of Educational Lands and Funds actually assuming complete control of the matters entrusted to it.

On September 19, 1939, the board reorganized its staff and selected a chief clerk to be in charge of the entire office, under the direction of the board. At the same time the number of the staff was reduced. By this arrangement, there was at all times one person in charge of the office responsible to the board.

The efficiencies resulting from this become most abvious by the following:

First, in 1940, every acre of school land subject to lease was placed under lease for the first time in the history of the state.

Second, a number of small isolated tracts consisting of a few acres here and there, on which the state had received no rental for years, have been favorably disposed of.

Third, collections from July, 1939, to July, 1940, were increased in excess of $125,000.00, over the previous year. The collections during the last half of 1940 amount to more than the collections for a full year back in the boom years of 1917 and 1918, even though there is considerably less land now due to the fact much has been deeded since that time.

Fourth, in the past two years the expense of operating the office has been greatly reduced.

The past several years have been difficult years in which to invest money. Due to the loose system which prevailed prior to the time when the board had complete control as a board, large delinquencies in lease rental and sales contract collections grew to approximately $1,500,000.00. It is our opinion that at least one-third of this amount can be collected with proper legal procedure. It is further the opinion of the board that a full time field man should be retained by the board to supervise leasing of school lands, collection of rentals and permanent fund investments.

Taxation

In 1939, I called the attention of the Legislature to the fact that the intangible tax law passed in 1921 was in the light of experience almost a failure. I emphasized in my message to the Legislature the need for putting teeth into this law which would provide for its effective operation by placing tens of millions of dollars of intangible property that is now escaping taxation on the taxrolls. I give one example to show the extent to which intangible property escapes taxation.

During the past year, an estate filed for probate in a Nebraska county was valued at between $900,000 and $1,000,000. A large part of this estate was invested in securities. The amount returned

for taxation in 1940 was $100.00 in cash and $11,000.00 in stocks. The estate was filed for probate prior to December 1st of the year in which the assessment was made and as a result, the county assessor of that particular county checked the assets with the tax return and added approximately $16,000.00 in cash to the original return and more than $600,000.00 in stocks and bonds, the tax accruing to the county as a result of his action totaling nearly $5,000.00. Here is a typical case where almost $600,000 owned by one individual had been escaping taxation for years.

Two years ago I recommended, too, that a study be made to determine and enact a method to place personal property on the tax rolls on a basis of equality with real property to the end that property of all kinds be taxed on a more equitable basis.

The Legislature of 1939 failed to act on either one of these recommendations. The Legislative Council during the past nearly two years likewise failed to deal positively with either of these problems of such great importance to the taxpayers.

I again recommend to this body definite action along the same line as I recommended two years ago. This becomes even more of a problem now in the light of the reduction in the assessed valuation of real estate in Nebraska which took place in 1940 and the resultant greater difficulty in raising revenue for state and local purposes.

Highways

Our pay-as-we-go plan for highways permits us either to expand our program at any legislative session or to contract it. We have 3,887 miles of paved road, 3,718 miles of gravel road and 413 miles of unsurfaced roads in the state and federal highway system. Your attention is invited to the fact that of the total miles of paved roads amounting to 3,887 miles, 2,215 miles have been paved during the last six years. In other words, during the period I have served as your Governor, approximately 60% of our present paved roads have been constructed. All highways in Nebraska having a daily traffic of 500 or more vehicles have been paved except approximately 76 miles.

It should be of interest to you to know that during this biennium approximately two million dollars of federal aid for highways went unused because of inability to match these funds.

I recommend that we should discontinue one of two practices, either that of reducing state revenue for highways or that of taking over more county highways for state construction and maintenance.

The State Highway Department has made a survey showing highway use and distribution of revenue collected from highway users.

I recommend that you give this study careful consideration so that highway users shall pay for the use of the highways, builded and maintained by the state, in proportion to the use thereof.

Irrigation

I recommend to this legislative body that legislation be enacted to give every possible assistance to the development of irrigation and the conservation of our water resources. I will mention one act specifically which has to do with pump irrigation.

At the present moment it seems neecssary that a state law be passed granting a similar measure of state control over pump irrigation as is now granted by law over stream irrigation.

This appears to be necessary as a condition precedent to receiving any federal financing on long term basis at low rates of interest for the development of pump irrigation.

Any needed legislation to advance what has been accomplished over a period of years with reference to the development of the Republican River Valley should have the earnest and considerate attention of this body. This includes the ratification of a compact which it is expected will be submitted by the commissioners of the three states, Colorado, Kansas and Nebraska, during your session.

Irrigation from streams in Nebraska has had an important part in the development of several sections of our state. The principal section is that area adjacent to the North Platte and Platte Rivers lying beween the Wyoming-Nebraska line and Kearney. For the most part this area was developed under the protection of our state Constitution and state laws which set up the principle that first in use of water was first in right. In other words, the person or group who constructed an irrigation project in accordance with the laws of the state and made a continuous use of water each year established a prior right over those who came after with similar developments. The statutes of Nebraska clearly define the methods of administration by the state to guarantee that these rights not be violated.

Each session of the Legislature makes appropriations to the Department of Roads and Irrigation for the purpose of administering the irrigation laws of this state in accordance with priority of rights. For many years we have seen these rights in effect violated by court action. We have seen in effect water being taken away from a senior appropriator and given to a junior appropriator through injunction process—all in violation of our state Constituion and of our irrigation statutes.

I would call your attention to the fact that this invasion by the judiciary of administrative functions always comes during the irriga-

tion season at a time when the need for orderly administration is most pressing and important. The record of the past shows that these temporary injunctions have been granted in every case where asked for. The record of the past shows, too, that the cases are never brought to trial. As soon as the emergency is over, during which the water has been diverted from the rightful user to one not entitled to the water, the case is dismissed and court action is suspended. Next year a similar emergency arises and a similar practice is followed and the judiciary again lends itself to this tacit agreement for the defeat of the laws of this state.

Almost $200,000 has been appropriated to protect the water appropriators of Nebraska as against the claims of Wyoming and Colorado. My budget recommendation is for the expenditure of $30,000 during the next biennium to continue this defense of our citizens' rights. Yet, we find while fighting against the invasion of priority rights on the part of other states, we permit the invasion of those rights within our own state by judicial nullification of law by injunction.

This situation is intolerable and demands action at this session of the Legislature to correct it. I recommend that it be corrected by one of the two following methods:

First, the passage of legislation providing that no judge can issue an injunction except by requiring the posting of a bond in an amount sufficient to protect senior appropriators against damages that may be determined upon trial, and the amount of such bond to be computed upon the basis of a reasonable valuation of each acre foot of water diverted as a result of the injunction. It is further recommended that legislation be passed requiring a hearing on such injunction be held within twenty-four hours after application is made for such injunction.

Or, second—provision by legislation that only District Judges can hear such injunction cases, and that the boundaries of the judicial districts be so changed that all the irrigated territory affected by the watershed I have discussed will fall within the boundaries of but one judicial district.

I believe that my first recommendation is the better but certain it is that one of these two should be provided by legislation during this session.

Insurance Department

The past six years saw the culmination of the promotion stage of the insurance business in Nebraska. Like other business, there had to be a reaction to unsound promotion and a cleaning up of those companies which failed to achieve a stable financial basis. During

these six years, companies have been reinsured, have been dissolved by court order and mergers have been effected with minimum loss to policyholders as far as Nebraska companies are concerned. And, during this six year period no general remedial legislation of the insurance code was effected but at this time the experience gained has crystallized around a few changes that were to have been considered by the last Legislature, but failed to have their attention.

The general insurance situation as it affects Nebraska policyholders is one for which satisfaction may be expressed. Since 1913, changes in the insurance business have been such that some basic remedial legislation is necessary, particularly in the field of casualty underwriting which was of very small volume in 1913 when the insurance code was enacted, but which has since grown to a considerable volume.

While the public looks upon the department as having wide discretionary power and sometimes questions are raised why greater control has not been exercised by the state, the fact remains that the department's authority is limited by statute and court decisions. It is entirely possible that the general administration of insurance in Nebraska might be enhanced and carried on more efficiently with the passage of legislation under which the department would be given more authority and be less subject to restrictions now imposed upon the part of the courts.

Department of Banking

In the six years just ended, only eight going state banks have been placed in receivership, and in three of the last four of these, the Department of Banking has been able to pay all claims of depositors in full. The 1933 revision of the banking laws, providing for liquidation of failed banks by the department as statutory receiver, has resulted in substantial savings to the depositors in the banks that have failed since that time. Including the banks that closed in 1933 and 1934, the department has liquidated about one hundred banks under the 1933 law, and that law has satisfactorily met every test to which it has been subjected with reference to banks closed since it came into effect.

However, the record of all bank receiverships in this state during the past six years is not as desirable as it should be. In 1935 the retiring superintendent of the Banking Department remained the judicial receiver of about 250 state banks which had closed prior to the 1933 change in the law—some of them many, many years prior to 1933. Believing all depositors in failed banks were entitled to equal protection under the law, we tried every means at our disposal, including court action, to require the closing up of those old judicial receiverships, or their transfer to the Department of Banking, but the

Supreme Court, in the Hoskins State Bank case, held that the Legislature had not authorized the department to act as judicial receiver, and the judicial receiver above mentioned, I am advised, still maintains an office in Lincoln with a full-time attorney and at least two other full-time employees. For six years now the depositors of those banks in judicial receivership have been burdened with the expense of salaries of this receiver and his employees, bond premiums, rent, and other items that could have been saved entirely, or considerably reduced, had those old receiverships been turned over to the Banking Department. The depositors are unable to understand this situation and to realize that under the present laws the Governor and the Banking Department have no control over these old judicial receiverships, and they continually complain to us about the delay and expense and small returns to them. I recommend that the Legislature, at an early date, give consideration to the adoption of appropriate measures to end this confusion and waste.

Merit System Changes

During the past few years, merit system laws have been passed in connection with state-federal agencies—unemployment insurance, employment service and state assistance. In most respects these laws have been satisfactory. However, we have had experience that shows need for amendments to our law permitting the discharge of undesireable employees. My theory is that appointment on so-called merit without a continuous exhibition of such merit does not make for efficiency. I can see, too, the danger that in the future the tail may wag the dog. These changes should be made only after consultation with and in collaboration with the federal agencies with which these agencies work.

Legislative Council

I recommend the repeal of the law providing for the Legislative Council. The records disclose that it has not undertaken a study of or stated a position on subjects worthy of its attention such as amendments to the intangible tax law, or amendments needed to improve the method of making assessments of personal property, or of the educational survey submitted by the State Planning Board.

The record likewise discloses that where recommendations were made by the Legislative Council for legislation to the 1939 session, the Legislature paid little or no attention to such recommendations.

I cannot see in its action thus far anything to justify its continuance.

Maintenance of Constitutional Government

Section 6 of Article IV of the Constitution of Nebraska provides

that: "The supreme executive power shall be vested in the Governor, who shall take care that the laws be faithfully executed and the affairs of the state efficiently and economically administered."

This provision is entirely consistent with the sound and fundamental concept of division of power between the executive, legislative and judicial branches which characterizes our democratic form of government. It is vital that this separation of powers and functions be maintained. At least, it is necessary that, if any changes are made, they be made by the people with full knowledge as the provisions for amending our Constitution require, and not indirectly through legislative action.

I call your attention to the fact that there is a tendency to invade the power and functions of the chief executive by legislative enactments setting up administrative agencies over which the chief executive has limited authority to discharge the responsibility given him by the Constitution. There has been manifested, also, a tendency on the part of the Legislature to create legislative agencies with functions purely administrative in character.

This is clearly in conflict with the Constitution and cannot but have harmful consequences. Our form of government requires that responsibility for the conduct of public affairs be clearly fixed and properly balanced between the three branches of government in order that public officials be held properly accountable. Responsibility contemplates the necessary authority for the discharge of responsibility.

Constitutional Amendments

I recommend the submission by this body of a constitutional amendment providing for appointment by the Governor of the attorney general. Certain it is that the Governor being charged with the responsibility that he is under our Constitution and our statutes is entitled to a legal advisor of his own choosing.

I also recommend the submission of a constitutional amendment providing for appointment by the Governor of members of the State Railway Commission. The work of this department is largely of a technical nature and can be best administered by those with the proper background of training and experience. Selection by appointment would provide greater assurance of obtaining properly qualified members.

In both of these cases I think that provision should be made for confirmation of the Governor's appointments by the Legislature.

Conclusion

In this message it has been my purpose to give you whatever

benefit there can be derived from my observations and conclusions based upon my three terms as your Governor. Because of this experience, during a period of stress unequalled in our state's history, no one recognizes more than I the seriousness of the problems which confront you, as they have confronted us during the past six years.

I am happy to see among you many with whom it has been my privilege to work in previous sessions. In leaving the office of Governor, may I express to you my appreciation for your cooperation that has prevailed and the courtesies you have extended me.

Let me say too, that I leave the office of Governor with the happy feeling that my successor is worthy of the trust, confidence and responsibility reposed in him. I have known him in an official way when he was a member of the State Senate and I occupied an administrative position. Our associations at that time, my close association with him in many other ways, and my knowledge of his talents all impress me with the thought that he will give a full measure of devotion to the duties of the office of Governor. I bespeak for him your cooperation and support in the interest of all Nebraska.

Respectfully submitted,

(Signed) R. L. Cochran,
Governor.

OATH OF OFFICE—Justices of Supreme Court

The following oath of office was administered by Chief Justice R. G. Simmons to Justice Fred W. Messmore, Justice Edward F. Carter and Justice John W. Yeager.

Do you and each of you solemnly swear that you will support the constitution of the United States and the Constitution of the State of Nebraska, and will faithfully discharge the duties of Judge of the Supreme Court in the State of Nebraska according to the best of your ability, and that at the election at which you were chosen to fill said office, you have not improperly influenced in any way the vote of any elector, and have not accepted, nor will you accept or receive, directly or indirectly, any money or other valuable thing from any corporation, company, or person or any promise of office for any official act or influence.

OATH OF OFFICE—Railway Commissioner

The following oath of office was administered by the Chief Justice to Richard H. Larson.

Do you Richard H. Larson solemnly swear that you will support the Constitution of the United States and the Constitution of the

State of Nebraska and will faithfully discharge the duties of the State Railway Commissioner of the State of Nebraska according to the best of your ability, and that at the election at which you were chosen to fill said office, you have not improperly influenced in any way the vote of any elector, and have not accepted nor will you accept or receive, directly or indirectly any money or other valuable thing from any corporation, company or person, or any promise of office, for any official act or influence, and that you are not directly or indirectly interested in any railroad nor in the bonds, stocks, mortgages, securities, contracts or earnings of any railway company or common carrier and that you will to the best of your ability faithfully and justly execute and enforce the duties devolving upon you as such railway commissioner.

OATH OF OFFICE—State Executive Officers

The following oath was administered by the Chief Justice to Richard H. Larson, Ray C. Johnson, L. B. Johnson, Walter R. Johnson, William Edward Johnson and Frank Marsh; and by Justice George A. Eberly to Dwight Griswold, Governor-elect.

Do you, ..., solemnly swear that you will support the Constitution of the of the United States and the Constiution of the State of Nebraska and will faithfully discharge the duties devolving upon you as ..... of the State of Nebraska according to the best of your ability, and that at the election at which you were chosen to fill said office, you have not improperly influenced in any way the vote of any elector, and have not accepted, nor will you accept or receive, directly or indirectly any money or other valuable thing from any corporation, company or person, or any promise of office for any official act or influence.

The Speaker then presented Dwight Griswold, Governor of Nebraska, who delivered the following:

INAUGURAL MESSAGE OF DWIGHT GRISWOLD

Mr. President, and Members of the Senate:

Before commencing my address, I wish to pay my respect to my distinguished predecessor, Governor R. L. Cochran, and also to his very fine wife. It so happens that Mrs. Griswold and I have been friends of Roy and Aileen for many years, not just acquaintances, but really close personal friends. In the course of vacation trips we took together more than ten years ago, there was often much discussion, half humorous and half serious, of the time when we would each be Governor. It therefore is rather unusual that today's ceremony should be taking place. Mrs. Griswold desires that I especially pay her respects to Mrs. Cochran for the very gracious manner in

which she helped to make easy, our move into the executive mansion; and to you, Roy, I wish to say that you should look back with a great deal of pride to the work you have done in this state **and for this state,** not only during the six years when you served as Governor, but also during the twelve preceding when you were State Engineer. You certainly cannot go into any community in Nebraska without seeing some constructive work in which you have had a part, and I know you will look back with great pleasure and pride to your period of service.

In assuming the office of governor I am indeed conscious of the heavy responsibility which rests upon me. I realize that the acts of my administration will affect the welfare of people for years to come, and that thought should **and does** make me think seriously. I know that I will have the co-operation and help of you who are members of the legislature; I trust that I may receive the further support of the people of Nebraska, and I pray that I will have Divine Guidance to assist me.

Our constitution and long standing custom require that at this time I should express publicly to the members of the Legislature, and to the people of the state, my plans for the next two years, and I appreciate the opportunity, at this early date, to express to you some of my ideas. I say to you candidly, however, that I have a very light legislative program to present. In my campaign I did not suggest a "cure-all" which would solve all the problems that are facing the people of Nebraska. In fact, I do not believe that many of our problems can be solved by legislation. I proposed during that campaign, and I propose now, to use the power and prestige of my office to give to the people of this state an honest, decent, and economical administration. That is the big responsibility that rests upon me.

Capable Department Heads

As a first step in establishing that kind of an administration, I have requested a number of outstanding and capable people to take positions under me, and I do indeed feel fortunate in having been able to draft into the public service those who are accepting these responsibilities. Many of them are making real sacrifices in order to assist in making the state government of Nebraska, one of which all its citizens can be proud.

I am going to depend upon these people greatly for advice and assistance, and so far as is possible, each department head will actually be the chief executive of that particular department. It will be his special responsibility, and mine will be only of a general nature. The program which I have set up for my administratiion is one of action on the part of these executive departments, rather than one

which calls for much additional legislation. The big job that needs to be done in Nebraska is to select the state's employees on the basis of ability and then have them do a full day's work for the pay which they receive. This does not require any legislation.

Light Legislative Program

I said that I have a very light legislative program to present to you. I feel that we who are now responsible for legislation in Nebraska may well receive credit for what we do not do, as much as for the things that we do. In other words, one of our big problems in this session of the legislature may be to **keep off** the statute books a number of acts which would be a detriment to the people of Nebraska.

We should enact just as little legislation as possible. The Nebraska statutes are already encumbered with laws that are obsolete and unenforceable. It is not just a matter of making needless changes or cluttering up the statute books. I believe that the habit of passing new laws has an even worse effect, in that it causes the people to feel that they have access to a never ending source of relief by getting the legislature to pass some new act. This habit of placing reliance upon legislation destroys the initiative of the individual and develops a citizenship which is entirely too dependent upon the state. In case of doubt, my suggestion is **"Vote No."**

I urge you to make this legislative session a short one and I think if that is done, you will receive more credit from the people than for anything else that you may do. In furtherance of that desire, I suggest that you introduce very few bills. Many times some change in the statutes, which you desire, can be brought up as an amendment to a bill which has already been introduced. By doing it that way, you will not clog the committees and you will speed legislative action. In case of doubt, my second suggestion is **"don't introduce it."**

Under our constitution, the governor must approve or veto all acts of the legislature. You may, therefore, wish to know my attitude in advance. In order to expedite your work and help in making the legislative session short, I will therefore, at this time, express my views on a few of the major problems before the people of Nebraska.

Serious Tax Problem.

It will be necessary that you enact an appropriation bill, and in this I know you will be guided by the desires of the people of Nebraska, who have gone through drouths and depressions and who are simply not able to have additional burdens added to their tax load. There are many things that we as individuals would like to do **—if we could afford them.** There are many things which we as a state would like to do—**if we could afford them.**

Nebraska is faced with a serious problem so far as taxation is concerned. Ten years ago the assessed valuation of this state was approximately three billion dollars. Today it is about two billion dollars. During that ten year period, however, the demands upon our state government have increased tremendously. It is only logical that these demands should increase because the people themselves are more in need of help than they were. We are, therefore, caught in a vise. On one side we see our taxable wealth decreasing; on the other side we see the demands of government increasing.

Economy is a term with a twofold meaning. In the realm of government, we often find there are services which can be discontinued and the expense thereby saved, or we find that the expense of carrying on some certain governmental operation can be reduced. That kind of economy results in a direct saving to the taxpayer. But there is also another meaning of the word which involves the spending of certain governmental funds in order to bring about a greater saving to the state or to the citizens in some other manner. We must think of economy in both of these lights, and it is our duty to decide what activities our state government should engage in and how much money they should be allotted. We cannot, of course, cut expenditures indefinitely.

I feel that the recent election was a referendum on a policy of increased spending and new taxes for Nebraska. My opponent in the recent campaign was candid and honest in saying that he felt Nebraska should spend more money and find some way of raising it through taxation. My stand was in opposition to that policy and the result I believe should be considered as a referendum on that issue.

I know that there will be requests to this legislature that some new form or several new forms of taxation be adopted in this state. There will be proof that the present system of taxation is unfair.

Most pleas will be that the new tax money will be a replacement of that which is now being levied. I think, however, that each one of us who has recently been a candidate for public office knows very well that the real pressure today is from those who want additional funds to be spent out of the public treasury and my honest judgment is that if new forms of taxation are adopted in Nebraska during the next few years, the money will be spent as an addition to the present appropriations and it will not be used as a replacement of present taxes. Other nearby states have adopted new tax forms for replacement purposes, and in each of them they find today that it has become an additional tax.

Until a limit is definitely reached in regard to public expenditures, I feel we should continue our present tax system. I realize that for each one of us in public office it looks very attractive to

adopt some sort of painless tax and promise relief to those who have to pay taxes which are really painful. My own personal popularity might be enhanced by this kind of a change. However, my judgment is that painful taxation is the most effective way of holding down the expenditure of public funds. There is probably more waste in those departments of our state government financed by painless taxes than there is in those departments where the money is raised through the property tax levy.

The amount of property tax money collected by the state government is a very small percentage of the whole, and if any appreciable reduction is to be made in the amount of property tax, it must come about through a reduction in the amount paid for the support of local government. I feel that every governing unit, large or small, should operate under a budget plan and there should be proper publicity regarding all expenditures. It might be possible also to combine some school districts or counties. It will be up to the local people to decide whether or not they approve of this, but the law should permit it to be tried, when efficiency and economy will result.

Boards and Commissions

Legislation will be presented to establish a group of commissions and boards to take over the executive responsibility of several of the major departments of our state government. There is talk of a highway commission to operate the state highway department, an irrigation commission to have charge of irrigation, a health board to take over public health activities, and a livestock sanitary board to take over that activity. There may be others as well.

I suppose this should make no difference to me as an individual because it is likely that the bills will provide that the governor appoint the members of these various commissions. My opinion is, however, that the commission plan for handling executive responsibilities is not the best. It is often said that if a commission with overlapping terms is appointed, it will remove "politics." I doubt the truth of that assertion. My experience has been that you can have as much "politics" on the inside of a commission as you can have when some activity is under the direct control of the governor.

As long as the executive departments of our state government are under the direct control of the governor, the people know exactly who is responsible and they can make a change in that control at any biennial election. Let a commission have charge and the people do not know who to blame or who to credit. Under commission control, there is usually some "power behind," but the public does not know who or what it is. Taking a governmental activity "out of politics" often means simply removing the control from the public view.

When we consider the admniistration of state government through commissions, it might be well to read the recommendation of former Gov. Neville in his outgoing message in 1919. It will be remembered that up to the time of Gov. Neville, practically all of the executive functions were handled through various state commissions, and after his experience of two years, Gov. Neville said, "The board system is not only expensive and inefficient, but in addition divides authority and responsibility. It is at present impossible (said Gov. Neville in 1919) to handle the state's affairs in the efficient manner that would be demanded by any businessman in the conduct of his private transactions, and the thing most needed is a centralized responsibility for the discharge of the trust assumed by men who are elected by the people to serve as public officers."

I realize that the argument between commission control and direct control is two-sided and my suggestion today is that you leave matters alone for the present, and I assure you that I will at some later date, make recommendations as to how our state government can best be administered. But please do not change a system merely because you may not approve of the manner in which it has been administered.

I plan to consolidate the highway patrol and the state sheriff's office. The statutes themselves provide for this, and I believe it should be carried out. The highway patrol has, on the whole, done very effective work and I believe they should be so organized that they can be more effectively used to prevent or solve crimes or assist in catching major criminals whenever emergencies exist. We do not, of course, want them to do work that local police officers should do, but a co-operative system should be established so that all police officers, local and state, will be working together.

The Merit System

I am a believer in a merit system for the selection of state employees. In fact, shortly after I was elected, I talked with the director of the present merit system in Nebraska and asked if he could give examinations to those wishing stenographic, and other subordinate positions with the state government. It seems that no such examination can be given under our present law.

I feel that those taking positions in governmental work should be chosen because they have ability to do the job. However, I am positive that a system is wrong which freezes people in positions so that they cannot be discharged or disciplined by their superiors. Some system of punishment and reward must be in effect if good work is to be accomplished and if executives are to have any authority. It is very proper to provide tests for applicants. It is also proper to provide, for instance, that not more than 60 perecnt, or some such

percentage, of those in subordinate positions shall belong to one political party, but no system can be called a merit system which assures retention in a job regardless of the quality of work done. I believe it also violates the provisions of Sec. 1, Art. IV of our state constitution, which gives the appointing power full authority to discharge.

State Guards

I am not prepared, as yet, to recommend what should be done in regard to organizing state guards. I understand that this is being urged by the national administration, so that they can take the place of the national guard which is now in active service. At an early opportunity, I will go over this matter with the adjutant general of this state and with the federal authorities. I have no fear of sabotage on any large scale in Nebraska, as I am confident of the loyalty of our citizens. I do not anticipate any trouble which will cause us to need a state guard. However, we may have catastrophes of one kind or another, and it might be well to have some organization which can function. I will report to you later my view in this connection.

Old Age Pensions

Under modern industrial conditions, old age pensions are necessary. Men and women of advanced ages are simply unable to get jobs like they formerly could. I feel that the old age pension laws must be established on a more permanent basis, and in some cases, the pension payment should be increased. Better administration will help but the state of Nebraska has been hard hit by drouth and depression and we are simply unable to raise more money for the purpose of paying increased pensions. We do not have access to the large incomes prevailing in many states.

If people are dependent upon individual states, it will mean that the size of the pension will go up and down in different administrations and be dependent upon the prevailing economic conditions in that state. This does not tend toward a feeling of security and is not the result which is desired. I trust that congress will give a great deal of attention to this particular problem. I recommend that they adjust some of their other social security programs and give their major attention to the solution of the old age problem. People grow old and unable to work, through no fault of their own.

Develop Industry

Everything possible should be done to develop the growth of industry in Nebraska, both what we today call "defense industry" and what by comparison may be called "peace industry." We have always

been known as an agricultural state and in comparison with others, we deserve that reputation. However, Nebraska industry is tremendously important and those who travel over the state are often surprised to find in some of the smaller communities a factory or industry which is furnishing much employment and many of them are virtually keeping these agricultural communities alive. Industry should be decentralized and more of it should be developed in the West, and even in the small towns and agricultural communities. A very fine type of labor will there be found and in many cases an industry can be developed which furnishes employment to men in the winter, while during the summer months, they can do agricultural work.

In Nebraska, our major industries are those which process the raw materials which are produced by agriculture, and it is likely that our future development will be largely along that same line. Not many years ago, it required 75 percent of our population to feed the nation; today, we are rapidly approaching the time when 25 percent can feed us. That fact presents a real challenge to us and to the entire agricultural west.

Farm crops, however, are being discovered, which when properly processed, are needed in industry. Agricultural chemistry is finding new ways of using the things which the Nebraska farmer can raise. Much research along this line has already been done, but much more is needed. Several of our state agencies are qualified and equipped to make further study along this line, and it should be carried out in order that our progress may be accelerated.

Agriculture

Nebraska, however, will continue to be primarily an agricultural state and farm prosperity is our great need today. The income from the farm maintains both the farm and urban population. Agriculture merits the most sympathetic consideration and the most intelligent encouragement.

Nebraska has the rich soil that is required for the production of bountiful crops, but the experience of older countries teaches us that we must conserve that soil. Crop diversification should be further extended and we need more livestock upon the farms of eastern and southern Nebraska.

We have also learned in recent years that we must have water to mix with our soil if we are to have prosperity. Drouth is not a new experience to this state, but its severity and its prolongation have added to our concern. We should conserve the available waste and flood water in the streams, and we should also encourage pump irrigation wherever it is feasible. If legislation is necessary to accomplish this purpose, I recommend that it be enacted.

River irrigation in recent years has developed into a fight between various sections for the limited supply of water that has been available. Perhaps more rainfall and more storage water is the only adequate solution. Established rights must be recognized and there should be a fair and honest administration of the law. We must all recognize the fact that in dry years, it will be impossible to please all.

Electric power is a by-product of water conservation, with the revenue derived from its sale aiding in defraying the expense of irrigation. Cheap electricity is a real blessing and we trust that here in Nebraska, if there has been any unnecessary cost in the construction or purchase of our public power plants, the excess will be charged off by the federal authorities, so that the people of this state will not be called upon to pay excessive charges.

In recent years there has been an increase in rural electrification which merits every encouragement. Electrification of our farms and ranches makes life more worthwhile. It is indispensable to the welfare of the women as it lifts the drudgery and grind from their shoulders. Rural electrification, if the rates are reasonable, is also an economic benefit to the farm, stopping much of the fire hazard and being useful in many ways.

Relief Administration

I wish very much that the federal government would turn over to the state of Nebraska the sum of money which they are now spending for assistance and relief in all of their different activities and then permit the state of Nebraska to handle this problem as it sees fit. I am convinced that the best solution of the so-called relief problem is to have it handled through local agencies. It would certainly cost much less to administer and while there might be mistakes and some inefficiency, yet I do believe they would be tremendously reduced as compared to the present situation.

I have lived among people who need relief, and who now receive relief, and I realize that a continuation of some such program is absolutely essential. But we need one program — not two dozen programs. Today we have two entirely separate old age pension laws, we have unemployment compensation, an employment service; we have WPA, PWA, NYA, CCC camps, FSA grants, rehabilitation loans, farm parity payments, aid for dependent children, mothers' pensions, aid for the blind, surplus commodity distribution and direct relief—all agencies for getting financial assistance from some branch of government to the people who need it.

My own opinion is that relief should be handled by some local agency in each county, with the people of that county paying part of the cost, and with the people also being fully advised as to just

what is being done and how much money is being spent. That would bring some control to the local unit of government and would be the best possible check upon the efficiency of the administration. Certainly, the people of Nebraska, as I know them, do not want to see any neighbor suffer and if they have a share in the responsibility, they will see that people are properly cared for. At the same time, relief would be administered much more efficiently and much more economically than it is at present. I believe in having intelligent personnel handle this work and the waste and over-lapping should be stopped. We in Nebraska will be glad to be an experiment station and take over the administration of all relief work. Personally, I am confident we could do more for the recipients and turn back to the federal treasury a very fine balance.

Change in State Government

A quarter of a century ago the state government of Nebraska was a rather simple affair. We raised a small amount of money and we spent it largely to take care of our educational institutions and the institutions in which we care for our unfortunates. Today our state government is far different. We are spending millions of dollars each year for the building of highways, for benefits to aged and dependent citizens, and for a wide variety of other new purposes.

There is another change in our state government. A large percentage of the money which goes through our state Treasury today is money which comes to us from the federal government. It is really our money, furnished by the people through the payment of federal taxes or through the purchase of bonds. National authorities control its expenditure, however. A large number of the employees in this State Capitol are really federal employees. In other words, the state of Nebraska is no longer a purely state government—it is now a federal agency on a tremendously large scale. It is a change, the result of which in the long run, I am inclined to fear.

If our form of government is to continue to exist in this nation, I believe it necessary that it be continued approximately in its present form. One of the most important differences between our government and others is in the division of authority between the central or federal government and the local or state governments. I feel that this division of authority should continue, and that it should exist in fact as well as in form. There has been entirely too much tendency on the part of the federal government in recent years (and for more than eight years too) to centralize authority in Washington. We see it taking place right here in our own state capitol, with the federal government telling us how we shall operate our assistance program, our highway program, our health and other programs.

Nebraska, as a state, has certain rights which the federal government should respect and I expect to maintain to the utmost of my ability the integrity of those rights.

Government on Trial

Many today feel that our system of government is soon to go on trial. In the national field, the relative importance of government has been so increased and, by this same token, the stature of the individual has been so decreased that it is doubtful if we can ever recover the former balance between them. Candidly, I fear the result of this change, but I hope that political leaders will be developed of such breadth and with such outstanding wisdom that they will lead us aright.

Some feel also that state government is not as important as it once was, and by comparison with our federal government, this is true. We may find, however, in the coming years that the people themselves may once again take charge of their government, and since the people are much closer to their state activities than they are to the federal, they may use the state as a guide. It is up to us as citizens of Nebraska to keep our state government upon a sound and solvent basis and the day may come when we will be a beacon light, shining clear in a dark sky and leading the entire nation to sanity and solvency. Certainly this kind of leadership must come from the middle west.

The Legislature

The people of Nebraska are to tbe congratulated because of the quality of this legislature. I say this, not as idle flattery, but from the background of my political experience, I feel that I know whereof I speak. We may disagree at times, yet I assure you that I will always respect your views, and I trust that you will have reason to always respect mine. Real and respectful friends can afford to disagree occasionally.

I am sure that a spirit of co-operation on both sides will prevail. Your responsibilities and mine come from the same source, the people. Our duty is to the same group, the people. There should be a division of powers between the legislative and Executive branches of government, but when intelligent co-operation prevails, much better results can be accomplished. I will advise you further throughout the session in regard to specific matters, and at all times, I will want to have the benefit of your counsel and advice. This message today has stated my views, only in order to assist in speeding up your legislative program.

In closing, I wish to pay tribute to the hard working, thrifty,

and intelligent people of Nebraska. In 1942 this state will celebrate the Diamond Anniversary of its statehood. In that 75 years there has been built here a splendid civilization through hard labor, thrift, far-sighted vision, and careful planning. The people of Nebraska have been ambitious and energetic and they have alwyas been willing to make sacrifices for the benefit of their fellow citizens and especially for the benefit of future generations. Throughout the decade just closed, we of Nebraska have been called upon to endure many hardships which have tested our qualities of courage and faith. We have completed that ten year trial with a stronger character than we had when we entered it.

We oftentimes protest because of the adversities which come to us. This is true of individuals, of communities, states, and nations. All of us today would enjoy better economic conditions and easier living, and yet we cannot read history or biography without coming to the conclusion that it is hardships which develop real character and real manhood, and it is easy living which develops the softness that can ruin the individual or the nation.

One reason that the middlewest has furnished so much leadership to this nation is that it is close to the pioneering age and in this section of the country there has thus been developed through adversity, the type of citizenship and leadership which the entire nation needs, both in its economic life and in its political life.

We in Nebraska still believe that there are no shortcuts to prosperity or recovery. We believe that a surplus of food or of public funds is a distinct asset. We believe that debts are a liability which in fairness should not be passed down to future generations. We believe that we should pay as we go.

But we do need encouragement and plans for the future. Certainly in this state we are looking forward to better times. The bitter years and adversities through which we have gone have developed us and prepared us for better days yet to come. Through intelligent planning we are going to make Nebraska a better state and a more prosperous state than it has ever been. With the lessons of the past before us, we are going to produce finer and more intelligent young men and women. We are going to do our part in making the United States a greater nation.

Presentation of Gavel

In behalf of Boy Scout Troup No. 119 of Colfax County, Nebraska, Speaker Howard presented to Lieutenant Governor William Edward Johnson a gavel made from native walnut wood.

President Johnson took the Chair, accepted the gavel, thanked

the Troup for the honor bestowed upon him; and presented to Governor Dwight Griswold the Members of the Legislature.

Benediction

The benediction was pronounced by the Reverend W. L. Ruyle of Lincoln, Nebraska.

MESSAGE FROM GOVERNOR

January 9, 1941

To the Members of the Fifty-fifth Session of the Legislature of Nebraska:

I am directed by His Excellency, Governor R. L. Cochran, to transmit to you herewith as required by law the biennial report of the Board of Pardons and Paroles for the period November 30, 1938 to December 1, 1940.

Respectfully submitted,

(Signed) Otho K. De Vilbiss
Secretary to the Governor.

Adjournment

At 3:32 p. m. Mr. Gantz moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Friday.

The motion prevailed with 30 ayes, no nays, 13 not voting.

Hugo F. Srb,
Clerk of the Legislature.

FOURTH DAY

Legislative Chamber, Lincoln, Nebraska
Friday, January 10, 1941.

Pursuant to adjournment, the Legislature met at 10:00 a. m., President Johnson presiding.

Prayer was offered by the Reverend Leonard Fuqua of David City, Nebraska.

The roll was called and all members were present except John Adams, Jr., and except Mr. Mueller, who was excused.

The Journal for the Third Day was approved.

Communications

A letter was read from Ruth Mueller, daughter of Fred A. Mueller, advising that her father hoped to be able to come to Lincoln in a week, and enclosing his oath of office.

PETITIONS AND MEMORIALS

Mr. Ray Thomas introduced a petition from his constituents regarding motor vehicle registrations.

MESSAGE FROM GOVERNOR

State Tax Commissioner—Frank J. Brady

January 10, 1941

To the President and Members of the Legislature
Gentlemen:

I have the honor to submit for your confirmation the appointment

of Mr. Frank J. Brady of Atkinson to the position of State Tax Commissioner.

Having served in your Honorable Body with distinction, I am certain that his splendid qualifications are well known.

Respectfully submitted,
(Signed) Dwight Griswold,
Governor

MOTION—Confirmation of Mr. Brady

Mr. President: I move that the rules be suspended with reference to five days notice for confirmation of appointments by the Governor and that the appointment of Frank J. Brady be referred to the Committee on Committees as directed and report to the Legislature before adjournment today. (Signed) Amos Thomas

The motion prevailed with 41 ayes, no nays, 2 not voting.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 7. By Bowman of Adams.

A Bill for an Act to amend Section 39-821, Compiled Statutes of Nebraska, 1929, relating to bridge maintenance and construction over ditches and canals constructed by any person or persons, corporation, or association of persons, public irrigation and drainage district, public drainage district, public power district, public irrigation district and public power and irrigation district organized as public corporations or quasi-public corporations under the laws of this state; to provide for the construction, maintenance and repair of bridges and approaches on highways crossed by any irrigation canal, ditch or lateral, drainage canal or ditch, by the public drainage district, public irrigation and drainage district, public irrigation district, or public power district, or public power and irrigation district organized as public or quasi-public corporations under the laws of this state, or any canal, ditch or lateral constructed by any person, persons, corporation, or association of persons owning the same; to repeal said original section; and to repeal Sec. 46-619, C. S. Supp., 1939.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L.B. No.	Introducer	Committee Reference
1	Sorrell, Gantz	Government
2	Sorrell, Gantz	Government
3	Amos Thomas	Judiciary
4	John Adams, Jr.	Public Health & Misc. Subs.
5	Metzger, et al	Revenue
6	Lambert	Revenue

MOTION—Statutes for Legislative Council

Mr. President: I move that the Secretary of State be directed to furnish the Nebraska Legislative Council for its bill drafting service one copy of Compiled Statutes of Nebraska, 1929; that the State Librarian likewise be directed to furnish the Council two volumes, Laws of Nebraska, 1939 and two volumes of Laws of Nebraska, 1940, special; and that the Committee on Legislative Administration be directed to purchase from Supplement Publishing Co., Lincoln, Nebraska, one copy, C. S. Supp., 1939. (Signed) Amos Thomas

The motion prevailed.

REPORT—Committee on Committees

State Tax Commissioner—Frank J. Brady

Mr. President: The Committee on Committees desires to recommend the appointment of Mr. Frank J. Brady as Tax Commissioner for the State of Nebraska. (Signed) Ernest A. Adams, Chairman

MOTION—To Confirm Appointment

Mr. President: I move to suspend the rules and adopt the report of the Committee on Committees and confirm the nomination of Frank J. Brady of Atkinson as Tax Commissioner of the State of Nebraska.

(Signed) Ernest A. Adams

The motion prevailed with 36 ayes, no nays, 7 not voting.

Statement

Mr. President: Had I been present, I would have voted for confirmation of Frank J. Brady as Tax Commissioner.

(Signed) Carlson, Matzke

MOTION—Committee Meetings

Mr. President: I move that there be no committee meetings to-

day except the Legislative Administration Committee and other committees scheduled for Friday. (Signed) Johnson

The motion prevailed.

Member Excused

Mr. Amos Thomas explained that he had received orders to report to Camp Robinson, Arkansas; that he would therefore be at camp for some time; and requested permission to be absent until arrangements could be made with his superior officer to return.

By unanimous consent the request was granted.

Adjournment

At 11:05 a. m. Mr. Lambert moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Monday.

The motion prevailed with 37 ayes, no nays, 6 not voting.

Hugo F. Srb,
Clerk of the Legislature.

FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, January 13, 1941.

Pursuant to adjournment, the Legislature met at 10:00 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Fred A. Mueller and Amos Thomas who were excused.

The Journal for the Fourth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Matzke, one regarding sale of the properties of the Iowa-Nebraska Light & Power Company; Mr. Lambert, one regarding the recommendation of the State Planning Board regarding the educational system.

NOTICE OF COMMITTEE HEARINGS

Government

L.B. No. 1, Wednesday, January 22, 1941, 2:00 p. m.

L.B. No. 2, Wednesday, January 22, 1941, 2:00 p. m.

(Signed) Sorrell, Chairman

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 8. By Lambert of Platte.

A bill for an Act to repeal Article 18, Chapter 83, C. S. Supp., 1939, relating to the State Planning Board; and to declare an emergency.

LEGISLATIVE BILL NO. 9. By Lambert of Platte, Carmody of Hitchcock.

A bill for an Act to abolish the Nebraska legislative council; to abolish the office of constitutional reviewer of bills; to merge and continue the legislative bill drafting service activity and the legislative reference library activity within the office of clerk of the legislature; to empower the legislative committee on enrollment and review, subject to confirmation by the legislature, to employ an attorney, if needed, to prosecute its work; to amend Section 50-114, Compiled Statutes of Nebraska, 1929; to repeal said original section; to repeal Article 5, Chapter 50, C. S. Supp., 1939; to repeal Article 9, Chapter 49, C. S. Supp., 1939; and to declare an emergency.

LEGISLATIVE BILL No. 10. By Lambert of Platte.

A bill for an Act to amend Sec. 20, Article IV; to amend Sec. 3, Article XVII; to amend Sec. 19, Article III, constitution of Nebraska, 1875, and the several amendments thereto, including the amendments proposed by the constitutional convention of 1919-1920, and adopted at a special election held on the 21st day of September, 1920, and including amendments thereto adopted at general elections held in November, 1930, 1934, 1936 and 1940 relating to the state railway commission; to abolish said commission; and to create and substitute for it the Nebraska public utilities commission; to repeal said original sections, if adopted; and to prescribe the time when said amendment, if adopted, shall take effect.

LEGISLATIVE BILL NO. 11. By Lambert of Platte.

A bill for an Act to amend Section 71-3101, Compiled Statutes of Nebraska, 1929, relating to public health and welfare; to provide that within thirty days from the effective date of this act the state racing commission of Nebraska shall assume and have all the powers and duties and shall take possession of all of the books, personal property and funds relating to wrestling and boxing matches as set out in Article 31, Chapter 71, Compiled Statutes of Nebraska, 1929, as amended by sections 1 and 2, legislative bill no. —, fifty-fifth session, legislature of Nebraska, 1941; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 12. By Lambert of Platte.

A bill for an Act to repeal Sections 84-107 and 84-108, Compiled Statutes of Nebraska, 1929, relating to state law enforcement; to abolish the office of state sheriff; and to declare an emergency.

LEGISLATIVE BILL NO. 13. By Lambert of Platte.

A bill for an Act to repeal Secs. 66-802, 66-805, 66-806, 66-807 and 66-810, C. S. Supp., 1939, establishing ports of entry; and to declare an emergency.

LEGISLATIVE BILL NO. 14. By Lambert of Platte.

A bill for an Act to amend Section 74-818, Compiled Statutes of Nebrsaka, 1929, relating to railroads; to regulate the issuance of free transportation by railroads, and to repeal said original section.

LEGISLATIVE BILL NO. 15. By Lambert of Platte.

A bill for an Act to amend Sec. 81-102, C. S. Supp., 1939, relating to the civil government of the state of Nebraska; to provide that the governor shall submit his appointments for the various titular heads of the executive departments of the state of Nebraska under his control within sixty days following the first Thursday after the first Tuesday in the year 1941, and in each odd-numbered year thereafter; to prescribe the limitations in the case of a nominee failing of confirmation; to deny payment of salaries to said appointees during the sitting of the legislature and prior to confirmation; to prescribe the procedure to be followed in the case of vacancies in said offices during the recess of the legislature; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 16. By Committee on Appropriations.

A bill for an Act to provide for the payment of the salaries of members of the fifty-fifth session, Nebraska State Legislature, for a period of two years commencing the first Tuesday in January, 1941; to appropriate the sum of seventy-five thousand dollars therefor; and to declare an emergency.

LEGISLATIVE BILL NO. 17. By Mueller of Buffalo.

A bill for an Act relating to courts; to define certain terms used therein; to provide civil procedure incident to the application

and issuance of restraining orders and temporary injunctions; to provide that no person, who seeks injunctive relief in any court in the state of Nebraska to enjoin as parties defendant, the state engineer, his employees, agents or servants or other state officers, acting for prior appropriators, who administer irrigation water of the state from delivering such water in any particular canal to senior appropriators, shall obtain a restraining order or temporary injunction in such courts unless and until a notice of the application therefor has been served upon the state engineer, prior appropriators and other party defendant, together with notice of the time and place of hearing, at least twenty-four hours prior to the hearing on the said application; to authorize the state engineer, prior appropriators and other parties defendant to be heard on the propriety of granting such application and on the amount of bond to be fixed in the event the application is allowed; to prescribe that the penalties in plaintiff's undertaking, if application is granted, among other things shall provide that any person injured, neither a party nor an intervenor in the action, may resort to independent action on plaintiff's bond. On dissolving the restraining order or temporary injunction; to authorize any person injured or likely to be injured by the granting of the application to intervene and to become a party to the litigation at any stage in the action; to empower the trial court to assess damages in the action, if any, resulting to parties defendant or to intervenors by reason of the issuance of the restraining order or temporary injunction, on dissolving same; to provide procedure on appeal from the judgment of the district court and for the advancement of the argument, for acceleration of the time for judgment and for writing and filing opinion by the supreme court; to amend Sections 20-1062, 20-1063, 20-1064, 20-1065, 20-1066, 20-1067 and 20-1920, Compiled Statutes of Nebraska, 1929; to state validity and saving clauses; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 18. By Amos Thomas of Douglas.

A bill for an Act relating to insurance; to provide for changing a fraternal benefit society into a stock or mutual life insurance company; to amend Sec. 44-415, C. S. Supp., 1939; and to repeal said original section.

LEGISLATIVE BILL NO 19. By Amos Thomas, Sullivan, Tvrdik, Bevins, Ernest A. Adams, John Adams, Jr. of Douglas.

A bill for an Act to amend Section 18-1005, Compiled Statutes of Nebraska, 1929, relating to public utility districts of cities, villages,

metropolitan water districts and metropolitan utilities districts; to provide that the special assessments or special taxes of metropolitan utilities districts shall bear interest at the rate of not less than three per cent nor more than six per cent per annum prior to delinquency, as determined from time to time by the board of directors of said districts, and seven per cent per annum after delinquency; and to repeal said original section.

LEGISLATIVE BILL NO. 20. By Amos Thomas, Sullivan, Tvrdik, Bevins, Ernest A. Adams, John Adams, Jr. of Douglas.

A bill for an Act to amend Sec. 14-1104, C. S. Supp., 1939, relating to the powers of metropolitan utilities districts; to provide that such districts may withdraw funds from the hands of the treasurer and deposit and maintain in checking accounts in depository banks, subject to withdrawal over the signature of persons authorized by their board of directors, sums not exceeding a total of one hundred fifty thousand dollars at any one time, for the purpose of paying pay rolls, petty cash items and current operating expense; to provide that all depository banks shall be empowered to secure to the district such deposits in the same manner that deposits by the treasurer of the district are secured; and to repeal said original section.

LEGISLATIVE BILL NO. 21. By Amos Thomas, Sullivan, Tvrdik, Bevins, John Adams, Jr. of Douglas.

A bill for an Act to amend Section 14-1015, Compiled Statutes of Nebraska, 1929, relating to the powers of metropolitan water and metropolitan utilities districts; to provide for the control and rights of the employees thereof; to empower the board of directors of such districts to provide benefits for and insurance of present and future employees against accident, disease, death, disability, or retirement under conditions determined by the board, the cost thereof to be charged to current operating expense; and to repeal said original section.

LEGISLATIVE BILL NO. 22. By Amos Thomas, Ernest A. Adams, Tvrdik, Norman of Douglas; Thornton of Jefferson, Callan of Gage, Gantz of Box Butte, Howard of McPherson.

A bill for an Act relating to vital statistics; to define terms; and to provide for the registration of births.

LEGISLATIVE BILL NO. 23. By Amos Thomas, Ernest A. Adams, Tvrdik of Douglas; Callan of Gage, Howard of McPherson, Thornton of Jefferson, Gantz of Box Butte.

A bill for an Act relating to elections; to amend Secs. 32-801 and 32-802, C. S. Supp., 1939; to amend Sections 32-803, 32-804, 32-805, 32-806, 32-807, 32-814, 32-1812, 32-1405 and 32-1515 Compiled Statutes of Nebraska, 1929, to simplify the process whereby qualified electors who will be absent from the counties of their residences or ill or disabled within the counties of their residences on the day of any election, may exercise the voting privilege; to provide procedure permitting qualified electors who will be absent from the counties of their residences on election day to vote at home before leaving home in like manner as absent voters; to prescribe application procedure for absentees to obtain an official application form, which, when properly executed and returned to the issuing officer in person or by mail, together with a certificate of registration in precincts where registration is required, may be exchanged for an absentee ballot; to provide rules and regulations concerning the marking and casting of ballots by absentee voters, for returning absentee ballots to the issuing officer and for counting same upon their return; to provide a method of registering absent or disabled voters by mail in precincts where registration of voters is required; to provide penalties for the violation thereof; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 24. By Amos Thomas, Ernest A. Adams, Tvrdik of Douglas; Callan of Gage, Howard of McPherson, Thornton of Jefferson, Gantz of Box Butte.

A bill for an Act to amend Secs. 60-410, 60-412, 60-427, 60-428, 60-429, 60-431, 60-432, and 60-433, C. S. Supp., 1939, relating to motor vehicles; to empower the state engineer as director of motor vehicles to cancel of record in his office surrendered operators' licenses forwarded to him for such purposes by magistrates and judges, if and when judgments of conviction directing such cancellation accompany the surrendered licenses; to empower director on his own motion to cancel the license to operate a motor vehicle issued to any person committed to or incarcerated in any state institution, penal or otherwise; to provide procedure for reinstatement of such licenses when inmates of such institutions are discharged; to provide penalty for the violation thereof; to repeal said original sections; and to repeal Sec. 60-430, C. S. Supp., 1939.

LEGISLATIVE BILL NO. 25. By Amos Thomas, Ernest A. Adams of Douglas; Callan of Gage, Howard of McPherson, Thornton of Jefferson, Gantz of Box Butte.

A bill for an Act to amend Sections 32-1102, 32-1110, 32-1140, and 32-1173, Compiled Statutes of Nebraska, 1929; to amend Sec. 32-1164, C. S. Supp., 1939, relating to primary elections; to define certain terms used therein in connection with elections and primary elections; to provide for the election of delegates to county conventions; to provide for the holding of pre-primary conventions and post-primary conventions; to prescribe the manner of endorsing of candidates by conventions; to provide for the placing of such endorsements on primary ballots and the preparation of such ballots; to establish the rule for voting in state conventions; to provide that candidates for the offices of governor and members of congress shall be endorsed neither by any pre-primary nor any post-primary convention authorized to nominate and endorse candidates hereunder; to provide a validity clause; and to repeal said original sections.

LEGISLATIVE BILL NO. 26. By Amos Thomas of Douglas, Callan of Gage, Howard of McPherson, Thornton of Jefferson.

A bill for an Act relating to state appropriations, funds, money and finance; to provide for a legislative control office in connection therewith; to prescribe the powers and duties of the legislative comptroller therein; and to declare an emergency.

LEGISLATIVE BILL NO. 27. By Amos Thomas, Tvrdik, Ernest A. Adams of Douglas; Gantz of Box Butte, Howard of McPherson, Callan of Gage, Thornton of Jefferson.

A bill for an Act to amend Secs. 72-218, 72-219, 72-223, 72-210 and 72-201, C. S. Supp., 1939; to amend Section 77-102, Compiled Statutes of Nebraska, 1929, relating to school lands and funds; to provide that the state of Nebraska shall have a lien on the proceeds of all policies of insurance on buildings located on school lands; to provide that county attorneys of the several counties shall bring suit on behalf of the state of Nebraska to collect rent that may be in arrears on school land; to provide that educational land held under sales contracts shall be taxed as real estate; to empower the board

of educational lands and funds to sell dead timber on school lands; to provide that notice to leaseholders that they are in arrears in rent shall be published one time; to prohibit defaulters in school land rent directly or indirectly to lease or rent other school lands until defaulter pays all delinquent rentals; to authorize the appointment of two additional employees to assist the secretary of the board of educational lands and funds; to prescribe their duties; and to repeal said original sections.

LEGISLATIVE BILL NO. 28. By Amos Thomas, Tvrdik, Ernest A. Adams of Douglas; Gantz of Box Butte, Howard of McPherson, Thornton of Jefferson, Callan of Gage.

A bill for an Act to amend Sec. 29-2210, C. S. Supp., 1939; to amend Sections 29-2211, 29-2212, 29-2213, 29-2214, 29-2215, 29-2216, 29-2606, 29-2610, 29-2611, 29-2614, 29-2621, 29-2622, 29-2623, 29-2624, 29-2625, 29-2626 and 29-2627, Compiled Statutes of Nebraska, 1929, relating to criminal procedure; to provide rules and regulations governing probation and parole of adult persons; to provide for the appointment of a chief parole officer, in the offices of the board of pardons; to fix his compensation; to define his duties; to provide for the appointment of state deputy parole officers and needed assistants by district courts in the several judicial districts in the state of Nebraska; to prescribe the duties and compensation of state deputy parole officers and their needed assistants; to provide procedure to be followed in the conduct of hearings before the pardon board in cases of executive clemency; and to repeal said original sections.

BILLS ON SECOND READING

The following bill was read the second time by title:

(For title see Bills on First Reading)

L.B. No.	Introducer	Committee Reference
7	Bowman	Public Works

MOTION—To Suspend Rules and Read Second Time

Mr. President: I move the rules be suspended and that L.B. No. 22 be read today for the second time, and referred to the proper committee. (Signed) Gantz

The motion prevailed with 39 ayes, no nays, 4 not voting.

Legislative Bill No. 22 was read the second time and referred to Committee on Judiciary.

CONSENT—To Add Name as Introducer

By unanimous consent Mr. Norman's name was added as a co-introducer on L.B. No. 22.

MOTION—To Suspend Rules and Read Second Time

Mr. President: I move that the rules be suspended and that L.B. No. 16 be read the second time now. (Signed) Callan

The motion prevailed with 39 ayes, no nays, 4 not voting.

Legislative Bill No. 16 was read the second time and referred to Committee on Appropriations.

MOTION—To Suspend Rules and Set for Hearing

Mr. President: I move that the rules be suspended as to the five days notice and that L.B. No. 16 be set for hearing today, January 13, 1941. (Signed) Callan

The motion prevailed with 41 ayes, no nays, 2 not voting.

At 10:50 a. m. the President declared the Legislature at ease.

At 11:08 a. m. the President called the Legislature to order.

MOTION—To Suspend Rules and Read Second Time

Mr. President: I move that the rules be suspended and that all remaining bills on first reading be read the second time now. (Signed) Howard

The motion prevailed with 35 ayes, no nays, 8 not voting.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L.B. No.	Introducer	Committee Reference
8	Lambert	Government
9	Lambert, Carmody	Government
10	Lambert	Public Works
11	Lambert	Public Health & Misc. Subs.
12	Lambert	Government
13	Lambert	Banking, Comm. & Ins.
14	Lambert	Banking, Comm. & Ins.
15	Lambert	Government
17	Mueller	Judiciary

18	Amos Thomas	Banking, Comm. & Ins.
19	Amos Thomas, et al	Public Works
20	Amos Thomas, et al	Government
21	Amos Thomas, et al	Government
23	Amos Thomas, et al	Judiciary
24	Amos Thomas, et al	Judiciary
25	Amos Thomas, et al	Government
26	Amos Thomas, et al	Government
27	Amos Thomas, et al	Education
28	Amos Thomas, et al	Judiciary

Adjournment

At 11:35 a. m. Mr. Mischke moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Tuesday.

The motion prevailed with 35 ayes, no nays, 8 not voting.

Hugo F. Srb,
Clerk of the Legislature.

SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, January 14, 1941.

Pursuant to adjournment, the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Fred A. Mueller and Amos Thomas who were excused.

The Journal for the Fifth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Sorrell, one regarding the passage of a bill to exempt gasoline used in farm tractors solely for farm purposes from all state taxes now imposed; all members, one regarding medical examination for venereal diseases prior to marriage.

NOTICE OF COMMITTEE HEARINGS

Government

L. B. No. 8, Friday, January 24, 1941, 2:00 p. m.

L. B. No. 9, Wednesday, January 29, 1941, 2:00 p. m.

L. B. No. 12, Wednesday, January 29, 1941, 2:00 p. m.

L. B. No. 15, Friday, January 24, 1941, 2:00 p. m.

L. B. No. 20, Friday, January 31, 1941, 2:00 p. m.

L. B. No. 21, Friday, January 31, 1941, 2:00 p. m.

L. B. No. 25, Wednesday, February 5, 1941, 2:00 p. m.

(Signed) Sorrell, Chairman

Judiciary

L. B. No. 22, Monday, January 20, 1941, 2:00 p. m.

L. B. No. 23, Friday, January 24, 1941, 2:00 p. m.

L. B. No. 28, Wednesday, January 29, 1941, 2:00 p. m.

L. B. No. 17, Monday, Febauary 3, 1941, 2:00 p. m.

(Signed) Gantz, Chairman

Education

L. B. No. 27, Monday, January 20, 1941, 2:00 p. m.

(Signed) Matzke, Chairman

STANDING COMMITTEE REPORTS

Appropriations

LEGISLATIVE BILL NO. 16. Placed on General File.

(Signed) Callan, Chairman

Labor and Public Welfare

Mr. President: Your Committee on Labor and Public Welfare met in the old Senate Lounge and elected:

Vice Chairman	George W. Bevins
Secretary	Arthur Carmody
Clerk	L. T. Fleetwood

(Signed) Sullivan, Chairman

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 29. By Weborg of Cuming.

A bill for an Act to amend Sec. 77-2001, C. S. Supp., 1939, relating to revenues; to provide that if the second half of the previous

year's taxes are the only taxes delinquent on real estate that that real estate shall not be subject to sale; and to repeal said original section.

LEGISLATIVE BILL NO. 30. By Committee on Appropriations.

A bill for an Act to provide for the payment of compensation of officers and employees of the legislature, traveling expenses of members, the payments to be made for supplies and other incidental expenses incurred during the fifty-fifth session, Nebraska state legislature, during the biennium ending June 30, 1941, and for the ad interim activities of said legislature during the biennium ending June 30, 1943, to appropriate the sum of fifty-five thousand dollars therefor; to provide for the payment of compensation of bill drafters, legal researcher, correlation clerk, stenographers, and proofreaders and for the payments to be made for supplies and other incidental expenses incurred by the bill drafting and related services of the Nebraska legislative council during the fifty-fifth session, Nebraska state legislature, commencing January 7, 1941, and ending with the adjournment of the legislature sine die; to appropriate the sum of six thousand seven hundred dollars therefor; and to declare an emergency.

LEGISLATIVE BILL NO. 31. By Tvrdik, Bevins, Sullivan, John Adams, Jr., Norman, Ernest A. Adams of Douglas.

A bill for an Act to amend Sec. 14-1403, C. S. Supp., 1939, relating to housing authorities in cities of the metropolitan class; to provide five year terms for members of such authorities; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 32. By John Adams, Jr., of Douglas.

A bill for an Act to amend Sec. 32-209, C. S. Supp., 1939, relating to elections; to provide for the election of county clerks in counties having a population of more than one hundred fifty thousand inhabitants; and to repeal said original section.

LEGISLATIVE BILL NO. 33. By Carlson of Phelps.

A bill for an Act to amend Section 32-1701, Compiled Statutes of Nebraska, 1929, relating to officers; to prescribe contingencies when civil offices become vacant when their incumbents exercise militia, military or naval duties within or without the state of Nebraska before the expiration of their terms; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 34. By Carlson of Phelps.

A bill for an Act to amend Sec. 54-1404, C. S. Supp., 1939, relating to live stock; to provide that bond executed to the State of Nebraska shall not be required of sales rings that are located at stockyards which are posted as stockyards by the Director of Agriculture of the United States; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 35. By Sorrell of Otoe.

A bill for an Act to amend Sections 71-1103, 71-2204 and 71-2219, Compiled Statutes of Nebraska, 1929, relating to public health and welfare; to prescribe requirements for the practice of chiropractic; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 36. By Sorrell of Otoe.

A bill for an Act to amend Secs. 20-1601, 20-1608 and 20-1636, C. S. Supp., 1939, relating to civil procedure, district court; to provide for the qualifications and competency of jurors; and to repeal said original sections.

At 10:25 a. m. the President declared the Legislature at ease.

At 10.53 a. m. the President called the Legislature to order.

MOTION—To Suspend Rules and Read Second Time

Mr. President: I move that the rules be suspended and that all bills on first reading this morning be read the second time now.

(Signed) Gantz

The motion prevailed with 39 ayes, no nays, 4 not voting.

MESSAGES FROM THE GOVERNOR

Secretary of Board of Educational Lands & Funds

January 14, 1941

To the President and Members of the Legislature

Gentlemen:

As Chairman of the Board of Educational Lands and Funds, I

wish to announce the appointment by the Board of Mr. Henry H. Bartling of Nebraska City as Secretary of the Board of Educational Lands and Funds, effective this date.

Respectfully submitted,

(Signed) Dwight Griswold
Governor

Member of Game, Forestation and Parks Commission

January 14, 1941

To the President and Members of the Legislature

Gentlemen:

I should like to call the attention of your honorable body to the fact that my predecessor, Governor R. L. Cochran, overlooked in the closing days of his administration to submit to you for confirmation his appointment of Dr. M. Campbell of McCook as a member of the Game, Forestation & Parks Commission for the term ending January 15, 1945.

In keeping with the intent of Goveronr Cochran, I hereby submit to you the above appointment.

Respectfully submitted,

(Signed) Dwight Griswold
Governor

Member of Game, Forestation and Parks Commission

January 14, 1941

To the President and Members of the Legislature

Gentlemen:

I should like to call the attention of your honorable body to the fact that my predecessor, Governor R. L. Cochran, overlooked in the closing days of his administration to submit to you for confirmation his appointment of Dr. H. C. Zellers of Lincoln as a member of the Game, Forestation & Parks Commission for the term ending January 15, 1942.

In keeping with the intent of Governor Cochran, I hereby submit to you the above appointment.

Respectfully submitted,

(Signed) Dwight Griswold
Governor

State Sheriff

January 14, 1941

To the President and Members of the Legislature
Gentlemen:

For the information and consideration of your honorable body, I am pleased to advise you that I have appointed Mr. Lloyd Mengel of Wahoo as State Sheriff.

Respectfully submitted,

(Signed) Dwight Griswold
Governor

Director of Banking

January 14, 1941

To the President and Members of the Legislature
Gentlemen:

For the information and consideration of your honorable body, I am pleased to advise you that I have appointed Mr. Wade Martin of Stratton as Director of Banking for the Department of Banking.

Respectfully submitted,

(Signed) Dwight Griswold
Governor

Director of Insurance

January 14, 1941

To the President and Members of the Legislature
Gentlemen:

For the information and consideration of your honorable body, I am pleased to advise you that I have appointed Mr. C. C. Fraizer of Aurora as Director of Insurance.

Respectfully submitted,

(Signed) Dwight Griswold
Governor

State Engineer

January 14, 1941

To the President and Members of the Legislature

Gentlemen:

For the information and consideration of your honorable body, I am pleased to advise you that I have appointed Mr. Wardner Scott of Lincoln as State Engineer for the Department of Roads and Irrigation.

Respectfully submitted,

(Signed) Dwight Griswold
Governor

Commissioner of Labor

January 14, 1941

To the President and Members of the Legislature

Gentlemen:

For the information and consideration of your honorable body, I am pleased to advise you that I have appointed Mr. O. M. Olsen of Omaha as Commissioner of Labor.

Respectfully submitted,

(Signed) Dwight Griswold
Governor

Director of Health

January 14, 1941

To the President and Members of the Legislature

Gentlemen:

For the information and consideration of your honorable body, I am pleased to advise you that I have appointed Dr. A. L. Miller of Kimball as Director of Health.

Respectfully submitted,

(Signed) Dwight Griswold
Governor

Director of Department of Agriculture and Inspection

January 14, 1941

To the President and Members of the Legislature

Gentlemen:

For the information and consideration of your honorable body, I am pleased to advise you that I have appointed Mr. Ralph Cox of Arapahoe as Director of the Department of Agriculture and Inspection.

Respectfully submitted,

(Signed) Dwight Griswold
Governor

Commission on Intergovernmental Cooperation

January 14, 1941

To the President and Members of the Legislature

Gentlemen:

As Governor, I wish to announce the appointment of Attorney General Walter R. Johnson, Chairman, Tax Commissioner Frank Brady, and State Engineer Wardner Scott, all ex-officio; and Wade R. Martin and C. C. Fraizer, as members of the Commission on Intergovernmental Cooperation.

Respectfully submitted,

(Signed) Dwight Griswold
Governor

All of the above appointments, excepting the one on Intergovernmental Cooperation, were referred to the Committee on Committees for holding hearings and reporting thereon to the Legislature.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L.B. No.	Introducer	Committee Reference
29	Weborg	Revenue
30	Committee on Appropriations	Appropriations
31	Tvrdik, et al	Pub. Health & Misc. Subs.
32	John Adams, Jr.	Government
33	Carlson	Government
34	Carlson	Agriculture

35	Sorrell	Public Health & Misc. Subs.
36	Sorrell	Judiciary

MOTION—To Suspend Rules and Set for Hearing

Mr. President: I move that the rules be suspended as to the five days notice and that L. B. No. 30 be set for hearing today, January 14, 1941 at 2:00 p. m. (Signed) Callan

The motion prevailed with 38 ayes, no nays, 5 not voting.

GENERAL FILE

LEGISLATIVE BILL NO. 16. Read and considered.

Referred to E and R for review.

MOTION—Inauguration Ceremonies at Washington

Mr. President: I move the Chair appoint a committee of three to wait upon the Governor to ascertain his wishes and recommendations as to Nebraska's representation at the inauguration ceremonies at Washington. (Signed) Norman

The motion prevailed and the Chair appointed the following members to serve on said committee:

Norman, Chairman Sullivan Gantz

MOTION—Citing Nebraska Statutes

Mr. President: I move that the Legislature reconsider its action of January 9, 1941 in sustaining my motion that in referring to and citing any statutes enacted prior to the fifty-fourth session and not appearing in Compiled Statutes, 1929, such statutes be cited as "Sec. Comp. St. Supp., 1939", as shown on page 34 of the Legislative Journal. (Signed) Gantz

The motion prevailed with 38 ayes, no nays, 5 not voting.

Mr. Gantz withdrew his original motion of January 9.

Adjournment

At 11:35 a. m. Mr. Neubauer moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Wednesday.

The motion prevailed with 37 ayes, no nays, 6 not voting.

Hugo F. Srb,
Clerk of the Legislature.

SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, January 15, 1941.

Pursuant to adjournment, the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except John Adams, Jr., Fred A. Mueller and Amos Thomas, who were excused.

The Journal for the Sixth Day was approved.

PETITIONS AND MEMORIALS

Mr. Raecke introduced a petition from his constituents opposing the recommendations of the State Planning Board in regard to the educational system in Nebraska.

NOTICE OF COMMITTEE HEARINGS

Committee on Committees

West Lounge **Tuesday, January 21, 1941, 1:00 p. m.**

Appointments by Governor

Dr. M. Campbell, McCook	Game, Forestation & Parks Comm.
Dr. H. C. Zellers, Lincoln	Game, Forestation & Parks Comm.
Mr. Lloyd Mengel, Wahoo	State Sheriff
Mr. Wade Martin, Stratton	Director of Banking
Mr. C. C. Fraizer, Aurora	Director of Insurance
Mr. Wardner Scott, Lincoln	State Engineer for Department of Roads and Irrigation
Mr. O. M. Olsen, Omaha	Commissioner of Labor

Dr. A. L. Miller, Kimball	Director of Health
Mr. Ralph Cox, Arapahoe	Director of Dept. of Agriculture & Inspection
Mr. Henry H. Bartling, Nebraska City	Secretary, Board of Educational Lands & Funds

Government

L. B. No. 32, Wednesday, February 5, 1941, 2:00 p. m.

L. B. No. 33, Wednesday, February 5, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Banking, Commerce and Insurance

The committee met on January 14, 1941 at 11:45 a. m. and selected the following:

Vice Chairman	C. Petrus Peterson
Secretary	Otto Kotouc, Jr.

(Signed) Thornton, Chairman

Education

The committee met on January 13, 1941 at 11:30 a. m. and selected the following:

Vice Chairman	William A. Crossland
Secretary	Don E. Hanna
Clerk	Edna Freeman

(Signed) Matzke, Chairman

Revenue

The committee met on January 14, 1941 and selected Richard N. Johnson, Vice Chairman.

(Signed) Murphy, Chairman

Agriculture

The committee met and selected the following:

Vice Chairman	Arthur Carmody
Secretary	Wm. A. Metzger
Clerk	L. T. Fleetwood

(Signed) Neubauer, Chairman

Enrollment and Review

The committee met on January 14, 1941 and selected the following:

Vice Chairman Elmer C. Rakow
Secretary E. R. Blome

(Signed) Crosby, Chairman

Committee on Committees

Mr. President: Your Committee has designated the following members to serve on the Commission on Intergovernmental Cooperation:

Daniel Garber, Chairman
Wm. A. Metzger William J. Norman
H. G. Greenamyre A. C. VanDiest

(Signed) Ernest A. Adams, Chairman

Appropriations

LEGISLATIVE BILL NO. 30. Placed on General File.

(Signed) Callan, Chairman

Enrollment and Review

LEGISLATIVE BILL NO. 16. Placed on Select File

(Signed) Crosby, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION NO.2. Legislative Policy

Introduced by Daniel Garber

WHEREAS, expansion of government in the State of Nebraska has been a highly controversial subject under normal conditions for decades, and now after eleven successive years of economic depression and disaster combined with habitual drought and crop failure, expansion of government is burdensome extravagance not only upon the taxpayers but also upon the housing capacity of this colossal state house, and

WHEREAS, reports of the Research Department of the Legislative Council disclose that more than 45% of the total gross annual agricultural income in Nebraska over a period of years is absorbed

by taxes, and the general welfare of Nebraska is jeopardized by these tragic conditions, NOW THEREFORE,

BE IT RESOLVED, by the Nebraska Legislature in the 55th session here and now convened that this Legislature is unalterably opposed to creation and establishment by law of new commissions, new bureaus, new boards, new offices or new agencies of government, and hereby declares and adopts this position as a legislative policy.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 37. By Raecke of Merrick.

A bill for an Act to amend Sec. 51-401, C. S. Supp., 1939, relating to county and regional libraries; to provide for the establishment of county libraries by a majority vote of the electors residing outside cities, villages or townships already maintaining a public library by public tax; and to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 38. By Carmody of Hitchcock, Carlson of Phelps, Garber of Webster.

A bill for an Act to amend Sec. 72-217, C. S. Supp., 1939, relating to school lands and funds; to provide that all unsold school lands shall be subject to lease at an annual rent of 4½% of their appraised value; to repeal said origial section; and to declare an emergency.

LEGISLATIVE BILL NO. 39. By Gantz of Box Butte.

A bill for an Act to amend Sec. 11-409, C. S. Supp., 1939, relating to internal improvements bonds; to provide the maximum amount of internal improvement bonds that may be levied by precincts for highway purposes; and to repeal said original section.

LEGISLATIVE BILL NO. 40. By Murphy of Scotts Bluff.

A bill for an Act to validate the sale by the board of regents of the university of Nebraska of the west one-half of the southeast quarter of section 22, township 22 north, range 55 west of the 6th principal meridian, county of Scotts Bluff, state of Nebraska; to confirm title thereto in Charles B. Redus and his heirs; to provide for the execution of a deed of confirmation; and to declare an emergency.

LEGISLATIVE BILL NO. 41. By Bevins, Sullivan of Douglas.

A bill for an Act relating to labor; to diminish the causes of labor disputes; to provide for self-organization among employees, the right to bargain collectively through employee representatives; to provide for arbitration of labor disputes; to define and declare unlawful certain unfair labor practices; to provide for relief by injunction and mandamus; and to provide for penalties for the violation of this act.

LEGISLATIVE BILL NO. 42. By Neubauer of Harlan.

A bill for an Act to amend Secs. 38-412 and 38-506, C. S. Supp., 1939, relating to fiduciaries; to provide that trustees, guardians, executors and administrators are authorized to invest funds of their wards in real estate, subject to the approval of the county judge; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 43. By Johnson of Dodge.

A bill for an Act to amend Sec. 72-707, C. S. Supp., 1939, relating to public property; to provide for the acquisition and display of the national flag of the United States of America on a suitable flag staff located on the state capitol or its environs by the governor; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 44. By Johnson of Dodge.

A bill for an Act to amend Section 50-114, Compiled Statutes of Nebraska, 1929, relating to the legislature; to provide that the sergeant-at-arms shall procure a banner of the state of Nebraska and display the same from the top of the state capitol building during the time the legislature is in session; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 45. By Neubauer of Harlan.

A bill for an Act to authorize the sale or exchange of the state of Nebraska Railroad Fish Car, "Waltonian" by the Game, Forestation and Parks Commission; and to declare an emergency.

LEGISLATIVE BILL NO. 46. By Tvrdik, Sullivan, Norman, Ernest A. Adams, Bevins of Douglas; Reed of Lancaster, Murphy of Scotts Bluff.

A bill for an Act relating to unfair competition and unfair business practices; to define and prohibit unfair sales, unfair competition and unfair business practices; to declare the selling or offer to sell of goods as prohibited to be a matter of public interest; to provide remedies for violation thereof; to establish penalties therefor; to provide a validity clause; and to declare an emergency.

LEGISLATIVE BILL NO. 47. By Van Diest of Loup, Callan of Gage.

A bill for an Act to amend Section 44-407, Compiled Statutes of Nebraska, 1929, relating to insurance; to prescribe conditions precedent to the borrowing of money by domestic insurance companies on surplus notes; to provide the maximum rate of interest to be paid on money so borrowed and the use to which the proceeds of such loans shall be put; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 48. By Callan of Gage, Van Diest of Loup.

A bill for an Act to amend Section 44-410, Compiled Statutes of Nebraska, 1929, relating to insurance; to provide that no domestic mutual insurance company shall begin to transact insurance business until: (a) it shall issue simultaneously policies upon two hundred or more risks each with the maximum single risk provided for by Sec. 44-411, C. S. Supp., 1939, as now existing or as hereafter amended; (b) it shall hold a fund in cash or invested as provided by law of at least fifty thousand dollars, or equal to ten times the maximum single risk to be assumed, whichever is greater, for each class of insurance specified under Sec. 44-401, C. S. Supp., 1939, as now existing or as hereafter amended, which such mutual company is licensed to write; to provide that said fund shall be used for the payment of losses only and cannot be repaid except as provided in Section 44-407, Compiled Statutes of Nebraska, 1929, as now existing or as hereafter amended; (c) it shall have received in cash one annual premium upon each risk outstanding; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 49. By Van Diest of Loup, Callan of Gage.

A bill for an Act to amend Sec. 24-1804, C. S. Supp., 1939, relating to burial associations; to provide limitations upon the investment of capital, surplus and other funds thereof; to limit the aggregate benefits of burial association certificates to be issued to one person to the sum of five hundred dollars; to provide that contracts of said association shall conspicuously state that said contracts are for burial benefits; to provide that the amount of said associa-

tion's paid up capital stock shall also be conspicuously stated in its said contracts; to provide legal reserves for said association; to require that capital stock thereof shall be sold for the same amount per share and for not less than par value or for not more than one hundred twenty-five per cent of par value; to prescribe the requirements that shall be set forth in policies issued by said associations; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 50. By Van Diest of Loup, Callan of Gage.

A bill for an Act to amend Section 44-414, Compiled Statutes of Nebraska, 1929, relating to insurance; to provide for the making, approval and execution of contracts of insurance and consolidation by and between insurers operating as insurers upon the capital stock plan or mutual plan, but not applicable to fraternal benefit societies; to provide for the assumption of the risks and liabilities by the reinsurer and the disposition of the rights of stockholders and members in mutual companies as to the stock interests and disposition and distribution of assets and surplus; to provide procedure for making such contracts effective and carrying the same into operation; to provide for hearings in connection therewith; to repeal said original section; and to declare an emergency.

Speaker Howard presiding.

SELECT FILE

LEGISLATIVE BILL NO. 16. Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL NO. 30. Read and considered.

Referred to E and R for review.

MESSAGE FROM GOVERNOR

Inauguration Ceremonies at Washington

January 14, 1941.

To the President and Members of the Legislature

Gentlemen:

The committee in charge of the presidential inauguration to

be held on January 20 has invited me to be present to represent the State of Nebraska. Due to the press of official business it will be impossible for me to attend and I have so informed them.

They report that as I am unable to attend, they will be pleased to have the Lieutenant Governor represent this state but that no one else can be substituted. I believe that it might be well for you to make provision for at least part of his traveling expenses so that Nebraska will be represented "among those present." I felt that this information should be submitted to you.

Respectfully submitted,

(Signed) Dwight Griswold
Governor

At 11:00 a. m. the Chair declared the Legislature at ease.

At 11:30 a. m. the Speaker called the Legislature to order.

SELECT COMMITTEE REPORTS

Inauguration Ceremonies at Washington

Mr. President: Your committee appointed to interview the Governor to ascertain his wishes and recommendations concerning Nebraska's representation at the inauguration ceremonies at Washington, begs to report as follows:

That the Governor on account of his working on his budget and other duties requiring his presence at Lincoln, can not attend the Washington ceremonies.

That either the Governor or the next succeeding state officer,—in this state the Lieutenant Governor, can be representative of the state.

Governor Griswold recommended that it would perhaps be well for Lieutenant Governor Johnson to attend the inauguration as Nebraska's representative and suggested that it might be well for the Legislature to make provisions for at least part of his traveling expenses.

(Signed) Wm. J. Norman, Chairman

Geo. T. Sullivan
Harry E. Gantz

MOTION—To Accept Report

Mr. President: I move this report be accepted. Norman

The motion prevailed.

Committee on Election Contest

Mr. President: Your Special Committee on the Election Contest between Peter P. Gutoski, Contestant, and George W. Bevins, Incumbent, for membership herein from the Eighth Legislative District, submits the following report:

Your Committee has held numerous hearings at which both Contestant and Incumbent were fully heard. By the official count of votes submitted, the Incumbent received 7752 votes, and the Contestant received 7750 votes. There was no charge of fraud or dishonesty by either party.

Your Committee has received valuable assistance and cooperation from the office of the Attorney General. Your Committee was advised that this Legislature has the authority to procure and recount the official ballots.

This Legislature has arbitrary power to declare the election of either the Contestant or the Incumbent, but it is the carefully considered opinion of your Committee that this power should not be arbitrarily exercised; that in justice, not only to Contestant and incumbent, but to the electors of the Eighth Legislative District, the ballots should be recounted in the presence of Contestant and Incumbent, or their duly chosen representatives.

Your Committee recognizes that in the usual count of election ballots honest errors occur; that in this case such errors may readily change the result of the election.

Your Committee therefore recommends that this Legislature order a recount of the ballots cast for this office.

(Signed) Mekota, Chairman

MOTION—To Adopt Report

Mr. President: I move that the report of the Special Legislative Election Committee be adopted. (Signed) Mekota

The motion prevailed.

MOTION—To Refer to Same Committee

Mr. President: I move that the matter of the election contest for the Eighth Legislative District be referred again to the special committee, with authority to take such further action and such further proceedings as may be necessary to determine the contest.

(Signed) Crosby

The motion prevailed.

Member Excused

At his request Mr. Peterson was excused from the session on Thursday, January 16, 1941.

Adjournment

At 11:50 a. m. Mr. Van Diest moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Thursday.

The motion prevailed with 36 ayes, no nays, 7 not voting.

Hugo F. Srb,
Clerk of the Legislature.

EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, January 16, 1941.

Pursuant to adjournment, the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. C. Petrus Peterson and Amos Thomas, who were excused.

The Journal for the Seventh Day was approved.

STANDING COMMITTEE REPORTS

Committee on Committees

Mr. President: Your Committee on Committees reports that it has selected Otto Kotouc, Jr. as Vice Chairman of the Committee.

(Signed) Ernest A. Adams, Chairman

Enrollment and Review

LEGISLATIVE BILL NO. 16. Correctly engrossed.

LEGISLATIVE BILL NO. 30. Placed on Select File.

(Signed) Crosby, Chairman

Public Works

The committee met on January 15, 1941 at 11:45 a. m. and selected the following:

Vice Chairman Tom Lambert
Secretary George T. Sullivan

(Signed) Mischke, Chairman

SELECT COMMITTEE REPORT

Intergovernmental Cooperation

Mr. President: Your Committee on Intergovernmental Cooperation wishes to report as follows:

The Committee met in Room 350, January 15, immediately organized, and the following officers were elected:

Daniel Garber, Chairman
A. C. Van Diest, Vice Chairman
Wm. A. Metzger, Secretary

A communication from Governor Griswold requested that the state be represented at the annual meeting of the Council of State Governments, in Washington, D. C., for a three-day session, starting January 21.

During this short meeting, the work is done entirely in committees. It is therefore felt necessary that in order to derive the most benefits from this meeting, a delegation of two be sent from the State of Nebraska. It is respectfully recommended that Senators Garber and Metzger attend this meeting, and that three hundred dollars be advanced for their expenses.

Respectfully submitted,
(Signed) Daniel Garber, Chairman
Wm. A. Metzger, Secretary

MOTION—To Adopt Report

Mr. President: I move that the committee report and recommendation be adopted. (Signed) Van Diest

Record vote was requested by Mr. Sorrell.

Voting in the affirmative, 20:

Adams, J. Jr.	Greenamyre	Matzke	Rakow
Asimus	Hanna	Mekota	Sullivan
Bevins	Johnson	Metzger	Thomas, Ray
Brodahl	Knezacek	Neubauer	Tvrdik
Carmody	Kotouc	Norman	Van Diest

Voting in the negative, 18:

Adams, E. A.	Carlson	Howard	Raecke
Blome	Crosby	Jeppesen	Reed
Bowman	Crossland	Mischke	Sorrell
Callan	Gantz	Murphy	Thornton
		Price	Weborg

Not voting, 5:

Garber	Mueller	Peterson	Thomas, Amos
Lambert			

The motion prevailed.

RESOLUTIONS

Mr. President: I move that Legislative Resolution No. 2 be adopted. (Signed) Garber

The motion was lost.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 51. By Sorrell of Otoe, Weborg of Cuming, Lambert of Platte.

A bill for an Act to amend Secs. 2-1701, 2-1702, 2-1703, 2-1704, 2-1706, 2-1708, 2-1709, 2-1710 and 2-1717, C. S. Supp., 1939, relating to agriculture; relating to the control and eradication of weeds; to define terms; to provide for the organization, administration and government thereof; to provide revenue therefor and the methods of assessment and collection of such revenue; to provide methods of control and eradication of noxious weeds and to repeal said original sections.

LEGISLATIVE BILL NO. 52. By Lambert of Platte, Metzger of Cass, Kotouc, of Richardson, Knezacek of Valley, Asimus of Holt, Brodahl of Saunders, Carlson of Phelps, Hanna of Cherry, Ray Thomas of Clay, Van Diest of Loup, Bowman of Adams, Jeppesen of Dakota, Thornton of Jefferson, Callan of Gage, Garber of Webster, Carmody of Hitchcock, Raecke of Merrick, John Adams, Jr. of Douglas, Weborg of Cuming, Reed of Lancaster.

A bill for an Act to repeal Article 74, Chapter 81, C. S. Supp., 1939, relating to Nebraska advertising commission; and to declare an emergency.

LEGISLATIVE BILL NO. 53. By Kotouc, of Richardson.

A bill for an Act to amend Sec. 44-804 and subsection 5, Sec. 44-401, C. S. Supp., 1939, relating to insurance; to regulate the form of insurance contracts covering life, health and accident insurance of another, including a minor; to provide that minors not less than fourteen years of age shall be competent to contract for such insurance; to define the purposes for which liability insurance corporations may be formed; to repeal said original section; to repeal said original subsection; and to declare an emergency.

LEGISLATIVE BILL NO. 54 By Carmody of Hitchcock, Kotouc of Richardson, Metzger of Cass, Garber of Webster.

A bill for an Act to repeal Article 9, Chapter 76, C. S. Supp., 1939, relating to real estate brokers and real estate salesmen; and to declare an emergency.

LEGISLATIVE BILL NO. 55. By Kotouc of Richardson.

A bill for an Act to amend Sec. 44-1107, C. S. Supp., 1939, relating to insurance; to provide that group insurance may be issued to a group of not less than fifty members; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 56. By Sorrell of Otoe.

A bill for an Act to amend Sec. 53-337, C. S. Supp., 1939, relating to liquors; to prohibit the sale at retail of alcoholic liquors, including beer, on secular days between the hours of twelve o'clock midnight and six o'clock A. M.; to prohibit the sale of beer at retail between the hours of twelve o'clock midnight Sunday and six o'clock A. M. on the succeeding Monday; to provide for closing prior to twelve o'clock midnight outside the corporate limits of cities or villages by rule or order of the Nebraska liquor control commission; to provide penalties for the violation thereof; and to repeal said original section.

LEGISLATIVE BILL NO. 57. By Kotouc of Richardson.

A bill for an Act to appropriate the sum of fifteen thousand

dollars for the payment to the Pawnee Royalty Company of the bonus for the discovery of crude oil; and to declare an emergency.

LEGISLATIVE BILL NO. 58. By Sorrell of Otoe.

A bill for an Act relating to agriculture; to provide for the grading and inspection of apples; to empower the director of the department of agriculture and inspection for the department of agriculture and inspection to enforce the provisions of this act; to enact rules for his guidance in performing his duties; to grant to the director, his agents or servants, the right to enter places of business to make inspection; to prohibit shipping of bulk apples into this state except under certain conditions; to declare deceptive pack and re-use of containers unlawful except under certain conditions; and to provide penalties for the violation of this act.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L.B. No.	Introducer	Committee Reference
37	Raecke	Revenue
38	Carmody, et al	Education
39	Gantz	Public Works
40	Murphy	Education
41	Bevins, Sullivan	Labor & Public Welfare
42	Neubauer	Judiciary
43	Johnson	Public Health & Misc. Subs.
44	Johnson	Public Health & Misc. Subs.
45	Neubauer	Agriculture
46	Tvrdik, et al	Banking, Commerce & Insurance
47	Van Diest, Callan	Banking, Commerce & Insurance
48	Callan, Van Diest	Banking, Commerce & Insurance
49	Van Diest, Callan	Banking, Commerce & Insurance
50	Van Diest, Callan	Banking, Commerce & Insurance

MOTION—To Suspend Rules

Mr. President: I move that the rules be suspended and that L. B. No. 30 be considered on Select File. (Signed) Crosby

The motion prevailed with 36 ayes, no nays, 7 not voting.

SELECT FILE

LEGISLATIVE BILL NO. 30. Referred to E and R for engrossment.

MOTION—To Employ Lawyer for Committee on E and R

Mr. President: We, the undersigned, constituting the Committee on Enrollment and Review, hereby move that the Committee on Enrollment and Review be given the right and power to name a lawyer to act as legal advisor of said committee and work exclusively for and be responsible to the said committee during the Legislature, and that the same compensation, $375.00 per month, be paid as was provided for said legal advisor in the Fifty-third Session of the Legislature, all subject to confirmation of this Legislature.

(Signed) Crosby, Chairman
Blome, Rakow, Bevins, Sorrell

The motion prevailed.

Adjournment

At 11:30 a. m. Mr. Weborg moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Friday.

The motion prevailed with 37 ayes, no nays, 6 not voting.

Hugo F. Srb,
Clerk of the Legislature.

NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, January 17, 1941.

Pursuant to adjournment, the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Garber, Mekota, Metzger, Norman and Amos Thomas, who were excused.

The Journal for the Eighth Day was approved as corrected.

Member Excused

Upon his request, Mr. Bevins was excused for approximately five days.

Communication

A letter was read from Archie C. O'Brien in regard to inauguration ceremonies in Washington.

NOTICE OF COMMITTEE HEARINGS

Agriculture

L. B. No. 34, Tuesday, January 28, 1941, 2:00 p. m.

L. B. No. 45, Tuesday, January 28, 1941, 3:00 p. m.

Revenue

L. B. No. 5, Thursday, January 23, 1941, 2:00 p. m.

L. B. No. 6, Thursday, January 23, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Judiciary

Mr. President: The Judiciary Committee has selected

John E. Mekota	Vice Chairman
Elizabeth Burnett	Clerk

(Signed) Gantz, Chairman

Enrollment and Review

LEGISLATIVE BILL NO. 30. Correctly engrossed.

(Signed) Crosby, Chairman

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 59. By Ray Thomas of Clay, Weborg of Cuming.

A bill for an Act specifically to appropriate the sum of ten thousand dollars for the uses and purposes of the egg inspection fund; to provide for the administration of moneys so appropriated; and to declare an emergency.

LEGISLATIVE BILL NO. 60. By Price of Lancaster, Rakow of Antelope.

A bill for an Act to amend Section 36-208, Compiled Statutes of Nebraska, 1929, relating to the statute of frauds, to provide that conditional sales contracts shall not be valid as against subsequent purchasers, judgment creditors or chattel mortgagees of the vendee unless the contract be filed in the office of the county clerk; and to repeal said original section.

LEGISLATIVE BILL NO. 61. By Blome of Cheyenne.

A bill for an Act to amend Secs. 70-704 and 70-705, C. S. Supp., 1939, relating to power districts and corporations; to define terms; to provide that only persons who use or agree to use electric energy furnished by a public power district shall be eligible to serve as a director or to vote for the directors of that public power district; and to repeal said original sections.

LEGISLATIVE BILL NO. 62. By Ray Thomas of Clay.

A bill for an Act relating to revenue; to direct the remission of interest that any taxpayer paid to any county treasurer under the provisions of Secs. 77-1960 and 77-1961, C. S. Supp., 1939, or under the provisions of Section 1, Chapter 156, Laws of Nebraska, 1935, or under the provisions of Section 1, Chapter 15, Laws of Nebraska, 1935, Special; to provide the method of payment and to declare an emergency.

LEGISLATIVE BILL NO. 63. By Ray Thomas of Clay.

A bill for an Act relating to domestic fowls; to prevent the anonymous selling of surplus chicks at public auction in the state of Nebraska; to require those selling chicks at public auction to meet certain requirements; and to provide for permits to sell baby chicks at auction; and to provide for penalty for violation; and to declare an emergency.

LEGISLATIVE BILL NO. 64. By Raecke of Merrick.

A bill for an Act to amend Section 16-670, Compiled Statutes of Nebraska, 1929, relating to cities of the first class having a population of not less than five thousand inhabitants nor more than twenty-five thousand inhabitants; to fix and determine the limitation on bond issues for the purpose of constructing or aiding in the construction of the city hall, jail, auditorium buildings for the fire department and other public buildings in an amount not exceeding the sum of three hundred thousand dollars; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 65. By Raecke of Merrick.

A bill for an Act to amend Section 32-2001, Compiled Statutes of Nebraska, 1929, relating to elections; to regulate corrupt practices by candidates for public offices which are filled by popular election; to repeal said original section and to declare an emergency.

LEGISLATIVE BILL NO. 66. By Johnson of Dodge.

A bill for an Act relating to revenue; to provide that the grantor of real or personal property may convey to himself and others as joint tenants with the right of survivorship; to provide for the taxation of the right of survivorship in property as to which that right exists; to establish the rate of taxation; to provide that notice

of the death of joint tenants shall be given by banks or other depositories; to establish a lien for taxes; to provide for the payment of debts; and to establish rules for the execution of instruments creating a joint tenancy with the right of survivorship.

LEGISLATIVE BILL NO. 67. By Matzke of Seward, Lambert of Platte.

A bill for an Act relating to safety deposit boxes; to permit the creation by contract of the relationship of either lessor and lessee or the relationship of bailor and bailee between the owner and user thereof and by contract between the parties to limit the liability of the owner of safety deposit boxes under certain conditions and to fix rules of evidence which shall govern the relationship in case of legal controversy arising therefrom and to declare an emergency.

LEGISLATIVE BILL NO. 68. By Mekota of Saline.

A bill for an Act to amend Sec. 33-118, C. S. Supp., 1939, relating to fees and salaries; to prescribe the fees which each county treasurer shall receive for collecting municipal taxes and special assessments for municipal improvements; and to repeal said original section.

LEGISLATIVE BILL NO. 69. By Mekota of Saline.

A bill for an Act relating to municipal corporations; to authorize cities and villages to establish and maintain cold storage or refrigeration plants; and to declare an emergency.

LEGISLATIVE BILL NO. 70. By Sullivan, Bevins, Tvrdik, Ernest A. Adams, John Adams, Jr., of Douglas; Blome of Cheyenne, Callan of Gage, Sorrell of Otoe, Neubauer of Harlan, Carmody of Hitchcock.

A bill for an Act to amend Secs. 66-405, 66-411 (A) and 66-416, C. S. Supp., 1939, relating to the excise tax levied on the sale and use of motor vehicle fuels; to provide that, commencing with the effective date of this act and ending June 30, 1943, one cent per gallon of said tax of five cents per gallon so levied and collected shall be credited to the state assistance fund; to repeal said original sections; to repeal Sec. 66-411 (B), C. S. Supp., 1939; and to declare an emergency.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L.B. No.	Introducer	Committee Reference
51	Sorrell, et al	Agriculture
52	Lambert, et al	Public Health & Misc. Subs.
53	Kotouc	Banking, Commerce & Insurance
54	Carmody, et al	Revenue
55	Kotouc	Banking, Commerce & Insurance
56	Sorrell	Judiciary
57	Kotouc	Claims & Deficiencies
58	Sorrell	Agriculture

Speaker Howard Presiding

Invitation

The Lincoln Chamber of Commerce extended to the Members of the Legislature an invitation to attend an evening of entertainment on January 23, 1941.

On motion by Mr. Tvrdik the invitation was accepted.

Adjournment

At 10:30 a. m. Mr. Sorrell moved that the rules be suspended and that the Legislature adjourn until Monday, January 20, 1941 at 10:00 a. m.

The motion prevailed with 32 ayes, no nays, 11 not voting.

Hugo F. Srb,
Clerk of the Legislature.

TENTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, January 20, 1941.

Pursuant to adjournment, the Legislature met at 10:00 a. m. Speaker Howard presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Bevins, Garber, Greenamyre, Metzger, Mueller and Amos Thomas, who were excused.

The Journal for the Ninth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents: Ray Thomas, one, favoring exemption of gasoline used on farms, from the state tax; Mr. Sorrell, one, favoring Federal aid for state highways; Mr. Crossland, one, opposing the recommendations of the State Planning Board in regard to the educational system in Nebraska. One petition, addressed to Governor Griswold, and opposing monopoly prices for barbering was read; also a petition, addressed to all members, favoring a Death Test law before embalming.

Communications

A letter was read from Mr. Amos Thomas advising that he expects to return to Lincoln in about two weeks.

NOTICE OF COMMITTEE HEARINGS

Public Works

L. B. No. 19, Wednesday, January 29, 1941, 2:00 p. m.

L. B. No. 7, Wednesday, January 29, 1941, 3:00 p. m.

L. B. No. 10, Friday, January 31, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Government

The Committee on Government met and selected the following:

Vice Chairman	C. Petrus Peterson
Secretary	William A. Crossland

(Signed) Sorrell, Chairman

Appropriations

The Committee on Appropriations met and selected the following:

Vice Chairman	Daniel Garber
Secretary	Charles F. Tvrdik

(Signed) Callan, Chairman

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 71. By Howard of McPherson.

A bill for an Act to amend Sec. 77-2218, C. S. Supp., 1939, relating to revenue; to provide that moneys arising from inheritance tax may, by the county board, by resolution, be credited to the county road fund or to the county general fund; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 72. By Howard of McPherson.

A bill for an Act to amend Sec. 2, Article VIII, constitution of Nebraska, relating to revenue; to amend Article XVII, constitution of Nebraska; and to provide for the effective date thereof.

LEGISLATIVE BILL NO. 73. By Carmody of Hitchcock, Weborg of Cuming, Lambert of Platte, Blome of Cheyenne, Brodahl of Saunders, Neubauer of Harlan.

A bill for an Act to amend Sec. 77-1959, C. S. Supp., 1939, relating to revenue; to provide that all delinquent general real property taxes shall draw interest at the rate of five per cent per annum from the date on which they become delinquent until paid; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 74. By Callan of Gage.

A bill for an Act to amend Section 39-602, Compiled Statutes of Nebraska, 1929, and Secs. 32-223 and 39-1201, C. S. Supp., 1939, relating to highways; to provide that overseers in counties under township organization shall procure all necessary equipment from the county and shall be under the supervision of the county highway commissioner; to establish the "county township road fund"; to provide for the allocation and expenditure of tax moneys arising under the provisions of Sec. 66-411, C. S. Supp., 1939, as amended by section 1, legislative bill No. ....., fifty-fifth session, legislature of Nebraska, 1941; and to repeal said original sections.

LEGISLATIVE BILL NO. 75. By Kotouc of Richardson.

A bill for an Act to amend Sec. 8-192, C. S. Supp., 1939; to amend Section 8-196, Compiled Statutes of Nebraska, 1929, relating to banks and banking; to provide procedure for the liquidation of banking and other financial institutions by the department of banking; to repeal said original sections; to repeal Sec. 8-194 (b), C. S. Supp., 1939, and to declare and emergency.

LEGISLATIVE BILL NO. 76. By Kotouc of Richardson.

A bill for an Act to amend Section 8-152, Compiled Statutes of Nebraska, 1929, relating to banks and banking; to require written property statements on loans of five hundred dollars or more; to repeal said original section and to declare an emergency.

LEGISLATIVE BILL NO. 77. By Reed, Price of Lancaster.

A bill for an Act to amend Sec. 33-129, C. S. Supp., 1939, relating to fees and salaries; to fix the compensation of precinct assessors; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 78. By Kotouc of Richardson, Metzger of Cass.

A bill for an Act to amend Secs. 8-129 and 8-130, C. S. Supp.,

1939, relating to banks and banking; to require banks to make not less than three reports during each year to the department of banking; to provide for the contents and the manner of publication of said reports; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 79. By Mischke of Knox.

A bill for an Act to amend Sec. 79-1501, C. S. Supp., 1939, relating to schools; to provide the qualifications for the office of county superintendent in counties having a population of less than two thousand inhabitants; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 80. By Mischke of Knox.

A bill for an Act to amend Sec. 79-2101, C. S. Supp., 1939, relating to schools; to provide procedure for the transfer of children from one school district to another; to provide that, upon the parent or guardian of such children notifying the county superintendent of their purpose to transfer their said children from one district to another, that the county superintendent shall at the same time of giving notice to the county clerk of the fact of such transfer, also notify the fee simple owner of the real estate involved in such transfer, the name of the fee simple owner to be determined by the records in the office of the county clerk or the register of deeds of the county in which the land is situated, as the case is; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 81. By Kotouc of Richardson.

A bill for an Act relating to banks and banking; to define the meaning of the words **Department of Trade and Commerce, Department of Trade and Commerce of the State of Nebraska,** and **Secretary of the Department of Trade and Commerce,** as used in Article 5, Chapter 26, Compiled Statutes of Nebraska, 1929, as now existing or as hereafter amended; to provide that the words **Department of Trade and Commerce of the State of Nebraska** when used in said article shall be construed to mean **"department of banking"** and that the words **Secretary of the Department of Trade and Commerce** when used in said article shall be construed to mean **"superintendent of banks"**; to provide that the functions and duties heretofore imposed by the above upon said office and officers shall hereafter be performed by the department of banking and the superintendent of banks; to repeal all acts and parts of acts in conflict therewith; and to declare an emergency.

LEGISLATIVE BILL NO. 82. By Peterson of Lancaster, Bowman of Adams, Brodahl of Saunders.

A bill for an Act to amend Sec. 86-301, C. S. Supp., 1939, relating to telephone and telegraph companies; to provide for the location of any right-of-way obtained by condemnation proceedings for poles, aerial wires and aerial cables; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 83. By Callan of Gage, Tvrdik, Norman of Douglas.

A bill for an Act to amend Sec. 66-411, C. S. Supp., 1939, relating to the excise tax levied on the sale and use of motor vehicle fuel; to provide that the various county treasurers shall allocate that portion of the gasoline tax fund which is transferred to them by the state treasurer monthly so that thirty per cent of the moneys so transferred shall be allocated to the road funds of the several cities and incorporated villages within their respective counties; to provide that, in counties under township organization, the various county treasurers shall allocate twenty per cent of that portion of the gasoline tax fund which is transferred to them by the state treasurer monthly to the county township road fund; to define the sole uses to which the moneys so transferred shall be put; and to repeal said original section.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L.B. No.	Introducer	Committee Reference
59	Ray Thomas, Weborg	Appropriations
60	Price, Rakow	Judiciary
61	Blome	Public Works
62	Ray Thomas	Revenue
63	Ray Thomas	Agriculture
64	Raecke	Government
65	Raecke	Government
66	Johnson	Judiciary
67	Matzke, Lambert	Banking, Commerce & Insurance
68	Mekota	Revenue
69	Mekota	Government
70	Sullivan	Revenue

REQUEST—To Add Name as Co-introducer

Mr. Ray Thomas requested that the name of William A. Crossland be added to L. B. 59 and L. B. 63 as a co-introducer.

So ordered.

MOTION—To Instruct Rules Committee

Mr. President: I move that the Rules Committee be instructed to consider the recommendation of the Legislative Council as to a "Calendar Committee" and report back to this Legislature by January 23, 1941. (Signed) Mischke

The motion prevailed.

Adjournment

At 10:40 a. m. Ernest A. Adams moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Tuesday.

The motion prevailed with 32 ayes, no nays, 11 not voting.

Hugo F. Srb,
Clerk of the Legislature.

ELEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, January 21, 1941.

Pursuant to adjournment, the Legislature met at 10:00 a. m. Speaker Howard presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Bevins, Garber, Metzger, Mueller, and Amos Thomas, who were excused.

The Journal for the Tenth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Carlson, one, Mr. Matzke, one, favoring tax exemption on gasoline used for agricultural purposes.

A petition was read, addressed to Governor Griswold, asking that liens on homes of people receiving old age assistance be abolished; also one opposing the recommendations made by the Nebraska State Planning Board concerning the educational system in Nebraska.

NOTICE OF COMMITTEE HEARINGS

Judiciary

L. B. No. 24, Monday, January 27, 1941, 2:00 p. m.

L. B. No. 36, Monday, February 10, 1941, 2:00 p. m.

Public Health & Miscellaneous Subjects

L. B. No. 35, Wednesday, January 29, 1941, 2:00 p. m.

Education

L. B. No. 38, Monday, January 27, 1941, 2:00 p. m.

L. B. No. 40, Monday, January 27, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Claims and Deficiencies

Mr. President: Your Committee on Claims and Deficiencies reports that 20 legislative days from the date the Legislature convened will be allowed for filing claims; and that only claims that have been heard not more than two sessions before will be accepted.

(Signed) Lambert, Chairman

Claims and Deficiencies

The Committee met on January 13, 1941 at 2:00 p. m. in the west Senate Lounge and selected A. C. Van Diest as Vice Chairman.

(Signed) Lambert

Enrollment and Review

Mr. President: Your Committee on Enrollment and Review report that it has selected Loren H. Laughlin as Legal Advisor for said committee, his compensation to be $375.00 per month.

(Signed) Crosby, Chairman

MOTION—To Adopt Report

Mr. President: I move that the report of the Committee on Enrollment and Review be approved and adopted, and that the employment of Loren H. Laughlin as Legal Advisor for said committee, his compensation to be $375.00 per month, be confirmed by this Legislature. (Signed) Greenamyre

The motion prevailed.

MOTION—To Fix Salary of Bill Drafter

Mr. President: I move that the compensation of George R. Mann

for performing legal and related services in connection with drafting bills for the regular session of this legislature be fixed at twenty-five dollars per day commencing January 7, 1941. (Signed) Callan

The motion prevailed.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 84. By Greenamyre of Madison.

A bill for an Act to amend Section 28-517, Compiled Statutes of Nebraska, 1929, relating to crimes and punishments; to prescribe penalties for habitual offenders of the crime of petit larceny and the method of proving their guilt as such; to repeal said original section; to state a saving clause; and to declare an emergency.

LEGISLATIVE BILL NO. 85. By Reed, Price of Lancaster; Tvrdik, Norman of Douglas.

A bill for an Act to amend Sec. 77-2218, C. S. Supp., 1939, relating to revenue; to provide that inheritance tax money in the hands of the county treasurer or hereafter collected by the county treasurer from January 1, 1941, to January 1, 1943, shall be credited and shall inure to the general fund of the county, and, during said period shall be expended as solely for the relief of a worthy, incapacitated, indigent persons; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 86. By Ernest A. Adams, John Adams, Jr., Norman of Douglas; Reed, Peterson, Price of Lancaster; Jeppesen of Dakota, Matzke of Seward, Neubauer of Harlan, Lambert of Platte, Thornton of Jefferson, Asimus of Holt, Blome of Cheyenne, Brodahl of Saunders, Carlson of Phelps, Weborg of Cuming, Howard of McPherson, Sorrell of Otoe, Knezacek of Valley, Mischke of Knox, Murphy of Scotts Bluff, Bowman of Adams, Crossland of Wayne, Greenamyre of Madison, Rakow of Antelope, Crosby of Lincoln, Hanna of Cherry, Carmody of Hitchcock, Raecke of Merrick, Ray Thomas of Clay.

A bill for an Act to amend Sections 62-1706, 84-105 and 27-316, Compiled Statutes of Nebraska, 1929, relating to holidays; to make the last Thursday in November Thanksgiving Day; and to repeal said original sections.

LEGISLATIVE BILL NO. 87. By Asimus of Holt.

A bill for an Act to amend Sec. 37-204, C. S. Supp., 1939, relating to game and fish; to prescribe the amount of permit fees to be paid to the State of Nebraska by residents of the state for hunting and fishing licenses from and after January 1, 1942; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 88. By Sorrell of Otoe.

A bill for an Act to amend Secs. 66-319, 66-401, 66-405, 66-411 and 66-416, C. S. Supp., 1939, relating to motor vehicle fuels; to levy an excise tax of three cents per gallon upon motor vehicle fuels of the type known as "alcohol blend"; to allocate the moneys received from such tax; to except alcohol made from black strap molasses from the provisions of this act; to define terms; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 89. By Ray Thomas of Clay, Neubauer of Harlan; Tvrdik, Sullivan, John Adams, Jr., Douglas; Callan of Gage, Van Diest of Loup, Thornton of Jefferson, Mueller of Buffalo, Carlson of Phelps.

A bill for an Act to repeal Chapter 4, Session Laws of Nebraska, Fifty-fourth (Extraordinary) Session, 1940; to repeal Secs. 68-269, 68-271, 68-272, 68-412, 68-414, 68-417 and 68-418, C. S. Supp., 1939, relating to paupers; to abolish procedure for recovery of payments from estates of deceased recipients of old age assistance and blind assistance; to abolish the enforcement of said claims.

LEGISLATIVE BILL NO. 90. By Sorrell of Otoe.

A bill for an Act relating to minerals, oil and gas; to regulate the abandonment of oil and gas wells; and to provide penalties.

LEGISLATIVE BILL NO. 91. By Asimus of Holt.

A bill for an Act to amend Sec. 60-328, C. S. Supp., 1939, relating to motor vehicles; to provide for the payment of registration fees in installments; and to repeal said original section.

LEGISLATIVE BILL NO. 92. By Callan of Gage.

A bill for an Act relating to motor vehicles; to provide that school buses used for the transportation of school children shall be painted in the national colors; to prohibit owner of any vehicle used for other than transportation of school children to paint or designate a vehicle in manner prescribed for vehicles transporting school children; to provide penalties for the violation thereof; and to declare an emergency.

LEGISLATIVE BILL NO. 93. By Carmody of Hitchcock, Carlson of Phelps.

A bill for an Act to amend Section 25-1,100, Compiled Statutes of Nebraska, 1929, relating to counties; to provide that in all counties where no regular office is maintained in the county court house for the county surveyor of that county, the county clerk shall be custodian of the official record of surveys and all other permanent records pertaining to the office of county surveyor as provided in Section 26-1611, Compiled Statutes of Nebraska, 1929, as amended by section 1, legislative bill No. ....., fifty-fifth session, Nebraska state legislature, 1941; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 94. By Carmody of Hitchcock, Carlson of Phelps.

A bill for an Act to amend Section 26-1611, Compiled Statutes of Nebraska, 1929, relating to county government and officers; to provide that the official records, other plats and field notes of the county surveyor's office shall be deemed and considered public records, at all times available, within reasonable office or business hours, for free access to the state surveyor or deputy state surveyor of Nebraska or any county surveyor of Nebraska; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 95. By Neubauer of Harlan.

A bill for an Act to amend Sections 42-301 and 42-318, Compiled Statutes of Nebraska, 1929, relating to divorce and alimony; to provide that incurable insanity and continuous confinement in a hospital or in an asylum for the insane for a period of at least ten years next preceding the date of filing of an action for divorce shall constitute grounds therefor; to provide for the maintenance and support of insane spouses against whom a decree of divorce shall have

been entered; to provide for alimony, distribution of property and the care and custody of children; and to repeal said original sections.

LEGISLATIVE BILL NO. 96. By Crossland of Wayne, Raecke of Merrick, Matzke of Seward, Sullivan of Douglas, Carlson of Phelps, Sorrell of Otoe, Gantz of Box Butte.

A bill for an Act relating to public safety and general welfare; to prohibit the sale, offering or exposing for sale of fireworks; to define fireworks; to regulate the manner of using fireworks; to provide penalties for the violation thereof; and to declare an emergency.

LEGISLATIVE BILL NO. 97. By Crossland of Wayne, Raecke of Merrick, Matzke of Seward, Sullivan of Douglas, Carlson of Phelps, Sorrell of Otoe, Johnson of Dodge, Gantz of Box Butte.

A bill for an Act to amend Sec. 35-401, C. S. Supp., 1939, relating to fire insurance companies and firemen; to provide when fire insurance companies shall be deemed to be doing business within municipalities; to provide that the director of insurance for the department of insurance shall withhold renewal of the license of any fire insurance company to do business in the state of Nebraska if the company fails to pay its annual occupation tax in any municipality of the state during any previous or current municipal year; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 98. By Mischke of Knox.

A bill for an Act to amend Section 20-216, Compiled Statutes of Nebraska, 1929, relating to civil procedure district court; to prescribe the time of commencement of actions relating to the recovery of title or possession of real estate and mortgage foreclosure after voluntary part payment or an acknowledgment of an existing liability, debt or claim after right of action thereon is barred; and to repeal said original section.

LEGISLATIVE BILL NO. 99. By Matzke of Seward, Sullivan of Douglas, Sorrell of Otoe, Johnson of Dodge, Gantz of Box Butte.

A bill for an Act relating to public safety; to provide for installation of electric wiring and equipment for the protection of life and property; to provide penalties for the violation thereof; and to declare an emergency.

LEGISLATIVE BILL NO. 100. By Weborg of Cuming.

A bill for an Act relating to process; to prescribe procedure for the service of process on foreign or alien insurance companies without a certificate of authority issued by the department of insurance of the state of Nebraska; to provide that the issuance or delivery of a policy or contract of insurance in this state shall be deemed equivalent to an appointment by such company, of the director of insurance, department of insurance, and his successor or successors in office, as attorney upon whom all lawful process in any action or proceeding against such company, arising out of such policy or contract of insurance, may be made; to provide the method of such service and for notice by registered mail to such company; to provide that service of process against such company may also be made upon any person who solicits insurance, makes issues or delivers any policy or contract, collects or receives any premium, or aids or assists therein, in behalf of said company, and for notice by registered mail of such service; to provide that the methods of service authorized by this act are cumulative with and supplemental to other methods of service of process now or hereafter permitted by law; and to declare an emergency.

LEGISLATIVE BILL NO. 101. By Howard of McPherson, Murphy of Scotts Bluff, Brodahl of Saunders, Jeppesen of Dakota, Lambert of Platte, Thornton of Jefferson, Ray Thomas of Clay, Peterson of Lancaster.

A bill for an Act relating to public health and welfare; to amend Secs. 71-701, 71-2909, 81-903, 81-904 and 28-481, C. S. Supp., 1939; to amend Sections 81-905, 81-906, 81-909 and 81-910, Compiled Statutes of Nebraska, 1929; to prescribe the amount of annual renewal fees to be collected from practitioners in pharmacy; to transfer the duties and powers pertaining to the manufacture, sale and distribution of medicines, drugs, chemicals, narcotic drugs and barbital and other hypnotic and somnifacient drugs heretofore vested in the director of agriculture and inspection, department of agriculture and inspection, to the director of health, department of health; to define and classify poisons and to prescribe safeguards for their keeping, labeling and distribution to the general public; to define the duties of the director of health concerning the administration of laws pertaining to narcotic drugs and barbital and other hypnotic and somnifacient drugs; to create and establish in the office of the state treasurer the **pharmacy fund,** department of health; to enumerate the sources and to limit the uses to which the **pharmacy**

fund shall be put; to provide for the inspection of pharmacies and administration and enforcement of all laws pertaining to the practice of pharmacy, the manufacture, sale and distribution of medicines, drugs, chemicals, poisons, narcotic drugs and barbital and other hypnotic and somnifacient drugs through inspectors to be appointed by and to be under the direction and control of the director of health; to provide the compensation of said inspectors; to fix a limit on claims of said inspectors to be filed against and paid out of the **pharmacy fund** for the expenses of inspection, to prescribe the manner in which inspectors in pharmacy shall prepare the claims for mileage and subsistence; to prescribe penalties for violations thereof; to state validity and saving clauses; to repeal said original sections; and to repeal Sections 28-423, 28-424 and 28-425, Compiled Statutes of Nebraska, 1929.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L.B. No.	Introducer	Committee Reference
71	Howard	Revenue
72	Howard	Revenue
73	Carmody	Revenue
74	Callan	Public Works
75	Kotouc	Banking, Commerce & Insurance
76	Kotouc	Banking, Commerce & Insurance
77	Reed, Price	Government
78	Kotouc, Metzger	Banking, Commerce & Insurance
79	Mischke	Education
80	Mischke	Education
81	Kotouc	Banking, Commerce & Insurance
82	Peterson	Banking, Commerce & Insurance
83	Callan, et al	Revenue

BILLS ON THIRD READING

MOTION—To Suspend Rules and Vote on L. B. No. 16

Mr. President: I move that the rules be suspended and that we proceed to vote on L. B. No. 16 on third reading. (Signed) Crosby

The motion prevailed with 36 ayes, no nays, 7 not voting.

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 16. With emergency clause.

A bill for an Act to provide for the payment of the salaries of members of the fifty-fifth session, Nebraska State Legislature, for a period of two years commencing the first Tuesday in January, 1941; to appropriate the sum of seventy-five thousand dollars therefor; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Adams, E. A.	Crosby	Kotouc	Raecke
Adams, J. Jr.	Crossland	Lambert	Rakow
Asimus	Gantz	Matazke	Reed
Blome	Greenamyre	Mekota	Sorrell
Bowman	Hanna	Mischke	Sullivan
Brodahl	Howard	Murphy	Thomas, Ray
Callan	Jeppesen	Neubauer	Thornton
Carlson	Johnson	Norman	Tvrdik
Carmody	Knezacek	Peterson	Van Diest
		Price	Weborg

Voting in the negative, 0.

Not voting, 5:

Bevins	Metzger	Thomas, Amos
Garber	Mueller	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

REQUEST—To Hear Report of Committee on

Claims & Deficiencies

Mr. Gantz requested that the report of the Committee on Claims and Deficiencies, in regard to time limit on claims, be read again.

The Clerk read the report.

MOTION—To Refer to Committee on Rules

Mr. President: I move that the report of the Committee on Claims and Deficiencies be referred to the Rules Committee.

(Signed) Peterson

The motion prevailed.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL NO. 16. Correctly enrolled.

(Signed) Crosby, Chairman

Speaker Signs

While the Legislature was in session and capable of transacting business, the Speaker signed:

Legislative Bill No. 16.

Members Excused

Upon their request Mr. Gantz and Mr. Blome were excused for the session on Wednesday, January 22, 1941.

Adjournment

At 11:11 a. m. Mr.. Raecke moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Wednesday.

The motion prevailed with 32 ayes, no nays, 11 not voting.

Hugo F. Srb,
Clerk of the Legislature.

TWELFTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, January 22, 1941.

Pursuant to adjournment, the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Bevins, Blome, Gantz, Garber, Metzger and Amos Thomas, who were excused.

The Journal for the Eleventh Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Johnson, one, opposing the use of vegetable shortening in state institutions rather than lard; Mr. Mueller, one, favoring the creation of a burial fund for aged pensioners of Nebraska.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce & Insurance

L. B. No. 13, Tuesday, Jan. 28, 1941, 2:00 p. m.

L. B. No. 47, Thursday, Jan. 30, 1941, 2:00 p. m.

L. B. No. 48, Thursday, Jan. 30, 1941, 2:00 p. m.

L. B. No. 49, Thursday, Jan. 30, 1941, 2:00 p. m.

L. B. No. 50, Thursday, Jan. 30, 1941, 2:00 p. m.

L. B. No. 53, Thursday, Jan. 30, 1941, 2:00 p. m.

L. B. No. 55, Thursday, Jan. 30, 1941, 2:00 p. m.

Government

L. B. No. 77, Wednesday, February 12, 1941, 2:00 p. m.

Agriculture

L. B. No. 51, Thursday, January 30, 1941, 2:00 p. m.

L. B. No. 58, Thursday, January 30, 1941, 3:00 p. m.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor for Approval

Tuesday, January 21, 1941 at 11:30 a. m.

L. B. No. 16 (Signed) Crosby, Chairman

Committee on Committees

Mr. President: Your Committee on Committees wishes to report favorably on the following appointments:

Dr. M. Campbell, McCook	Game, Forestation & Parks Commission
Dr. H. C. Zellers, Lincoln	Game, Forestation & Parks Commission
Mr. Lloyd Mengel, Wahoo	State Sheriff
Mr. Wade Martin, Stratton	Director of Banking
Mr. C. C. Fraizer, Aurora	Director of Insurance
Mr. Wardner Scott, Lincoln	State Engineer for Department of Roads & Irrigation
Mr. O. M. Olsen, Omaha	Commissioner of Labor
Dr. A. L. Miller, Kimball	Director of Health
Mr. Ralph Cox, Arapahoe	Director of Department of Agriculture and Inspection

Mr. Henry H. Bartling, Nebraska City — Secretary of Board of Educational Lands & Funds

(Signed) Ernest A. Adams, Chairman

MOTION—To Confirm Appointments

Mr. President: I move that the report of the Committee on Committees be adopted and that the appointments be confirmed by the Legislature. (Signed) Ernest A. Adams

Vote was taken on the confirmation of Dr. Campbell:

Voting in the affirmative, 37:

Adams, E. A.	Greenamyre	Mekota	Rakow
Adams, J. Jr.	Hanna	Mischke	Reed
Asimus	Howard	Mueller	Sorrell
Bowman	Jeppesen	Murphy	Sullivan
Brodahl	Johnson	Neubauer	Thomas, Ray
Callan	Knezacek	Norman	Thornton
Carlson	Kotouc	Peterson	Tvrdik
Carmody	Lambert	Price	Van Diest
Crosby	Matzke	Raecke	Weborg
Crossland			

Voting in the negative, 0.

Not voting, 6:

Bevins	Gantz	Metzger
Blome	Garber	Thomas, Amos

Having received a majority of the votes of all members, the President declared the appointment of Dr. Campbell confirmed.

Vote on Mr. Zellers

Voting in the affirmative, 37:

Adams, E. A.	Greenamyre	Mekota	Rakow
Adams, J. Jr.	Hanna	Mischke	Reed
Asimus	Howard	Mueller	Sorrell
Bowman	Jeppesen	Murphy	Sullivan
Brodahl	Johnson	Neubauer	Thomas, Ray
Callan	Knezacek	Norman	Thornton
Carlson	Kotouc	Peterson	Tvrdik
Carmody	Lambert	Price	Van Diest
Crosby	Matzke	Raecke	Weborg
Crossland			

Voting in the negative, 0.

Not voting, 6:

Bevins	Gantz	Metzger
Blome	Garber	Thomas, Amos

Having received a majority of the votes of all members, the President declared the appointment of Mr. Zellers confirmed.

Vote on Mr. Mengel

Voting in the affirmative, 37:

Adams, E. A.	Greenamyre	Mekota	Rakow
Adams, J. Jr.	Hanna	Mischke	Reed
Asimus	Howard	Mueller	Sorrell
Bowman	Jeppesen	Murphy	Sullivan
Brodahl	Johnson	Neubauer	Thomas, Ray
Callan	Knezacek	Norman	Thornton
Carlson	Kotouc	Peterson	Tvrdik
Carmody	Lambert	Price	Van Diest
Crosby	Matzke	Raecke	Weborg
Crossland			

Voting in the negative, 0.

Not voting, 6:

Bevins	Gantz	Metzger
Blome	Garber	Thomas, Amos

Having received a majority of the votes of all members, the President declared the appointment of Mr. Mengel confirmed.

Vote on Mr. Martin

Voting in the affirmative, 37:

Adams, E. A.	Greenamyre	Mekota	Rakow
Adams, J. Jr.	Hanna	Mischke	Reed
Asimus	Howard	Mueller	Sorrell
Bowman	Jeppesen	Murphy	Sullivan
Brodahl	Johnson	Neubauer	Thomas, Ray
Callan	Knezacek	Norman	Thornton
Carlson	Kotouc	Peterson	Tvrdik
Carmody	Lambert	Price	Van Diest
Crosby	Matzke	Raecke	Weborg
Crossland			

Voting in the negative, 0.

Not voting, 6:

Bevins	Gantz	Metzger
Blome	Garber	Thomas, Amos

Having received a majority of the votes of all members, the President declared the appointment of Mr. Martin confirmed.

Vote on Mr. Fraizer

Voting in the affirmative, 36:

Adams, E. A.	Crossland	Matzke	Raecke
Adams, J. Jr.	Greenamyre	Mekota	Rakow
Asimus	Hanna	Mischke	Reed
Bowman	Howard	Mueller	Sorrell
Brodahl	Jeppesen	Murphy	Sullivan
Callan	Johnson	Neubauer	Thomas, Ray
Carlson	Knezacek	Norman	Thornton
Carmody	Kotouc	Peterson	Tvrdik
Crosby	Lambert	Price	Weborg

Voting in the negative, 0.

Not voting, 7:

Bevins	Gantz	Metzger	Van Diest
Blome	Garber	Thomas, Amos	

Having received a majority of the votes of all members, the President declared the appointment of Mr. Fraizer confirmed.

Vote on Mr. Scott

Voting in the affirmative, 36:

Adams, E. A.	Crossland	Matzke	Raecke
Adams, J. Jr.	Greenamyre	Mekota	Rakow
Asimus	Hanna	Mischke	Reed
Bowman	Howard	Mueller	Sorrell
Brodahl	Jeppesen	Murphy	Sullivan
Callan	Johnson	Neubauer	Thornton
Carlson	Knezacek	Norman	Tvrdik
Carmody	Kotouc	Peterson	Van Diest
Crosby	Lambert	Price	Weborg

Voting in the negative, 0.

Not voting, 7:

Bevins	Gantz	Metzger	Thomas, Ray
Blome	Garber	Thomas, Amos	

Having received a majority of the votes of all members, the President declared the appointment of Mr. Scott confirmed.

Vote on Mr. Olsen

Voting in the affirmative, 37:

Adams, E. A.	Greenamyre	Mekota	Rakow
Adams, J. Jr.	Hanna	Mischke	Reed
Asimus	Howard	Mueller	Sorrell
Bowman	Jeppesen	Murphy	Sullivan
Brodahl	Johnson	Neubauer	Thomas, Ray
Callan	Knezacek	Norman	Thornton
Carlson	Kotouc	Peterson	Tvrdik
Carmody	Lambert	Price	Van Diest
Crosby	Matzke	Raecke	Weborg
Crossland			

Voting in the negative, 0.

Not voting, 6:

Blome	Gantz	Metzger
Bevins	Garber	Thomas, Amos

Having received a majority of the votes of all members, the President declared the appointment of Mr. Olsen confirmed.

Vote on Dr. Miller

Voting in the affirmative, 36:

Adams, E. A.	Crossland	Matzke	Rakow
Adams, J. Jr.	Greenamyre	Mueller	Reed
Asimus	Hanna	Mischke	Sorrell
Bowman	Howard	Murphy	Sullivan
Brodahl	Jeppesen	Neubauer	Thomas, Ray
Callan	Johnson	Norman	Thornton
Carlson	Knezacek	Peterson	Tvrdik
Carmody	Kotouc	Price	Van Diest
Crosby	Lambert	Raecke	Weborg

Voting in the negative, 0.

Not voting, 7:

Bevins	Gantz	Mekota	Thomas, Amos
Blome	Garber	Metzger	

Having received a majority of the votes of all members, the President declared the appointment of Dr. Miller confirmed.

Vote on Mr. Cox

Voting in the affirmative, 37:

Adams, E. A.	Greenamyre	Mekota	Rakow
Adams, J. Jr.	Hanna	Mueller	Reed
Asimus	Howard	Mischke	Sorrell
Bowman	Jeppesen	Murphy	Sullivan
Brodahl	Johnson	Neubauer	Thomas, Ray
Callan	Knezacek	Norman	Thornton
Carlson	Kotouc	Peterson	Tvrdik
Carmody	Lambert	Price	Van Diest
Crosby	Matzke	Raecke	Weborg
Crossland			

Voting in the negative, 0.

Not voting, 6:

Bevins	Gantz	Metzger
Blome	Garber	Thomas, Amos

Having received a majority of the votes of all members, the President declared the appointment of Mr. Cox confirmed.

Vote on Mr. Bartling

Voting in the affirmative, 32:

Adams, E. A.	Crosby	Matzke	Reed
Adams, J. Jr.	Crossland	Mekota	Sorrell
Asimus	Greenamyre	Mueller	Sullivan
Bowman	Hanna	Mischke	Thomas, Ray
Brodahl	Howard	Murphy	Thornton
Callan	Johnson	Neubauer	Tvrdik
Carlson	Knezacek	Norman	Van Diest
Carmody	Kotouc	Raecke	Weborg

Voting in the negative, 0.

Not voting, 11:

Bevins	Garber	Metzger	Rakow
Blome	Peterson	Jeppesen	Thomas, Amos
Gantz	Price	Lambert	

Having received a majority of the votes of all members, the President declared the appointment of Mr. Bartling confirmed.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 102. By Norman, Tvrdik, Ernest A. Adams, Sullivan, John Adams, Jr. of Douglas; Hanna of Cherry, Carlson of Phelps, Reed of Lancaster, Callan of Gage, Van Diest of Loup, Kotouc of Richardson.

A bill for an Act to amend Section 86-138, Compiled Statutes of Nebraska, 1929, relating to weights and measures; to prescribe rules and regulations governing and controlling the sale or exposing for sale of coal, charcoal or coke in the state of Nebraska; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 103. By Ray Thomas of Clay, Mueller of Buffalo, Neubauer of Harlan, Carlson of Phelps.

A bill for an Act to amend Section 20-2142, Compiled Statutes of Nebraska, 1929, relating to civil procedure, district court; to provide that if a petition for foreclosure is filed, no action shall be had at law for the recovery of the debt secured by the mortgage; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 104. By Sorrell of Otoe.

A bill for an Act to amend Section 38-110, Compiled Statutes of Nebraska, 1929, relating to guardian and ward; to provide for a lien upon the real and personal property of any person, not a corporate surety authorized to do business under the laws of the state of Nebraska, who is a surety upon the bond of a guardian of a minor; to provide for the release of such lien; and to repeal said original section.

LEGISLATIVE BILL NO. 105. By Mueller of Buffalo, Tvrdik of Douglas.

A bill for an Act to amend Section 39-1406, Compiled Statutes of Nebraska, 1929, relating to highways and bridges; to provide that thirty-three and one-third per cent of all motor vehicle registration fees collected by county treasurers of the several counties from persons residing within the corporate limits of cities or incorporated villages shall be credited to their respective road funds; to direct the sole purpose for which the moneys so credited shall be put; and to repeal said original section.

LEGISLATIVE BILL NO. 106. By Callan of Gage, Tvrdik of Douglas.

A bill for an Act to amend Sec. 89-170, C. S. Supp., 1939, relating to weights and measures; to establish weights for standards of loaves of bread for the state of Nebraska; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 107. By Rakow of Antelope.

A bill for an Act to amend Section 77-1927, Compiled Statutes of Nebraska, 1929, relating to revenue; to provide for the satisfaction and cancellation of personal taxes by the payment of principal without interest in certain cases; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 108. By Carmody of Hitchcock.

A bill for an Act to amend Section 84-406, Compiled Statutes of Nebraska, 1929, relating to the board of educational lands and funds; to provide that the board may, when in their judgment there is need of expediting the execution of surveys applied or petitioned for, appoint one or more competent experienced deputy land surveyors to make such surveys as may be assigned to them; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 109. By Howard of McPherson.

A bill for an Act to amend Sec. 60-328, C. S. Supp., 1939, relating to motor vehicles; to establish the license fee for motor vehicles engaged in the transportation for hire of school children and school teachers to school activities away from the school; and to repeal said original section.

LEGISLATIVE BILL NO. 110. By Bowman of Adams, Sorrell of Otoe.

A bill for an Act to amend Sec. 32-209, C. S. Supp., 1939, relating to elections; to establish the amount of the bond to be given by registers of deeds in counties having a population of not less than sixteen thousand and not more than one hundred thousand; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 111. By Sullivan, Tvrdik, Norman, Ernest A. Adams of Douglas.

A bill for an Act to appropriate the sum of fifty dollars for the benefit of Mike O'Donnell; and to declare an emergency.

LEGISLATIVE BILL NO. 112. By Matzke of Seward.

A bill for an Act to amend Section 29-2002, Compiled Statutes of Nebraska, 1929, relating to criminal procedure; to provide for joint or several trials at the discretion of the trial court of persons jointly charged with any offense; and to repeal said original section.

LEGISLATIVE BILL NO. 113. By Van Diest of Loup.

A bill for an Act to amend Section 39-1009, Compiled Statutes of Nebraska, 1929, relating to highways and bridges; to provide that certain roads may be fenced by adjoining owners if gates for ingress and egress are provided; and to repeal said original section.

LEGISLATIVE BILL NO. 114. By Ernest A. Adams, John Adams, Jr., Sullivan of Douglas; Carlson of Phelps, Sorrell of Otoe, Neubauer of Harlan, Mueller of Buffalo, Carmody of Hitchcock.

A bill for an Act to amend Section 7-102, Compiled Statutes of Nebraska, 1929, relating to attorneys at law; to prescribe qualifications of applicants for admission to the bar of Nebraska; to define and designate reputable law schools within the state whose graduates are entitled to take bar examinations for and to be admitted to the practice of the law; to repeal said original section; and to declare an emergency.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L.B. No.	Introducer	Committee Reference
84	Greenamyre	Judiciary
85	Reed, et al	Revenue
86	E. A. Adams, et al	Public Health & Misc. Subs.
87	Asimus	Agriculture
88	Sorrell	Revenue
89	Ray Thomas, et al	Government
90	Sorrell	Judiciary
91	Asimus	Revenue
92	Callan	Public Health & Misc. Subs.
93	Carmody, Carlson	Government
94	Carmody, Carlson	Government
95	Neubauer	Public Health & Misc. Subs.

96	Crossland, et al	Public Health & Misc. Subs.
97	Crossland, et al	Banking, Commerce & Insurance
98	Mischke	Judiciary
99	Matzke, et al	Public Health & Misc. Subs.
100	Weborg	Banking, Commerce & Insurance
101	Howard, et al	Public Health & Misc. Subs.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 30. With emergency clause.

A bill for an Act to provide for the payment of compensation of officers and employees of the legislature, traveling expenses of members, the payments to be made for supplies and other incidental expenses incurred during the fifty-fifth session, Nebraska state legislature, during the biennium ending June 30, 1941, and for the ad interim activities of said legislature during the biennium ending June 30, 1943, to appropriate the sum of fifty-five thousand dollars therefor; to provide for the payment of compensation of bill drafters, legal researcher, correlation clerk, stenographers, and proofreaders and for the payments to be made for supplies and other incidental expenses incurred by the bill drafting and related services of the Nebraska legislative council during the fifty-fifth session, Nebraska state legislature, commencing January 7, 1941, and ending with the adjournment of the legislature sine die; to appropriate the sum of six thousand seven hundred dollars therefor; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 36:

Adams, E. A.	Crossland	Mekota	Rakow
Adams, J. Jr.	Greenamyre	Mischke	Reed
Asmus	Hanna	Mueller	Sorrell
Bowman	Howard	Murphy	Sullivan
Brodahl	Jeppesen	Neubauer	Thomas, Ray
Callan	Johnson	Norman	Thornton
Carlson	Knezacek	Peterson	Tvrdik
Carmody	Kotouc	Price	Van Diest
Crosby	Matzke	Raecke	Weborg

Voting in the negative, 0.

Not voting, 7:

Bevins	Gantz	Lambert	Thomas, Amos
Blome	Garber	Metzger	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Approved by the Governor

January 21, 1941

To the President and Members of the Legislature
Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bill:

Legislative Bill No. 16

Respectfully submitted,
(Signed) Val Peterson
Secretary to the Governor

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL NO. 30. Correctly Enrolled.

(Signed) Crosby, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill No. 30.

Adjournment

At 11:03 a. m. Ernest A. Adams moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Thursday.

The motion prevailed with 33 ayes, no nays, 10 not voting.

Hugo F. Srb,
Clerk of the Legislature.

THIRTEENTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, January 23, 1941.

Pursuant to adjournment, the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Bevins, Garber, Howard, Metzger, and Amos Thomas, who were excused.

The Journal for the Twelfth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Carmody, one, favoring exemption of gasoline used on farms, from the state tax, Mr. Asimus, one, favoring the continuation of normal training courses in high schools, Mr. Blome, one, favoring the tax proposed in L. B. No. 5.

Communication

A letter was read, signed by

Riley F. Warren,	Brotherhood of Locomotive Engineers
F. H. Chapelle,	Brotherhood of Locomotive Firemen and Enginemen
E. J. Lafferty,	Order of Railway Conductors
C. H. Bressler,	Brotherhood of Railroad Trainmen
Roy M. Brewer,	Nebraska State Federation of Labor

advising that they are the duly elected representatives, respectively, of the organizations named.

NOTICE OF COMMITTEE HEARINGS

Public Health & Miscellaneous Subjects

L. B. No. 4, Wednesday, January 29, 1941, 2:00 p. m.

L. B. No. 43, Wednesday, January 29, 1941, 2:00 p m.

L. B. No. 44, Wednesday, January 29, 1941, 2:00 p. m.

L. B. No. 52, Wednesday, January 29, 1941, 2:00 p. m.

L. B. No. 35, Wednesday, February 5, 1941, 2:00 p. m.

(L. B. No. 35, changed from January 29, 1941)

Judiciary

L. B. No. 42, Friday, January 31, 1941, 2:00 p. m.

Government

L. B. No. 26, Wednesday, February 12, 1941, 2:00 p. m.

L. B. No. 64, Friday, February 14, 1941, 2:00 p. m.

L. B. No. 65, Friday, February 14, 1941, 2:00 p. m.

L. B. No. 69, Wednesday, February 19, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor for Approval

Wednesday, January 22, 1941 at 11:30 a. m.

L. B. No. 30. (Signed) Crosby, Chairman

Rules

Wednesday, January 22, 1941.

Mr. President: Your Committee on Rules, to whom was referred the motion of Senator Mischke, adopted January 20, 1941, pertaining to the creation of a calendar committee, recommends that standing committees undertake to select for early consideration by the Legislature bills of general public interest and avoid reporting on bills of special or limited interest until the bills of general public interest are disposed of.

Your Committee recommends against the creation of a calendar committee until and unless it appears that the general file has become so congested as to interfere with effective legislation. Such congestion can and should be avoided by the care exercised by standing committees in their selection of bills for consideration by the Legislature.

(Signed) Mekota, Chairman

MOTION—To Accept Report

Mr. President: I move that the report of the Rules Committee on the Mischke motion for the creation of a calendar committee be accepted. (Signed) Mekota

The motion prevailed.

Government

LEGISLATIVE BILL NO. 1. Placed on General File.

LEGISLATIVE BILL NO. 2. Placed on General File.

(Signed) Sorrell, Chairman

Approved by the Governor

January 22, 1941

To the President and Members of the Legislature
Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day approved Legislative Bill number 30.

Respectfully submitted,
(Signed) Val Peterson
Secretary to the Governor

REQUEST—To Add Names of Co-introducers

Mr. Ray Thomas requested unanimous consent to add the names of Louis E. Jeppesen and Harry E. Bowman as co-introducers of L. B. No. 103.

No objection was raised and the President so ordered.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 115. By Neubauer of Harlan.

A bill for an Act relating to revenue; to levy a tax on admissions to **"places of amusement"**; to prescribe the amount of such tax, the exemptions therefrom, the machinery for the collection thereof by the state trasurer and the penalty for its violation; to provide that the proceeds accruing therefrom, less deductions for cost of collection, shall be credited to the state assistance fund for the purpose of assisting in conserving same; and to declare an emergency.

LEGISLATIVE BILL NO. 116. By Neubauer of Harlan.

A bill for an Act relating to revenue; to provide for the issuance of permits to distributors of motion pictures and film products within the state of Nebraska by the Nebraska state railway commission; to prescribe the annual permit fees to be paid by said distributors; to regulate the purchase of motion pictures and film products by exhibitors from distributors; to define terms used herein; to provide that the permit fees charged to and collected from distributors shall be deemed occupation taxes and not license moneys and shall inure to the general tax fund with the cost of administration deducted; to provide penalties for the violation of this act; and to declare an emergency.

LEGISLATIVE BILL NO. 117. By Neubauer of Harlan.

A bill for an Act relating to revenue; to provide for the levy, assessment, collection, payment and distribution of a tax on cigarettes sold within the state of Nebraska for the benefit of the state assistance fund for the purpose of conserving and sustaining the funds; to define the duties of the department of agriculture and inspection and the state treasurer imposed under the provisions of this act; to provide penalties for the violation thereof; and to state a validity clause.

LEGISLATIVE BILL NO. 118. By Neubauer of Harlan.

A bill for an Act relating to revenue; to provide for the levy, assessment, collection, payment and distribution of a tax on toilet preparations sold within the state of Nebraska for the benefit of the state assistance fund for the purpose of conserving and sustaining the fund; to define the duties of the department of agriculture and inspection and the state treasurer imposed under the provisions of this article; to provide penalties for the violation thereof; and to state a validity clause.

LEGISLATIVE BILL NO. 119. By Neubauer of Harlan.

A bill for an Act relating to revenue; to provide for the levy, assessment, collection, payment and distribution of a tax on soft drinks, malt syrup or extract or other flavoring or extracts or syrup used in the making or flavoring of soft drinks sold within the state of Nebraska for the benefit of the state assistance fund for the purpose of conserving and sustaining the fund; to provide for a license tax for the benefit of the state assistance fund to be paid by those persons, firms, or corporations handling or dispensing any of said

items and fixing the amount of license tax to be collected therefrom; to define the duties of the department of agriculture and inspection and the state treasurer imposed under the provisions of this article; to provide penalties for the violation thereof; and to state a validity clause.

LEGISLATIVE BILL NO. 120. By Greenamyre of Madison.

A bill for an Act to amend Section 20-2009, Compiled Statutes of Nebraska, 1929, relating to civil procedure; to provide that for the purpose of the vacation or modification of judgments of the county court, such courts shall be considered as holding a regular term of court beginning on the first Monday of each calendar month; and to repeal said original section.

LEGISLATIVE BILL NO. 121. By Greenamyre of Madison.

A bill for an Act to appropriate the sum of forty dollars and seventy-five cents for the benefit of Erwin Thewke; and to declare an emergency.

LEGISLATIVE BILL NO. 122. By Asimus of Holt.

A bill for an Act to amend Secs. 75-228 and 75-229, C. S. Supp., 1939, relating to the transportation of passengers and property by motor carriers in intrastate commerce upon public highways of the state of Nebraska; to prescribe procedure to be followed by the Nebraska state railway commission in issuing certificates of convenience and necessity upon applications from applicants that seek to become common carriers to transport property or contract carriers to transport property; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 123. By Aismus of Holt, Weborg of Cuming.

A bill for an Act to amend Sec. 37-201, C. S. Supp., 1939, relating to game and fish; to provide that owners or occupants of lands actually residing thereon shall not be required to pay a tax or obtain a permit to hunt on lands owned or occupied by them; and to repeal said original section.

LEGISLATIVE BILL NO. 124. By Peterson of Lancaster.

A bill for an Act to amend Sec. 39-1106, C. S. Supp., 1939, relating to rules of the road for motor vehicles; to define the words

"under the influence of alcoholic liquor" used therein; to provide the quantum and nature of evidence required to prove the guilt of the accused who is charged with the offense of operating a motor vehicle while under the influence of alcoholic liquor; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 125. By Ernest A. Adams of Douglas, Price of Lancaster.

A bill for an Act to amend Section 13-505, Compiled Statutes of Nebraska, 1929, relating to cemetery associations; to provide for the acquisition and improvement of property for cemetery purposes; to empower cemetery associations to incur indebtedness for the improvement of cemeteries under their jurisdiction and control; to authorize cemetery associations to establish, secure and hold funds and property in trust for perpetual care of such cemeteries and of particular tracts therein; to provide the uses to which perpetual care funds of such cemeteries shall be put; to prescribe legal investments for cemetery trust funds; and to repeal said original section.

LEGISLATIVE BILL NO. 126. By Peterson of Lancaster.

A bill for an Act to amend Sections 44-602 and 44-603, Compiled Statutes of Nebraska, 1929, relating to insurance; to prescribe provisions of life or endowment insurance policies that concern exceptions to their incontestability for violation of conditions limiting coverage while insured is in the military, naval or air forces of any country at war, declared or undeclared, or for violation of conditions limiting coverage for an express condition in the policy relating to aviation; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 127. By Matzke of Seward, Bowman of Adams.

A bill for an Act relating to interest; to define and regulate the business of making loans in the amount of five hundred dollars or less; to permit the licensing of persons engaged in such business; to authorize such licensees to make charges at a greater rate than lenders not licensed hereunder; to prescribe maximum rates of charge which licensees are permitted to make; to regulate assignments of wages or salaries, earned or to be earned, when given as security for any such loan or as consideration for a payment of five hundred dollars or less; to provide for the administration of this act and for the issuance of rules and regulations therefor; to authorize the making of examinations and investigations and the publication of reports thereof; to provide for a review of orders, decisions and findings of the department of banking under this act; to prescribe penalties;

to repeal Sections 45-112 to 45-123, both inclusive, Compiled Statutes of Nebraska, 1929; to repeal Secs. 45-124 to 45-127, both inclusive, C. S. Supp., 1939; to repeal all acts and parts of acts whether general, special or local, which relate to the same subject matter as this act, so far as they are inconsistent with the provisions of this act; and to state a validity clause.

BILLS ON SECOND READING

The following bills were read the second time by title:
(For titles see Bills on First Reading)

L.B. No.	Introducer	Committee Reference
102	Norman, et al	Banking, Commerce & Insurance
103	Ray Thomas, et al	Judiciary
104	Sorrell	Judiciary
105	Mueller, Tvrdik	Public Works
106	Callan, Tvrdik	Banking, Commerce & Insurance
107	Rakow	Revenue
108	Carmody	Government
109	Howard	Education
110	Bowman, Sorrell	Government
111	Sullivan, et al	Claims & Deficiencies
112	Matzke	Judiciary
113	Van Diest	Public Works
114	E. A. Adams, et al	Education

L. B. No. 88 Re-referred

The President announced that L. B. No. 88, formerly referred to Committee on Revenue, had been re-referred to the Committee on Agriculture.

BILLS ON GENERAL FILE

Mr. Sorrell requested and unanimous consent was granted to consider L. B. No. 1 on General File.

LEGISLATIVE BILL NO. 1. Read and considered.
Referred to E and R for review.

LEGISLATIVE BILL NO. 2. Read and considered.
Referred to E and R for review.

Member Excused

Mr. Price was excused at 10:30 a. m.

REQUEST—To Add Name of Co-introducer

Mr. Ernest A. Adams requested unanimous consent to add the names of Charles F. Tvrdik and William J. Norman as co-introducers of L. B. No. 114.

No objection was raised and the President so ordered.

CONSENT—To Withdraw Bills

Mr. Sullivan requested unanimous consent to withdraw L. B. No. 111. No objection was raised and the President so ordered.

Mr. Greenamyre requested unanimous consent to withdraw L. B. No. 121. No objection was raised and the President so ordered.

MOTION—To Recess

Mr. President: I move that we recess until tomorrow at 10:00 a. m. (Signed) Johnson.

No action was taken.

MOTION—To Advise Governor

Mr. President: I move that we advise the Governor that we are in accord with his suggestion for additional time for the budget message. (Signed) Peterson

The motion prevailed.

Adjournment

At 11:40 a. m. Mr. Kotouc moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Friday.

The motion prevailed with 33 ayes, no nays, 10 not voting.

Hugo F. Srb,
Clerk of the Legislature.

FOURTEENTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, January 24, 1941.

Pursuant to adjournment, the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Garber, Matzke, Metzger and Amos Thomas, who were excused.

The Journal for the Thirteenth Day was approved as corrected.

Election Contest

Mr. Mekota introduced Mr. Peter P. Gutoski, former member of the Legislature, who spoke briefly to the members, stating that he was convinced by the recount that Mr. Bevins had been elected; and thanking the members of the Legislature, the committee and Mr. Bevins for the courteous treatment extended to him in the matter. He stated that there never had been any ill feeling between himself and Mr. Bevins and that he was withdrawing his contest for the Eighth Legislative District.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Blome, one, Mr. Weborg, two, Mr. Howard, one, Mr. Carlson, one, Mr. Ray Thomas, one, all favoring a tax exemption on gasoline used in farm motors; Mr. Rakow, one, favoring an increase in license fees for the Game, Forestation & Parks Commission; Mr. Van Diest, one, opposing the recommendations made by the Nebraska State Planning Board in regard to the educational system in Nebraska.

Invitation

An invitation was read from the Lincoln Bob Burns Club to attend a dinner at the Lindell Hotel on Saturday, January 25, 1941, at 6:00 p. m.

Communications

January 22, 1941

The President and Members of the Legislature

Gentlemen: Attention: Committee on Labor and Public Welfare

The attached letters from D. J. Wood of Fairbury and A. D. Grow of Lincoln are for your consideration.

Very sincerely yours,

(Signed) Dwight Griswold

NOTICE OF COMMITTEE HEARINGS

Government

L. B. No. 89, Wednesday, February 19, 1941, 2:00 p. m.

L. B. No. 93, Friday, February 7, 1941, 2:00 p. m.

L. B. No. 94, Friday, February 7, 1941, 2:00 p. m.

Revenue

L. B. No. 37, Thursday, January 30, 1941, 2:00 p. m.

L. B. No. 54, Thursday, January 30, 1941, 2:00 p. m.

Public Works

L. B. No. 39, Friday, January 31, 1941, 3:00 p. m.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 128. By Tvrdik, Norman, Ernest A. Adams, John Adams, Jr., Bevins of Douglas.

A bill for an Act to amend Section 33-135, Compiled Statutes

of Nebraska, 1929, relating to fees and salaries; to prescribe the time and manner of reporting fees and of paying fees by county officers to the county treasurer; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 129. By Greenamyre of Madison.

A bill for an Act to amend Section 83-115, Compiled Statutes of Nebraska, 1929, relating to the board of control of state institutions; to establish an emergency revolving fund not to exceed one thousand dollars on any one institution upon order of the board of control; to prescribe the source from which emergency revolving funds shall arise; to provide for monthly accounting by the chief executive officer of the institution for which the emergency revolving fund is established; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 130. By Jeppesen of Dakota, Sullivan, Ernest A. Adams, Bevins of Douglas; Ray Thomas of Clay, Neubauer of Harlan.

A bill for an Act relating to revenue; to provide for the cancellation of interest on general real property and personal taxes delinquent March 8, 1939, if payment of such taxes with interest thereon from said date is made on or before March 1, 1943; to provide for the collection of such taxes; to amend Secs. 77-1963, 14-553, 15-822, 16-702, 77-1502, 77-1903, 77-1904, 77-1908, 77-1910, 77-1922, 77-1931, 77-2006, 77-2007, 77-2008, 77-2009, 77-2010, 77-2011, 77-2014, 77-2018, 77-2021, 77-2040, 77-2041, 77-2105, 77-2106, 77-2107, 77-2117, 77-2120, 77-2142, 17-567, 77-1815, 77-1915, 77-2001, 77-2002, 77-2004, 77-2020, 77-2101, 77-1959, 15-812, 77-2039, and 77-1964, C. S. Supp., 1939; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 131. By Crosby of Lincoln, Carlson of Phelps.

A bill for an Act to amend Secs. 68-266, 68-410 and 43-518, C. S. Supp., 1939, as amended by sections 1, 2 and 3, chapter 5, Session Laws of Nebraska, 1940, fifty-fourth (Extraordinary) session, relating to public welfare and social security; to provide that the amount to be paid for funeral and burial expenses upon the death of persons receiving old age assistance, blind assistance or assistance for dependent children shall be a matter of contract between the county and the

person furnishing the funeral and burial in each case; and to repeal said original sections as amended.

LEGISLATIVE BILL NO. 132. By Committee on Appropriations.

A bill for an Act specifically to appropriate the sum of ten thousand fifty-eight dollars and ten cents, or so much thereof as may be necessary out of the general fund of the state of Nebraska to pay the premiums on the official bonds of state treasurer and deputy state treasurer of the state for the term commencing January 9, 1941; to pay premiums on bonds for burglary and robbery insurance and on messenger robbery insurance in connection with the office of the state treasurer for a period ending January 13, 1943; and to declare an emergency.

LEGISLATIVE BILL NO. 133. By Sorrell of Otoe.

A bill for an Act to amend Sec. 70-704, C. S. Supp., 1939, relative to public power and irrigation districts; to provide for the election of directors of such districts; and to repeal said original section.

LEGISLATIVE BILL NO. 134. By Crosby of Lincoln.

A bill for an Act to amend Sec. 79-1902, C. S. Supp., 1939, relating to schools; to provide that claims for transportation allowance shall be paid only if and when the child actually travels from his or her residence to school house by means of the nearest practicable traveled road; to provide that all claims for transportation allowance shall be filed for payment monthly and that no action for recovery on such transportation claims shall be brought after twelve months from the last day of any month of actual attendance for which attendance is claimed; and to repeal said original section.

LEGISLATIVE BILL NO. 135. By Blome of Cheyenne. (By request)

A bill for an Act to amend Secs. 17-162, 17-163, 17-164 and 17-165, C. S. Supp., 1939, relating to municipal corporations; to prescribe procedure whereby a city of the first class having a population of more than five thousand inhabitants and less than twenty-five thousand inhabitants may discontinue its organization as such city of the first class and to reorganize as a city of the second class; and to repeal said original sections.

LEGISLATIVE BILL NO. 136. By Jeppesen of Dakota.

A bill for an Act to amend Section 77-1921, Compiled Statutes

of Nebraska, 1929, relating to revenue; to make delinquent taxes a first lien on the proceeds of any fire, lightning, windstorm, cyclone or tornado insurance policy whenever a loss aggregating forty per cent or more of the insured value of any insured buildings or improvements shall have occurred; to require insurance companies to ascertain and apply the proceeds of such policies to the payment of the taxes and special assessments or to the replacement of the buildings and improvements; to provide penalties and a method of recovery; and to repeal said original section.

LEGISLATIVE BILL NO. 137. By Price of Lancaster.

A bill for an Act to amend Section 36-501, Compiled Statutes of Nebraska, 1929, relating to the statute of frauds; to provide that the sale, trade or other disposition in bulk of any part or the whole of the fixtures, equipment or machinery pertaining to a stock of merchandise, or both, and the sale, trade or other disposition in bulk of any part or the whole of a stock of fixtures, equipment or machinery by any person, firm or corporation engaged in a business in which no stock of merchandise is maintained, otherwise than in the regular and usual prosecution of the seller's business, shall be considered the same as the sale of merchandise in bulk when determining if the sale thereof is void as to creditors of the sellers; and to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 138. By Johnson of Dodge, Greenamyre of Madison, Sullivan, Bevins of Douglas, Lambert of Platte.

A bill for an Act to amend Section 30-615, Compiled Statutes of Nebraska, 1929, relating to decedents' estates; to establish preference in insolvent estates for certain wage claims; and to repeal said original section.

LEGISLATIVE BILL NO.139. By Hanna of Cherry, Gantz of Box Butte.

A bill for an Act to amend Sec. 72-211, C. S. Supp., 1939, relating to school lands and funds; to provide that school lands of the state of Nebraska may be sold to the United States of America for the development of water conservation and utilization projects; to repeal said original section; and to declare an emergeny.

LEGISLATIVE BILL NO. 140. By Sullivan, Bevins, Tvrdik, Norman of Douglas.

A bill for an Act relating to public health and welfare; to provide for the sanitary regulations and licensing of barber shops and barber schools; to empower and authorize cities of the metropolitan, first and second class and villages to pass and enforce ordinances to regulate the opening and closing of barber shops in conformity with the provisions of this act; to fix fees for regulation of barber shops and barber schools and for the annual renewal thereof; to provide penalties for the violations of the provisions of the act; to provide for the approval of price agreements in each legislative district, county, city or village within the state of Nebraska; further to enlarge the present powers of the board of barber examiners; to state a validity clause; and to designate a short title.

LEGISLATIVE BILL NO. 141. By Norman, Sullivan, Ernest A. Adams, Bevins of Douglas; Mueller of Buffalo, Kotouc of Richardson, Reed, Price of Lancaster, Carlson of Phelps.

A bill for an Act relating to the purchase of state supplies; to define "printing"; to provide that all printing purchased by the state of Nebraska or any of its governmental subdivisions shall be purchased from an industry located and operated in Nebraska and which printing shall be produced by labor performed in Nebraska; to provide penalties; and to declare an emergency.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L.B. No.	Introducer	Committee Reference
115	Neubauer	Revenue
116	Neubauer	Revenue
117	Neubauer	Revenue
118	Neubauer	Revenue
119	Neubauer	Revenue
120	Greenamyre	Judiciary
122	Asimus	Banking, Commerce & Insurance
123	Asimus, Weborg	Agriculture
124	Peterson	Judiciary

125	E. A. Adams, Price	Public Health & Misc. Subs.
126	Peterson	Banking, Commerce & Insurance
127	Matzke, Bowman	Banking, Commerce & Insurance

The president announced that L. B. No. 105, originally referred to Committee on Public Works had been re-referred to Committee on Revenue.

Adjournment

At 10:45 a. m. Mr. Murphy moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Tuesday, January 28, 1941.

The motion prevailed with 37 ayes, no nays, 6 not voting.

Hugo F. Srb,
Clerk of the Legislature.

FIFTEENTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, January 28, 1941.

Pursuant to adjournment, the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Amos Thomas, who was excused.

The Journal for the Fourteenth Day was approved as corrected.

Invitation

A letter was read from the Falls City Chamber of Commerce extending an invitation to the Lieutenant Governor, Members of the Legislature and elected officers to be its guests on Wednesday afternoon, January 29, 1941.

MOTION—To Accept Invitation

Mr. President: I move that the Legislature accept the invitation to be entertained by the Falls City Chamber of Commerce, and that the committees work out their separate problems immediately after adjournment. (Signed) Van Diest

The motion prevailed with 29 ayes, 4 nays, 10 not voting.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Sorrell, one, opposing liens for assistance; Mr. Ray Thomas, one, favoring a tax exemption on gasoline used in farm motors; all members, one, favoring the remission of interest on delinquent taxes;

one, asking that Highway No. 6 be designated as the "Grand Army of the Republic Highway"; one, favoring continuation of the Nebraska Advertising Commission, accompanied by the following letter from the Governor.

Communications

January 24, 1941

To the President and Members of the Legislature
Gentlemen:

The attached communication from J. C. Peterson, Secretary, Nebraska-Wyoming Potato Shippers Ass'n, is explanatory and referred to you for your consideration.

Very sincerely yours,

(Signed) Dwight Griswold

MESSAGE FROM THE GOVERNOR

Member, Game, Forestation and Parks Commission

To the President and Members of the Legislature
Gentlemen:

For the information and consideration of your honorable body, I am pleased to advise you that I have appointed Mr. Clarke Wilson of Wakefield as a member of the Game, Forestation and Parks Commission for the term ending January 15, 1946.

Respectfully submitted,

(Signed) Dwight Griswold
Governor

The appointment was referred to the Committee on Committees for consideration.

NOTICE OF COMMITTEE HEARINGS

Agriculture

L. B. No. 63, Thursday, February 6, 1941, 2:00 p. m.

Judiciary

L. B. No. 60, Wednesday, February 5, 1941, 2:00 p. m.

L. B. No. 66, Wednesday, February 5, 1941, 2:00 p. m.

L. B. No. 3, Wednesday, February 12, 1941, 2:00 p. m.

L. B. No. 56, Monday, February 17, 1941, 2:00 p. m.

L. B. No. 84, Friday, February 14, 1941, 2:00 p. m.

Education

L. B. No. 79, Monday, February 3, 1941, 2:00 p. m.

L. B. No. 80, Monday, February 3, 1941, 2:00 p. m.

L. B. No. 109, Monday, February 3, 1941, 2:00 p. m.

L. B. No. 114, Monday, February 10, 1941, 2:00 p. m.

MOTION—Committee to Wait on Governor

Mr. President: I move that a committee of five be appointed to wait on the Governor and advise him that the Legislature will hear his budget message at 11:00 a. m. (Signed) Rakow

The motion prevailed and the President appointed the following members to serve on said committee:

Rakow, Chairman
Bowman — Blome
Weborg — Asimus

STANDING COMMITTEE REPORTS

Revenue

LEGISLATIVE BILL NO. 5. Placed on General File.

LEGISLATIVE BILL NO. 6. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 6:

Strike the comma after the word "away" and before the word "any", in line 5, and insert in lieu thereof the words "in course of trade", and add a comma after the said word "trade".

Strike out the word "less" after the word "not", and before the word "than", in line 23, and insert in lieu thereof the word "more".

Strike out all of line 24.

(Signed) Murphy, Chairman

Education

LEGISLATIVE BILL NO. 40. Placed on General File.

(Signed) Matzke, Chairman

Government

LEGISLATIVE BILL NO. 8. Placed on General File.

LEGISLATIVE BILL NO. 15. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 15:

1. Amend page 2, section 1, line 10, by striking the period following the word "follows" and inserting a colon.

2. Amend page 2, section 1, line 25, by inserting the words "requiring confirmation by the legislature" after the word "office".

3. Amend page 2, section 1, line 7, by inserting the word "calendar" after the word "sixty" and before the word "days".

4. Amend page 2, section 1, by striking the sentence beginning in line 26, "No person shall receive any salary or other remuneration for acting as head of any of said departments during the sitting of the legislature unless his appointment shall have been confirmed as provided herein".

5. Amend page 3, section 1, line 36, by inserting a period after the word "term".

6. Amend page 3, section 1, lines 36 and 37, by striking the words "and until his successor shall be appointed and qualified".

7. Amend the title of the bill in lines 10, 11, and 12, by striking the words "to deny payment of salaries to said appointees during the sitting of the legislature and prior to confirmation;"

8. Amend the title of the bill in line 4, by striking the first "the" following the word "appointments"; the word "titular"; and the second "the", following the word "of".

9. Amend the title of the bill in line 6, by inserting the word "calendar" after the word "sixty" and before the word "days".

(Signed) Sorrell, Chairman

Parliamentarian for Legislature

Mr. Mekota advised that it would be possible to secure the services, for a few days, of Dr. F. M. Gregg, author of the rules adopted by the Legislature as its authority.

MOTION—to Refer to Committee on Legislative Administration

Mr. President: I move that the Committee on Administration consult Dr. Gregg and determine the time and compensation to be paid and report back to the Legislature. (Signed) Peterson

The motion prevailed.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 142. By Sullivan, Bevins, Tvrdik, Ernest A. Adams, Norman of Douglas.

A bill for an Act relating to the public service in the state of Nebraska; to establish and regulate civil service in counties having a population of two hundred thousand inhabitants or more; to state a separability clause; and to declare an emergency.

LEGISLATIVE BILL NO. 143. By Crosby of Lincoln, Gantz of Box Butte.

A bill for an Act to amend Sec. 29-1407, C. S. Supp., 1939; to amend Section 29-1604, Compiled Statutes of Nebraska, 1929; to amend Secs. 29-1607 and 29-1401, C. S. Supp., 1939, relating to criminal procedure; to provide that inquiry of, failure to inquire of, the presentment or refusal or failure to present any offense by a grand jury shall not affect prosecution by complaint or information; to provide for prosecution by information in the same cause in which an indictment, or the proceedings by which such indictment was returned, is adjudged or deemed defective; to provide when an action prosecuted by an information so filed in lieu of an indictment shall be deemed commenced; to provide the actions that may not be prosecuted upon an information without a prior preliminary examination; to prescribe conditions precedent to calling grand juries; and to repeal said original sections.

LEGISLATIVE BILL NO. 144. By Johnson of Dodge, Rakow of Antelope, Mekota of Saline, Price of Lancaster, John Adams, Jr., of Douglas, Gantz of Box Butte.

A bill for an Act to repeal Sections 76-243, 76-245, 76-248, 76-249, 76-250, 76-260, 76-266 and 76-272, Compiled Statutes of Nebraska, 1929; to repeal Sec. 76-271, C. S. Supp., 1939, relating to instruments affecting real estate; to provide a saving clause; and to declare an emergency.

LEGISLATIVE BILL NO. 145. By Johnson of Dodge, Price of Lancaster, Rakow of Antelope, John Adams, Jr. of Douglas, Gantz of Box Butte.

A bill for an Act to amend Sections 67-101 and 67-102, Compiled Statutes of Nebraska, 1929, relating to partnerships; to require the filing in the office of the county clerk of a further certificate whenever changes in the status of a partnership renders untrue the certificate of partnership on file; to direct publication of the notice of any change in the partnership status; to provide for the recording of the proof of publication of the notice in the office of the county clerk; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 146. By Mekota of Saline, Gantz of Box Butte, Johnson of Dodge, Rakow of Antelope, Price of Lancaster, John Adams, Jr. of Douglas.

A bill for an Act relating to real property; to validate instruments affecting real estate; and to declare an emergency.

LEGISLATIVE BILL NO. 147. By Blome of Cheyenne, Mischke of Knox.

A bill for an Act to amend Section 27-211, Compiled Statutes of Nebraska, 1929, relating to the supreme court; to fix the compensation of the clerk and reporter thereof from and after June 1, 1945; and to repeal said original section.

LEGISLATIVE BILL NO. 148. By Matzke of Seward.

A bill for an Act relating to state institutions; to transfer the control of the institution at one time known as the **"branch institution of the soldiers' and sailors' home at Milford"** from the board of control of state institutions to the state board of vocational education; to establish and maintain such institution under the name and style of the **"Nebraska state trade school"**; to declare the object of such institution; to bestow upon the state board of vocational education full powers to receive, have charge of and operate such institu-

tion; to provide that the board last mentioned may acquire and dispose of real and personal property for the use of the trade school; to provide that the state board of vocational education shall have the power to enact rules and regulations necessary for the conduct of the school; to provide for the appointment of a director of the trade school and defining his powers; to provide for the qualifications of students in the said trade school; to provide minimum qualifications for instructors and administrative staff members; providing for advisory committees; to define their functions; to establish the trade school cash fund and to provide that the same may include moneys received from the sale of livestock, farm products, school equipment or products; to provide that tools, instruments, machines, devices, articles of manufacture and repair and rebuilding services of trade school students, which are the result of students' in-training work, may be sold and such moneys accrue to the trade school cash fund; to provide for covering said trade school cash fund into the state treasury, and to authorize its use as a revolving fund for the operation of the trade school; to appropriate moneys accruing to the trade school cash funds for the uses and purposes of the act; to provide that the board may use said trade school as a supplement to the Smith-Hughes and George-Deen program and in co-operation with national defense training with either or both the United States office of education or the war department or with other federal agencies for defense; to provide that the state treasurer shall be the custodian of the trade school cash fund and such other moneys as the legislature may make available by appropriation, or as may be made available by the federal government through federal appropriations; to provide how such moneys may be disbursed; to repeal Sec. 83-141, C. S. Supp., 1939; and to declare an emergency.

REPORT—Committee to Wait on Governor

The Committee to wait upon the Governor returned with the report that the Governor would present his Budget Message at 11:00 a. m.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 149. By Crosby of Lincoln.

A bill for an Act relating to cemeteries; to provide for the creation of cemetery districts and to define their powers and duties; and to provide for the assessment and collection of taxes for the support thereof.

LEGISLATIVE BILL NO. 150. By Hanna of Cherry (By request), Carmody of Hitchcock (By request).

A bill for an Act to amend Sec. 37-305, C. S. Supp., 1939, relating to game and fish; to provide a special open season for trapping beaver that are destroying trees or otherwise damaging property to the value of one hundred dollars or more; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 151. By Murphy of Scotts Bluff, Callan of Gage.

A bill for an Act to amend Section 84-106, Compiled Statutes of Nebraska, 1929, relating to state officers; to fix the compensation of the private secretary of the governor; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 152. By Mekota of Saline.

A bill for an Act to amend Sec. 26-220, C. S. Supp., 1939, relating to elections; to amend Sec. 39-1201, C. S. Supp., 1939; to provide for the appointment of overseer of roads in counties having township organization; to repeal said original sections; and to repeal Sec. 32-223, C. S. Supp., 1939.

LEGISLATIVE BILL NO. 153. By Thornton of Jefferson, Peterson of Lancaster, Carmody of Hitchcock, Kotouc of Richardson, Van Diest of Loup, Bowman of Adams, Raecke of Merrick, Lambert of Platte, Ernest A. Adams, Sullivan of Douglas.

A bill for an Act to repeal Sec. 44-1401 and 44-1402, C. S. Supp., 1939; and to repeal Sections 44-1403, 44-1404, 44-1405, 44-1406, 44-1407, 44-1408, 44-1409, 44-1410, 44-1411 and 44-1412, Compiled Statutes of Nebraska, 1929, relating to state hail insurance.

LEGISLATIVE BILL NO. 154. By Peterson of Lancaster.

A bill for an Act to provide for the organization of cooperative farm land companies to facilitate the acquisition of title to agricultural lands by those who till the soil; to prescribe the powers and functions of such companies; and to declare an emergency.

LEGISLATIVE BILL NO. 155. By Peterson of Lancaster.

A bill for an Act relating to taxation; to provide for the appointment of deputy tax commissioners; to prescribe their duties; to fix their compensation; to appropriate funds for payment of such compensation and expenses; to prescribe duties of the tax commissioner and state board of equalization and assessment for enforcement of tax laws of the state; and to declare an emergency.

LEGISLATIVE BILL NO. 156 By Peterson of Lancaster, Matzke of Seward.

A bill for an Act relating to revenue; to provide methods of listing tangible and intangible property for purposes of taxation; to provide for checking inventories filed for estates for personal property, tangible and intangible, by the tax commissioner or his subordinates acting jointly with the county judge, the county clerk, and the county treasurer, to determine if said personal property was, during three years prior to the year in which deceased died, returned for taxation purposes; to prescribe procedure for filing claims against estates of deceased persons for the year or years that payment of taxes by them was avoided; to prescribe the duties of the tax commissioner, his subordinates, the county judge, the county clerk, and the county treasurer with respect to the administration of this act; to declare that the provisions of this act shall be cumulative with and supplemental to existing laws on the same subject; to state a saving clause; to amend Section 77-304, Compiled Statutes of Nebraska, 1929; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 157. By Blome of Cheyenne, Johnson of Dodge, Price of Lancaster, Jeppesen of Dakota, Lambert of Platte, Carmody of Hitchcock, Howard of McPherson, Mischke of Knox, Matzke of Seward, Weborg of Cuming, Murphy of Scotts Bluff, Bowman of Adams, John Adams, Jr. of Douglas, Hanna of Cherry.

A bill for an Act relating to agriculture and commerce; to promote the agricultural and commercial interests of the State of Nebraska; to encourage youth training in said state; to create **The Nebraska Agricultural Society** as an agency of said state; to provide a senior and junior board of directors therefor; to define the powers and duties thereof; to prescribe the method of filling vacancies therein; to provide the manner of selecting members of the governing board of said society; to prescribe rules governing

and controling annual conventions or meetings of said society; to define the powers and duties of junior delegates to the annual conventions of said society; to fix the compensation of officers, including the general manager thereof; to prescribe the qualifications for such general manager; to provide regulations with respect to traveling expenses and the method of their payment; to prescribe bookkeeping, reporting and auditing procedures in connection with the business of said society; to create a contingent fund for the benefit of said society; to prescribe the uses and purposes of said contingent fund; to provide that the funds of said society shall be credited with interest earnings the same as other funds in the custody of the state treasurer; to provide that moneys paid into the state treasury by said society shall be deemed and considered a revolving fund which shall be available for the uses and purposes of said society without further action of the Legislature, except moneys arising out of biennial tax levies; to provide that said society shall maintain its general offices in the State Capitol; to empower said society to make rules, regulations and by-laws, not inconsistent with law; to outline the specific powers and duties of said society with respect to the State Fair and all other performances and exhibitions licensed to use the fair grounds of said society; to provide penalties for the violation thereof; to grant to said society the right to contract in its own name; to empower said society and its agents to enforce police regulations on fair grounds under its control and within three hundred feet thereof; to prescribe the method and manner of transferring the property, money, credits, records, books, files and papers of the State Board of Agriculture to **The Nebraska Agricultural Society;** to abolish the State Board of Agriculture; to repeal Sections 2-102, 2-103, 2-104 and 2-105, Compiled Statutes of Nebraska, 1929, and Sec. 2-101, C. S. Supp., 1939, as of February 15, 1941 at 1:01 o'clock P. M. of said day; and to state validity and saving clauses.

LEGISLATIVE BILL NO. 158. By Reed, Price of Lancaster; Bowman of Adams.

A bill for an Act relating to highways; to designate U. S. route No. 6, extending across the eastern and southern portions of the state of Nebraska, as **grand army of the republic highway;** to provide for the erection of suitable markers to indicate the name of the highway; and to declare an emergency.

LEGISLATIVE BILL NO. 159. By Price of Lancaster.

A bill for an Act relating to municipal courts; to amend Sections 22-903, 22-911, 22-1002 and 22-1004, Compiled Statutes of Nebraska, 1929; to amend Sec. 22-703, C. S. Supp., 1939; to amend

Section 27-520, Compiled Statutes of Nebraska, 1929; to provide civil and criminal procedure in municipal courts concerning empanelling and conduct of juries, rendering judgments, appointment of constables and substitute constables and adjournment of causes; to repeal said original sections; to repeal Section 22-405, Compiled Statutes of Nebraska, 1929; and to declare an emergency.

REPORT—Committee to Wait on Governor

The committee returned with the Governor, who delivered the following:

BUDGET MESSAGE OF DWIGHT GRISWOLD, GOVERNOR

Delivered to the Fifty-fifth Session of the Legislature

of Nebraska, January 28, 1941

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

In my Inaugural Message presented on January 9, I expressed my confidence that in the enactment of an Appropriation Bill you would be "guided by the desires of the people of Nebraska who have gone through drouths and depressions and who are simply not able to have additional burdens added to their tax load."

Economy is certainly necessary and both the Legislative and the Executive Departments of our Government would be entitled to severe criticism if they did not follow that policy. Even though we may believe in economy, however, it is, of course, necessary that certain funds be appropriated, and I might again quote from my earlier message when I said, "It is our duty to decide what activities our State Government should engage in and how much money they should be alloted. We cannot, of course, cut expenditures indefinitely."

As my expression of that policy, I am now presenting to your honorable body my recommendations as to the budget which you should adopt for the coming biennium. The special comments which follow are made only in regard to a few items in this budget which are materially changed from the sums recommended in the budget submitted on January 8, by the outgoing Governor, R. L. Cochran.

Legislature

It is recommended in this budget that the legislature receive the appropriations that it has requested. I am rather doubtful if the Legislative Council accomplishes enough to warrant the ex-

pense. I am also doubtful if it is necessary for the Clerk of the Legislature to be on duty for all of the twenty-four months in the biennium, but you should be better advised upon these matters than I.

Superintendent of Public Instruction

I am recommending that the $94,000.00 for "aid to Normal Training" be replaced in the budget, it being the same amount that was appropriated two years ago. You may further investigate and wish to decrease this amount. However, in many of the smaller high schools this aid is very necessary if they are to continue this type of instruction, for which there is yet a great demand.

Department of Public Health

There is being recommended an increased appropriation for the Department of Health due to the large volume of work that has been added to the Department by the demand for birth certificates, and the burden that has been placed upon the testing laboratory. The Government has compelled each draftee to have a blood test before he can be inducted into the service. I am recommending the purchase of an efficient filing system for the Division of Vital Statistics, so that all certificates can be readily filed and be made easily accessible. Investigation shows that at least 40 percent of the citizens of the State have no birth certificates. Anyone wishing to enter the defense service will only be employed when they can produce and furnish such a certificate. Further study by your Appropriations Committee may disclose that the increases that have been recommended in the Department of Health are even yet not sufficient to carry on the added duties of this office.

Tax Commissioner

I am recommending an increase of $1,000.00 in the maintenance of this office. My judgment is that Nebraska budgets have never been properly drawn. The person in charge should actually visit each State institution and personally study and view its needs. This will require additional funds for traveling expense and this increase is intended for that purpose.

Military Department

Some of the State's military officers have not been on the pay roll since November 1st, and none of the enlisted men since January 6th. Therefore, I have recommended the appropriation of the unexpended balance in the "Salaries", which will reduce the amount necessary for salaries in the coming biennium by the amount of these unex-

pended balances, and also reduce the amount of "Support" to $100,000.00. The officers and enlisted men are inducted for at least one year into the Federal service. This year will include the period in which they regularly have their summer training which is the major item of State expense. By the time the Legislature adjourns, we may have additional information as to our needs along this line.

Game, Forestation and Parks Commission

There is recommended for the maintenance of State parks the sum of $30,000.00 from the General Fund, which is the same amount as was appropriated two years ago. It surely is not fair for this to be paid out of the hunting and fishing permits.

Nebraska State Medical Association

The appropriation of $1,500.00 is recommended for the purchase of serum for Infantile Paralysis. I feel that this is a very worthy cause.

State Sheriff

No appropriation is recommended from the General Property (Tax) Fund for the maintenance of the State Sheriff's office. I recommend this office and the Highway Patrol be combined and the necessary funds be appropriated from the fees which are now available for the Highway Patrol. I trust the necessary legislation will be enacted to make this possible, thereby providing for a better coordination of our law enforcement activities.

University of Nebraska

It is recommended that the University of Nebraska have available for its maintenance the same amount of money that they received two years ago. In view of the fact that the enrollment has decreased 329 from what it was a year ago, and with the prospect that it will witness another decrease in the coming year, this recommended appropriation is in reality an increase for the maintenance of the University.

I trust that if the enrollment falls off to such an extent that the University Regents find it possible to save some of this appropriation, they will do so. Although the University maintenance fund appropriated from the General (Tax) Fund has been reduced to $2,771,500.00, I have compensated for this reduction by making possible the use of the sum of $83,041.98, which sum the University now carries in the special cash fund. This money came from General Property Tax and was turned over to the University many years ago for the operation of their processing of hog serum. With the repeal of this law the money was retained in the University Cash Fund and

now it is made available for maintenance use. It is recommended that the University Hospital be given the same appropriation as two years ago in order that the hospital may be operated at full bed capacity.

I am also recommending that the "Highway Laboratory Testing Fund", of approximately $75,800.00, which has accumulated as a result of the activity carried on by the Engineering College, be released to the Board of Regents for the purchase of property, the construction of buildings and/or remodeling of buildings which they already own.

State Normals

There has not been sufficient time to make a study of the needs of the four State Teachers Colleges. I am, therefore, submitting the budget recommendations as submitted by Governor Cochran, with one exception. I am reducing the amount of each Normal School $16,000.00, the increase which was allocated for normal training, as I have previously in this message recommended $94,000.00 for normal training in the State Superintendent's office.

I am removing the Normal School Dormitory's "Cash Funds", as they are not a part of the functional expense of the institutions. These funds are derived from the rent charged the students occupying the dormitories and such funds are used to retire the revenue bonds.

Department of Roads and Irrigation

This department has grown to such an extent that it is now one of the largest expending agencies in the State Government. It is impossible in the brief time which has been available for the new State Engineer or for myself to properly study into the needs or possibilities in that department. Under our present tax structure we will fail by a wide margin to match the Federal Aid which is available for this year. I am very hopeful that we can save considerable money in the maintenance of our highways so that more contracts can be let and more roads built. It is my desire that this, as well as other departments, be operated with minimum cost, consistent with good service. All money which is saved in salaries can be used to match federal money and make more roads available for the public.

If any change in our tax structure is made so that gasoline tax funds are used for other purposes, it will seriously cripple the road building program in Nebraska.

Bureau of Irrigation

This budget provides for an increase of $12,000.00 in the appropri-

ation for the Bureau of Irrigation, $8,000.00 of this to be for salaries and wages and $4,000.00 for maintenance. Pending legislation will require some additional personnel and considerable investigation and study, requiring special talent. The problem of surface waters and underground waters must be given detailed study, the problems of the Republican River Valley, the suggested agreements between the various irrigation districts, and the agreements between the different States, all these require numerous conferences and additional expense.

Irrigation is one of the outstanding interests of this State, and we must plan to spend more money in connection with its administration.

Salary Increases

I recommend that you provide for increases in two salaries which are now fixed by Statute. One of these is for the Director of Insurance. He carries a tremendous responsibility under our laws and we can only be sure of retaining a capable man in this position if he is properly paid. It is my opinion that the Director should receive the same salary as is received by the Director of Banking, which is $4,500.00 per year.

I also recommend that you provide for an increase in the salary of the Governor's Secretary. With the additional business now being handled through the Governor's office, I feel it is in the interest of good Government that he should be better paid, and I recommend that he receive a salary of $300.00 per month.

Tax Administration

During my term of office, I shall make every effort to collect all taxes on a fair and equitable basis. There is undoubtedly a necessity for some legislative changes, making more effective the administration of the intangible tax law. I also am inclined to feel that our whole system of assessment of personal property is out of date, and a serious study should be made in the direction of making it more fair and more effective. Other States have been experimenting along these lines and I recommend a study of their procedure and the results accomplished.

Unexpended Balances

I have recommended that wherever possible all unexpended balances arising out of general property tax funds as of June 30, 1941, be re-appropriated for the coming biennium. Since this money has already been levied for and collected through taxation, I do not feel that it is just and equitable to again levy a tax for the same purpose and permit these unexpended balances to revert to the General Fund.

I have recommended in some places that cash fees and licenses in excess of the requirements of the department lapse to the Genral Fund.

General Fund Deficit

Your attention is also called to the now-existing deficit in the General Fund of the State of Nebraska. Official records show that on December 31, 1940, this deficit in the State Treasury amounted to $192,871.17. The present administration and the present Legislature is not, of course, responsible for the existence of this deficiency, but it does constitute a problem which we must solve and I am, therefore, calling it to your attention.

Summary

The total amount recommended from Property Tax Funds is $10,910,154.57, and the amount from Federal and Cash Funds $46,518,427.67, of which $1,039,069.88 is the estimated proceeds from collections of Insane Tax levied in counties, as provided for in S. F. 241, Laws of Nebraska, 1935.

Conclusion

I wish to close my remarks by admitting very candidly that the time has been insufficinet for me to make a proper study of the needs of the different units of our State Government, and the requirements of the various institutions which the State supports. I am making these recommendations on the basis of the available information, however, and I submit them to you with the suggestion that you change them wherever you feel that savings can be made or economies effected. There will be many of these items which I am sure you will wish to reduce. There will undoubtedly be some which you feel should be increased. My desire is that we approach this problem in a spirit of fairness to both the taxpayer and to the department or institution involved.

As required by Section 81-313, Compiled Statutes of Nebraska, 1929, I am submitting bills for appropriations as recommended in this budget.

Respectfully submitted,
Dwight Griswold
Governor

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L.B. No.	Introducer	Committee Reference
128	Tvrdik, et al	Government
129	Greenamyre	Appropriations
130	Jeppesen, et al	Revenue
131	Crosby, et al	Labor & Public Welfare
132	Committee on Appropriations	Committee on Appropriations
133	Sorrell	Public Works
134	Crosby	Education
135	Blome (By Request)	Government
136	Jeppesen	Revenue
137	Price	Judiciary
138	Johnson, et al	Judiciary
139	Hanna, Gantz	Education
140	Sullivan, et al	Public Health & Misc. Subs.
141	Norman, et al	Public Health & Misc. Subs.

MOTION—Wage Schedule for Employees

Mr. President: I move that the officers and employees of the Legislature be paid at the following wage schedule for the month of January. (Signed) Tvrdik

January, 1941

Name	Position		Rate		Amount
Louis R. Eby	Asst. Clerk	25	8.00	Day	200.00
George L. Santo	Sergeant at Arms	24	4.50	Day	108.00
Tracy Frost	Ass't Serg. Arms	23	4.00	Day	92.00
Henry Vauck	Postmaster	25	4.00	Day	100.00
Rev. L. L. Chambers	Chaplain	22	4.00	Day	88.00
Laura Wickland	Tel. Operator	22	4.00	Day	88.00
Jo Eastburn	Sec'y Lt. Gov	25	5.00	Day	125.00
Lyda Hafer	Journal Clerk	22	5.00	Day	110.00
Mrs. Pauline Flake	Ass't Jrnl. Clk	11	4.00	Day	44.00
Agnes Heagney	Chief Engro. Clk	22	5.00	Day	110.00
F. J. McGhan	Bookkeeper	22	4.50	Day	99.00
J. S. Hedgecock	Docket Clerk	10	4.00	Day	40.00
Clara C. Turbyfill	Office Ass't	22	4.00	Day	88.00

Name	Position		Rate		Amount
Harvey Galloway	Committee Clerk	21	5.00	Day	105.00
Grace Gaines	Committee Clerk	23	5.00	Day	115.00
Connie Wade	Committee Clerk	19	5.00	Day	95.00
Edna Freeman	Committee Clerk	22	5.00	Day	110.00
L. T. Fleetwood	Committee Clerk	17	5.00	Day	85.00
Elizabeth Burnett	Committee Clerk	18	5.00	Day	90.00
Hazel E. Capsey	Committee Clerk	21½	5.00	Day	107.50
Mae Ellingson	Committee Clerk	20	5.00	Day	100.00
Lorraine Schwenk	Committee Clerk	11	5.00	Day	55.00
Eleanore Bricker	Stenographer	21	4.00	Day	84.00
Isla Replogle	Stenographer	21½	4.00	Day	86.00
Yvonne Wood	Stenographer	20½	4.00	Day	82.00
Catherine Boggus	Stenographer	20	4.00	Day	80.00
Bernice Lundeen	Stenographer	20	4.00	Day	80.00
Gloria Nelson	Stenographer	17	4.00	Day	68.00
Elinor Doran	Stenographer	8	4.00	Day	32.00
Helen Norris	Stenographer	9½	4.00	Day	38.00
Irma Campbell	Stenographer	11	4.00	Day	44.00
Maxine Stefanski	Stenographer	11	4.00	Day	44.00
Henrietta Zeller	Stenographer	11	4.00	Day	44.00
Kathryn Jean Ellsworth	Stenographer	11	4.00	Day	44.00
Gentry Hobson Colborn	Stenographer	5	4.00	Day	20.00
Genevieve Prebyl	Stenographer	11	4.00	Day	44.00
Marjorie Heyne	Stenographer	6	4.00	Day	24.00
Ethel M. Hall	Stenographer	3	4.00	Day	12.00
Frances Andrews	Stenographer	5	4.00	Day	20.00
G. F. Martin	Chief Bill Clerk	20	4.50	Day	90.00
Cecil B. Schmitt	Ass't Bill Clerk	20	4.00	Day	80.00
Richard Wait	Ass't Bill Clerk	20	4.00	Day	80.00
Edw. J. Branigan	Ass''t Bill Clerk	19	4.00	Day	76.00
Geo. A. Roberts	Ass't Bill Clerk	18	4.00	Day	72.00
Gus E. Neumann	Ass't Bill Clerk	11	4.00	Day	44.00
Herman Kroon	Mimeograph Operator	16	4.00	Day	64.00
Henry N. Remington	Page and Messenger	27	3.50	Day	94.50
Harold L. Mack	Page and Messenger	22	3.25	Day	71.50
Charles A. Darling	Page and Messenger	22	3.25	Day	71.50
Clayton C. Hesser	Page and Messenger	22	3.25	Day	71.50

Name	Position		Rate		Amount
Fred R. Dunham	Page and Messenger	22	3.25	Day	71.50
Harold Gerch	Page and Messenger	22	3.25	Day	71.50
Michael A. Gergen	Chief Legislative Custodian	1	100.00	Month	100.00
Harold Scott	Ass't Custodian	19	3.50	Day	66.50
E. Keith Brown	Ass't Custodian	6	3.50	Day	21.00
Louis C. Stolldorf	Ass't Custodian	11	3.50	Day	38.50
Lynn Skinner	Ass't Custodian	14	3.50	Day	49.00
Steve Matulis	Ass't Custodian	11	3.50	Day	38.50
Timothy M. Green	Ass't Custodian	7	3.50	Day	24.50
E. J. Keogh	Cloak Room Attdt	22	3.50	Day	77.00
Carl E. Peterson	Cloak Room Attdt	11	3.50	Day	38.50
Harriette L. Nebergall	Typist—Proof Read.	9	4.00	Day	36.00
Agnes M. Peterson	Proof Reader	169½	.50	Hour	84.75
Glenn C. Fosnot	Proof Reader	102¼	.50	Hour	51.12
W. C. Larson	Proof Reader	106½	.50	Hour	53.25
Glen A. McKinney	Proof Reader	167¼	.50	Hour	83.62
Loren H. Laughlin	Enrollment & Review Legal Advisor	11/31	375.00	Month	133.06

MOTION—To Defer Consideration

Mr. President: I move that consideration of the motion be deferred until tomorrow morning and that a copy of this schedule of employees' pay be placed on every member's desk before that time.

(Signed) Mekota

The motion was lost.

Vote was taken on Mr. Tvrdik's motion and the motion prevailed.

CONSENT—To Add Name of Co-introducer

Request was made and unanimous consent was granted to add the name of Fred A. Mueller as a co-introducer of L. B. No. 34.

Adjournment

At 12:03 p. m. Mr. Mischke moved that the Legislature adjourn.

The motion prevailed.

Hugo F. Srb,
Clerk of the Legislature.

SIXTEENTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, January 29, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Amos Thomas, who was excused.

The Journal for the Fifteenth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Crossland, one, asking that Highway No. 6 be designated as the "Grand Army of the Republic Highway"; Mr. Mueller, one, opposing the recommendations of the State Planning Board in regard to the educational system in Nebraska; Mr. Callan, one, opposing monopoly of parking space by employees of the State Capitol; all members, one, favoring L. B. No. 2.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce and Insurance

L. B. No. 14, Tuesday, February 4, 1941, 2:00 p. m.

L. B. No. 82, Tuesday, February 4, 1941, 2:00 p. m.

L. B. No. 46, Tuesday, February 4, 1941, 2:00 p. m.

Agriculture

L. B. No. 87, Tuesday, February 11, 1941, 2:00 p. m.

L. B. No. 123, Tuesday, February 11, 1941, 2:30 p. m.

Appropriations

L. B. No. 59, Thursday, February 6, 1941, 2:00 p. m.

Revenue

L. B. No. 29, Tuesday, February 4, 1941, 2:00 p. m.
L. B. No. 62, Tuesday, February 4, 1941, 2:00 p. m.
L. B. No. 68, Tuesday, February 4, 1941, 2:00 p. m.
L. B. No. 71, Thursday, February 6, 1941, 2:00 p. m.
L. B. No. 85, Thursday, February 6, 1941, 2:00 p. m.
L. B. No. 72, Tuesday, February 11, 1941, 2:00 p. m.
L. B. No. 73, Thursday, February 13, 1941, 2:00 p. m.
L. B. No. 91, Thursday, February 13, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL NO. 45. Placed on General File.

LEGISLATIVE BILL NO. 34. Placed on General File.

(Signed) Neubauer, Chairman

Enrollment and Review

LEGISLATIVE BILL NO. 2. Placed on Select File.

LEGISLATIVE BILL NO. 1. Placed on Select File.

(Signed) Crosby, Chairman

SELECT COMMITTEE REPORTS

Election Contest

Mr. President: Your Special Election Contest Committee on the election contest between Peter P. Gutoski, contestant, and George W. Bevins, incumbent, submits the following report:

After the recount of the ballots under the direction of Anton J. Tusa, Election Commissioner of Douglas County, Nebraska, as directed by the Committee, the contestant conceded the election of the incumbent, George W. Bevins.

Your Committee therefore recommends that the election of George W. Bevins as a member of the Legislature from the Eighth Legislative District of Nebraska be confirmed.

Your committee further recommends that the personal expenses of said Election Commissioner incurred at the request of your Committee, amounting to the sum of $21.00, and the expenses of Senator Jack Price, Committee Member, for one trip to Omaha, be allowed and paid by the Committee on Legislative Administration upon the filing with said Committee of verified claims therefor, and that said Legislative Committee be authorized and directed to pay to the incumbent a proper allowance for attorney fees, as provided by law.

Your Committee acknowledges efficient cooperation by the Attorney General, Walter Johnson, and his assistant, Robert A. Nelson, the State Auditor, Ray Johnson, and his assistants, Walter Lovejoy and Lyle Cumberland, and Anton J. Tusa, Election Commissioner of Douglas County, and his Deputy, Mr. William Raab.

(Signed) John E. Mekota, Chairman

MOTION—To Adopt Report

Mr. President: I move that the report of the Special Election Contest committee be adopted. (Signed) Mekota

Record vote was requested by Mr. Mekota.

Voting in the affirmative, 37:

Adams, E. A.	Crossland	Kotouc	Raecke
Adams, J. Jr.	Gantz	Mekota	Rakow
Asimus	Garber	Metzger	Reed
Bevins	Greenamyre	Mischke	Sullivan
Blome	Hanna	Mueller	Thomas, Ray
Bowman	Howard	Murphy	Thornton
Brodahl	Jeppesen	Neubauer	Tvrdik
Callan	Johnson	Peterson	Van Diest
Carlson	Knezacek	Price	Weborg
Crosby			

Voting in the negative, 0.

Not voting, 6:

Carmody	Matzke	Sorrell
Lambert	Norman	Thomas, Amos

The motion prevailed.

Rules

Mr. President: Your Committee on Rules, to which has been referred the matter of the filing of claims before the Claims Committee, makes the following recommendations:

1. That no claim be considered by the Claims Committee unless filed within the first twenty legislative days of the Session, unless otherwise ordered by the Legislature.

2. That the Claims Committee should not consider any claims heretofore filed with and rejected by the Legislature at two or more previous sessions. (Signed) Mekota, Chairman

MOTION—To Adopt Report

Mr. President: I move that the recommendations of the Rules Committee on the filing of claims be adopted. (Signed) Mekota

The motion prevailed and the report was adopted.

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 3.

Memorializing the Secretary of Agriculture of the United States to reconsider and revise the Sugar Beet Acreage Allotment for the State of Nebraska

Introduced by Murphy of Scotts Bluff, Mueller of Buffalo, Howard of McPherson, Carlson of Phelps, Raecke of Merrick, Blome of Cheyenne.

PREAMBLE

WHEREAS, the normal sugar beet acreage of Nebraska has been reduced by weather and low supply of irrigation water, and

WHEREAS, the sugar beet acreage of Nebraska for 1940 was far below the ten year average and the lowest in the history of the state, and

WHEREAS, the sugar beet acreage allotment made by the secretary of agriculture of the United States and the state of Nebraska for the year 1941 was based solely upon the sugar beet acreage in Nebraska in 1940, and

WHEREAS, such allotment is unfair and will be disastrous to the future of the beet industry in the state of Nebraska, and

WHEREAS, such allotment is a severe blow to the livestock feeding industry in the state of Nebraska, NOW, THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF NEBRASKA IN FIFTY-FIFTH REGULAR SESSION ASSEMBLED:

1. That this legislature respectfully petitions, memorializes and urges the secretary of agriculture of the United States to take such measures as will correct the objections recited in the preamble of the resolution; and that a much larger sugar beet acreage allotment be allowed for the state of Nebraska for the year 1941.

2. That this resolution be spread at large upon the journal of the legislature; and that the clerk of this legislature is hereby ordered and directed forthwith to forward a copy of this resolution, properly authenticated and engrossed, to the secretary of agriculture of the United States, and to each of the United States senators and congressmen representing the state of Nebraska in the congress to the end that representatives in the government and in the congress of the United States may be advised that this legislature considers as imperative a reconsideration and revision of the sugar beet acreage allotment for the state of Nebraska for the year 1941.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 160. By Johnson of Dodge.

A bill for an Act relating to crimes and punishments; to define the term **"fictitious name"**; to provide for the registration thereof in the office of the secretary of state; to provide for the publication of the notice of such registration; and to provide a penalty for the violation of this act.

LEGISLATIVE BILL NO. 161. By Kotouc, of Richardson, Murphy of Scotts Bluff.

A bill for an Act to amend Secs. 3-202 and 3-222, C. S. Supp., 1939, relating to aircraft and airmen; to empower the Nebraska aeronautics commission to purchase aircraft out of the aviation fund; to repeal said original sections; to repeal Sec. 3-216, C. S. Supp., 1939; and to declare an emergency.

LEGISLATIVE BILL NO. 162. By Sullivan, Bevins of Douglas.

A bill for an Act relating to the public service; to create a department of civil service for the state of Nebraska; to prescribe the powers, duties and procedure of the civil service board and the director of the state civil service in said department; to provide for

and regulate the civil service in said state; to prescribe penalties for the violation of the provisions of this act; to repeal all acts and parts of acts inconsistent with the provisions of this act; and to declare an emergency.

LEGISLATIVE BILL NO. 163. By Thornton of Jefferson, Bevins of Douglas.

A bill for an Act relating to labor; to provide the time and manner of payment of wages by an employer to an employee; to establish rules for the regulation thereof; to define terms; to provide penalties; to provide exceptions; and to provide a validity clause.

LEGISLATIVE BILL NO. 164. By Rakow of Antelope.

A bill for an Act to appropriate twenty thousand dollars out of the general fund of the state of Nebraska, or so much thereof as may be necessary to provide for a complete investigation and audit of the business transactions and activities of the department of roads and irrigation since January 1, 1939; to provide methods of procedure and rules and regulations for said investigation and audit; to prescribe the duties of certain state officers; to provide for annual audits of the business transactions and activities of the department of roads and irrigation; to provide penalties; to provide for reports; and to declare an emergency.

LEGISLATIVE BILL NO. 165. By Garber of Webster.

A bill for an Act to amend Sec. 60-1005, C. S. Supp., 1939, relating to motor vehicles; to provide that in all cases of transfers of motor vehicles, the application for certificate of title shall be filed within ten days after the delivery of said vehicle; and to repeal said original section.

LEGISLATIVE BILL NO. 166. By Garber of Webster.

A bill for an Act to amend Sec. 48-705 (d), C. S. Supp., 1939, relating to unemployment compensation; to prescribe conditions which are the basis of disqualification of individuals for benefits under the Unemployment Compensation Law; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 167. By Mekota of Saline.

A bill for an Act to amend Sec. 20-523, C. S. Supp., 1939, relating to civil procedure in district court; to define a legal newspaper; to legalize certain legal publications; and to repeal said original section.

LEGISLATIVE BILL NO. 168. By Gantz of Box Butte, Metzger of Cass, Kotouc of Richardson, Ernest A. Adams of Douglas.

A bill for an Act to amend Sec. 79-524, C. S. Supp., 1939, relating to schools; specifically to appropriate, for the biennium ending June 30, 1943, the sum of $25,000, or so much thereof as may be necessary, for the purpose of paying the tuition of children whose parents are officers or enlisted men of the United States army, navy or marine corps, on duty in the state of Nebraska; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 169. By Metzger of Cass, Ernest A. Adams of Douglas, Hanna of Cherry, Reed of Lancaster, Brodahl of Saunders, Van Diest of Loup.

A bill for an Act relating to banks and banking; to prescribe maximum charges by banks on installment loans; to fix the maximum discount rates on such loans; to impose additional restrictions on the making and collection of such loans; to provide penalties for violation of the provisions of the act; to repeal all acts and parts of acts inconsistent therewith; and to declare an emergency.

LEGISLATIVE BILL NO. 170. By Tvrdik of Douglas.

A bill for an Act to amend Sec. 8-155, C. S. Supp., 1939, relating to savings banks; to prescribe legal deposits and investments for such banks; to repeal said original section and to declare an emergency.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L.B. No.	Introducer	Committee Reference
142	Sullivan, et al	Government
143	Crosby, Gantz	Judiciary
144	Johnson, et al	Judiciary
145	Johnson, et al	Judiciary
146	Mekota, et al	Judiciary
147	Blome, Mischke	Judiciary

148	Matzke	Appropriations
149	Crosby	Revenue
150	Hanna, Carmody (By request)	Agriculture
151	Murphy, Callan	Appropriations
152	Mekota	Government
153	Thornton, et al	Banking, Comm. & Ins.
154	Peterson	Agriculture
155	Peterson	Revenue
156	Peterson, Matzke	Revenue
157	Blome, et al	Agriculture
158	Reed, et al	Public Works
159	Price	Judiciary

GENERAL FILE

Mr. Gantz presiding

LEGISLATIVE BILL NO. 5. Read and considered.

Mr. Peterson offered the following amendment, which was adopted:

Amend Section 2, line 4 by inserting after the figures "1939" the words "and under this act".

Referred to E and R for review.

LEGISLATIVE BILL NO. 6. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Fifteenth Day were adopted.

Mr. Lambert moved to refer to E and R for review.

Mr. Norman moved to indefinitely postpone.

The motion was lost.

Mr. Lambert withdrew his motion.

Ernest A. Adams offered the following amendments:

Line 12, following the word "same" insert the following: "nor has made application therefor".

Line 17, following the word "license" insert the following: "nor has made application therefor".

Mr. Greenamyre offered the following amendment to Mr. Adams' amendments:

After the word "therefor" in line 12, Section 1, that the words "and has depostied the prescribed fee therefor" be added.

Mr. Greenamyre's motion to amend was adopted.

Mr. Adams' amendment, as amended, was lost with 11 ayes, 22 nays, 10 not voting.

Mr. Reed presiding

Mr. Gantz moved to strike the sentence commencing "It shall also" in line 7, ending with the word "provided" in line 13.

After discussion Mr. Mueller moved the previous question.

The Gantz motion was lost with 10 ayes, 26 nays, 7 not voting.

Speaker Howard presiding

Referred to E and R for review.

LEGISLATIVE BILL NO. 40. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 8. Read and considered.

Referred to E and R for review.

NOTICE OF PUBLIC HEARING

Committee on Committees

Appointment of Mr. Clarke Wilson, Wakefield, as a member of the Game, Forestation and Parks Commission

Wednesday, February 5, 1941, 2:00 p. m.

Visitors

Mr. Joseph C. Reavis, a former member of the Legislature, was introduced and spoke briefly regarding the invitation extended by the Falls City Chamber of Commerce to the members of the Legislature.

Mr. Matzke introduced Mr. D. Linn Livers, president of the

Association of County Fairs in the State of Kansas, who addressed the Legislature briefly.

Adjournment

At 11:30 a. m. Mr. Sullivan moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Thursday.

The motion prevailed with 36 ayes, no nays, 7 not voting.

Hugo F. Srb,
Clerk of the Legislature.

SEVENTEENTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, January 30, 1941

Pursuant to adjournment, the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Reverend Thomas A. Barton of Lincoln, Nebraska.

The roll was called and all members were present except Mr. Amos Thomas, who was excused.

The Journal for the Sixteenth Day was approved as corrected.

NOTICE OF COMMITTEE HEARINGS

Public Health & Miscellaneous Subjects

L. B. No. 52, Wednesday, February 5, 1941, 2:00 p. m. (Rehearing)

L. B. No. 31, Friday, February 7, 1941, 2:00 p. m.

Judiciary

L. B. No. 104, Friday, February 7, 1941, 2:00 p. m.

L. B. No. 103, Wednesday, February 12, 1941, 2:00 p. m.

L. B. No. 112, Friday, February 14, 1941, 2:00 p. m.

L. B. No. 28, continued to Friday, February 14, 1941, 2:00 p. m.

L. B. No. 90, Monday, February 17, 1941, 2:00 p. m.

L. B. No. 98, Monday, February 17, 1941, 2:00 p. m.

RESOLUTIONS

Mr. Murphy asked, and unanimous consent was granted, to add the name of Harry E. Gantz to Legislative Resolution No. 3.

Mr. Murphy moved that Legislative Resolution No. 3 be adopted and requested a record vote.

Voting in the affirmative, 34:

Adams, J. Jr.	Garber	Metzger	Raecke
Asimus	Greenamyre	Mischke	Rakow
Blome	Hanna	Mueller	Reed
Bowman	Howard	Murphy	Thomas, Ray
Carlson	Jeppesen	Neubauer	Thornton
Carmody	Johnson	Norman	Tvrdik
Crosby	Knezacek	Peterson	Van Diest
Crossland	Kotouc	Price	Weborg
Gantz	Lambert		

Voting in the negative, 2:

Matzke	Mekota

Not voting, 7:

Adams, E. A.	Brodahl	Sorrell	Thomas, Amos
Bevins	Callan	Sullivan	

The resolution was adopted.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 171. By Hanna of Cherry, Gantz of Box Butte.

A bill for an Act to amend Sec. 17-401, C. S. Supp., 1939, relating to municipal corporations; to extend the delegated charter powers of cities of the second class and villages so that they may receive and safeguard donations in trust; to provide that the city or village, donee of the trust shall supervise and regulate the principal and income constituting the foundation or community trust by ordinance; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 172. By Gantz of Box Butte.

A bill for an Act relating to bounties; to provide the bounty hereafter to be paid by the state of Nebraska for the killing or destroying

of coyotes, bobcats and gray wolves; to prescribe procedure for claimants to obtain payment on claims made for said bounties; to create and establish the bounty fund in the office of the state treasurer; to provide that no moneys arising out of direct taxation upon real or personal property in the state of Nebraska shall ever be credited to said fund; to provide that said fund shall be replenished from time to time during the current or any succeeding biennium from the sale of hunting and fishing permits; to repeal Sec. 26-1801, C. S. Supp., 1939; and to declare an emergency.

LEGISLATIVE BILL NO. 173. By Crosby of Lincoln.

A bill for an Act to amend Section 24-604, Compiled Statutes of Nebraska, 1929, relating to corporations; to provide for the holding of real estate by charitable and fraternal corporations; and to repeal said original section.

LEGISLATIVE BILL NO. 174. By Sullivan, Tvrdik, Norman, Ernest A. Adams, John Adams, Jr. of Douglas; Callan of Gage, Lambert of Platte; Price, Reed of Lancaster; Hanna of Cherry, Carlson of Phelps, Crosby of Lincoln, Ray Thomas of Clay, Murphy of Scotts Bluff, Mischke of Knox, Gantz of Box Butte, Carmody of Hitchcock.

A bill for an Act to amend Secs. 71-1504, 71-1507, 71-1508 and 71-1518, C. S. Supp., 1939, relating to the practice of nursing; to prescribe the time when the bureau of education and registration for nurses shall file its annual report; to provide the method of making appointments to membership of the bureau; to provide for the appointment of a state director of nursing education; to prescribe the amount of annual re-registration fee; and to repeal said original sections.

LEGISLATIVE BILL NO. 175. By Matzke of Seward.

A bill for an Act to amend Section 45-101, Compiled Statutes of Nebraska, 1929, and Sec. 45-102, C. S. Supp., 1939, relating to interest; to provide that the total interest charged upon any loan or forbearance of money, goods, or things in action, shall not be less than one dollar; and to repeal said original section.

LEGISLATIVE BILL NO. 176. By Price of Lancaster.

A bill for an Act relating to public accountants; to amend Sec-

tions 1-101, 1-102, and 1-104, Compiled Statutes of Nebraska, 1929; to provide preliminary requirements for certification; to repeal said original sections; and to repeal Section 1-103, Compiled Statutes of Nebraska, 1929.

LEGISLATIVE BILL NO. 177. By Garber of Webster.

A bill for an Act to amend Secs. 81-7301 and 81-7303, C. S. Supp., 1939, relating to the **"commission on governmental cooperation"**; to fix the number and the personnel of the commission; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 178. By Garber of Webster.

A bill for an Act to amend Secs. 48-703 and 48-707 (d), C. S. Supp., 1939, relating to labor; to provide for the payment, amount and duration of benefits for unemployment compensation and the manner in which such benefits shall be charged to an employer's account; to define terms; to provide for the manner of determining the normal seasonal period or periods of a seasonal industry; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 179. By Blome of Cheyenne.

A bill for an Act to amend Sec. 32-1123, C. S. Supp., 1939, relating to elections; to provide that the filing fee to be paid by persons filing petitions for nomination for directors of public power districts shall be five dollars; and to repeal said original section.

LEGISLATIVE BILL NO. 180. By Neubauer of Harlan.

A bill for an Act to amend Sec. 88-224, C. S. Supp., 1939, relating to public grain warehouses; to fix fees for registering public grain warehouse receipts by the Nebraska state railway commission; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 181. By Blome of Cheyenne, Mischke of Knox.

A bill for an Act to amend Section 83-121, Compiled Statutes of Nebraska, 1929, relating to state institutions; to provide that in the purchase of materials, supplies or provisions for state institutions, preference shall be given to Nebraska products; and to repeal said original section.

LEGISLATIVE BILL NO. 182. By Mekota of Saline.

A bill for an Act to amend Sections 20-1912, 20-1914 and 33-105, Compiled Statutes of Nebraska, 1929, relating to civil procedure, district court; to provide proceedings for reversal, vacation or modification by the supreme court of judgments, decrees or final orders of district courts; to regulate details concerning notices, transcripts and undertakings on such appeals, and fees of the clerk of the supreme court; to prescribe the methods by which appeals shall be perfected; and to repeal said original sections.

LEGISLATIVE BILL NO. 183. By Howard of McPherson, Mueller of Buffalo.

A bill for an Act relating to revenue; to authorize the governing body of any county, precinct, township or towns, city, village or school district, to fund its general indebtedness; to authorize the issuance of funding bonds not to exceed an amount lawfully owing and unpaid upon its registered warrants and judgments plus accrued interest; to provide for the maximum rate of interest the bonds shall bear; to provide for the manner in which such bonds shall be issued; to provide for the levy of an annual tax for the payment of interest and principal on such bonds; to repeal Article 11, Chapter 11, C. S. Supp., 1939; and to declare an emergency.

LEGISLATIVE BILL NO. 184. By John Adams, Jr., Bevins, Sullivan of Douglas.

A bill for an Act to amend Secs. 48-702 (g) and 48-708, (b), C. S. Supp., 1939, relating to unemployment compensation; to re-define "employer"; to provide conditions under which employer's liability terminates; to repeal said original subsections and to declare an emergency.

LEGISLATIVE BILL NO. 185. By Mischke of Knox.

A bill for an Act relating to bonds of indebtedness; to require that seventy per cent of the votes cast at an election shall be favorable before any bonds of indebtedness shall be issued by any county, city, town, precinct, municipality or other political subdivision of the state of Nebraska; to amend Sections 11-404, 11-407, 11-410, 11-703 and 11-902, Compiled Statutes of Nebraska, 1929; and to repeal said original sections.

LEGISLATIVE BILL NO. 186. By Neubauer of Harlan.

A bill for an Act relating to revenue; to provide for regulation of billboard advertising within any county and municipality in the state of Nebraska; to authorize county boards and the governing bodies of

municipalities to levy a tax upon billboard advertising within their boundaries; and to provide for the enforcement thereof.

LEGISLATIVE BILL NO. 187. By Mischke of Knox.

A bill for an Act to amend Section 42-104, Compiled Statutes of Nebraska, 1929, relating to husband and wife; to require that before the issuance of a marriage license each applicant must present a certificate from a physician; and to repeal said original section.

LEGISLATIVE BILL NO. 188. By Callan of Gage.

A bill for an Act to repeal Sections 76-268 and 76-269, Compiled Statutes of Nebraska, 1929, relating to real property; to abolish the requirement that all deeds, mortgages and conveyances of Nebraska real estate shall truly and correctly state the consideration paid for such real estate; and to abolish the penalties.

LEGISLATIVE BILL NO. 189. By Tvrdik, Sullivan of Douglas.

A bill for an Act relating to labor; to create a "division of elevator inspection" in the department of labor, state of Nebraska; to create the office of elevator inspector; and to provide for the inspection and supervision of passenger and freight elevators.

LEGISLATIVE BILL NO. 190. By Blome of Cheyenne, Bevins of Douglas.

A bill for an Act to amend Sec. 48-707 (c), C. S. Supp., 1939, relating to labor, unemployment compensation and the employment of labor and free employment services; to prescribe future rates of contributions based on benefits experienced; to repeal said original subsection; and to declare an emergency.

LEGISLATIVE BILL NO. 191. By Gantz of Box Butte, Ernest A. Adams, Norman, Tvrdik of Douglas; Crosby of Lincoln, Van Diest of Loup, Murphy of Scotts Bluff, Hanna of Cherry.

A bill for an Act to amend Sec. 4, Article IX, constitution of Nebraska, relating to county and township officers; to amend Article XVII, constitution of Nebraska; and to provide for the effective date thereof.

LEGISLATIVE BILL NO. 192. By Mueller of Buffalo.

A bill for an Act to amend Secs. 8-194(b), 26-1315, 72-221, 75-101, 77-2606, 81-106, 81-6504, 81-6512, 83-107, 84-306, 85-118, 85-125, 85-301, 85-312, 53-314 and 28-1301, C. S. Supp., 1939, relating to mileage and expenses; to provide rules and regulations for the payment of claims for mileage and other traveling expenses; to prohibit the personal use by officers and employees of motor vehicles owned by the state of Nebraska; to provide penalties; and to repeal said original sections.

LEGISLATIVE BILL NO. 193. By Mueller of Buffalo.

A bill for an Act relating to the state of Nebraska; to provide for personnel classification and uniform salary schedules for certain state employees; to establish the **"salary standardization board"**; to provide for the membership of such board and to define its duties; to provide for hearings; to define the duties of certain state officers in connection herewith; and to provide for compliance with the findings of the board.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L.B. No.	Introducer	Committee Reference
160	Johnson	Banking, Comm. & Ins.
161	Kotouc, Murphy	Appropriations
162	Sullivan, Bevins	Government
163	Thornton, Bevins	Labor and Public Welfare
164	Rakow	Appropriations
165	Garber	Public Works
166	Garber	Labor and Public Welfare
167	Mekota	Judiciary
168	Gantz, et al	Appropriations
169	Metzger, et al	Banking, Comm. & Ins.
170	Tvrdik	Banking, Comm. & Ins.

MESSAGES FROM THE GOVERNOR

Board of Education of State Normal Schools

January 30, 1941

To the President and Members of the Legislature

Gentlemen:

For the information and consideration of your honorable body, I am pleased to advise you that I have re-appointed Edgar Ferneau of Auburn as a member of the Board of Education of State Normal Schools for the term ending January 14, 1947.

Respectfully submitted,

(Signed) Dwight Griswold
Governor

Board of Education of State Normal Schools

January 30, 1941

To the President and Members of the Legislature

Gentlemen:

For the information and consideration of your honorable body, I am pleased to advise you that I have appointed Mr. Everett L. Randall of Kearney as a member of the Board of Education of State Normal Schools for the term ending January 14, 1947.

Respectfully submitted,

(Signed) Dwight Griswold
Governor

The appointments were referred to the Committee on Committees.

Communication

A letter was read from the Legislative Bill Drafter advising that it would be humanly impossible for that department to comply with the requests now filed and have the bills ready for introduction on February 4, 1941, the twentieth legislative day of the present session.

Mr. Van Diest presiding

MOTION—To Extend Time for Introduction of Bills

Mr. President: I move that the rules be suspended and the time for introducing bills be extended one day for the fifty-fifth session.

(Signed) Howard

The motion prevailed with 31 ayes, no nays, 12 not voting.

GENERAL FILE

LEGISLATIVE BILL NO. 15. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the fifteenth day were adopted, excepting amendment No. 1, which was withdrawn.

Referred to E and R for review.

LEGISLATIVE BILL NO. 45. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 34. Read and considered.

Referred to E and R for review.

President Johnson presiding

REQUEST—To Add Names of Co-introducers

Mr. Mischke requested unanimous consent to add the name of Arthur Carmody as a co-introducer of L. B. No. 185.

No objection was raised and the President so ordered.

Mr. Sullivan requested unanimous consent to add the names of Jack W. Price and James E. Reed as co-introducers of L. B. No. 70.

No objection was raised and the President so ordered.

CONSENT—To Withdraw L. B. No. 11

Mr. Lambert requested unanimous consent to withdraw L. B. No. 11.

No objection was raised and the President so ordered.

MOTION—To Appoint Memorial Committee

Mr. President: I move that a Memorial Committee, consisting of five members, be appointed. (Signed) Gantz

The motion prevailed and the President appointed the following members to serve on said committee.

Gantz, Chairman
Carlson
John Adams, Jr.
Blome
Raecke

Adjournment

At 11:48 a. m. Mr. Mueller moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Friday.

The motion prevailed with 40 ayes, no nays, 3 not voting.

Hugo F. Srb,
Clerk of the Legislature.

EIGHTEENTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, January 31, 1941.

Pursuant to adjournment, the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Amos Thomas, who was excused.

The Journal for the Seventeenth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Murphy, two, favoring L. B. No. 51; Mr. Knezacek, two, favoring the purchase of Fort Hartsuff by the State of Nebraska; Mr. Mischke, one, favoring L. B. No. 110; all members, one, favoring liability insurance for drivers of automobiles.

The following petitions were received through Governor's office:

One, favoring a tax exemption on gasoline used in farm motors; one, opposing L. B. No. 64; one, favoring an old age pension regardless of property rights; two, opposing the barber bill.

Communication

A letter was read, signed by Mrs. Helen Anderson and others of Omaha, claiming that any person holding office under the authority of the United States shall not be eligible to or have a seat in the Legislature, and asking that a successor be appointed for Mr. Amos Thomas of the Ninth Legislative District.

NOTICE OF COMMITTEE HEARINGS

Appropriations

L. B. No. 129, Thursday, February 6, 1941, 2:00 p. m

L. B. No. 132, Thursday, February 6, 1941, 2:00 p. m.

L. B. No. 148, Thursday, February 6, 1941, 2:00 p. m.

L. B. No. 151, Thursday, February 6, 1941, 2:00 p. m.

Public Works

L. B. No. 7, continued to Wednesday, February 5, 1941, 3:00 p. m.

L. B. No. 19, continued to Wednesday, February 5, 1941, 2:00 p. m.

L. B. No. 61, Friday, February 7, 1941, 2:00 p. m.

L. B. No. 113, Friday, February 7, 1941, 3:00 p. m.

Government

L. B. No. 9, Wednesday, February 12, 1941, 2:00 p. m.

L. B. No. 12, Friday, February 7, 1941, 2:00 p. m.

L. B. No. 108, Friday, February 14, 1941, 2:00 p. m.

L. B. No. 110, Wednesday, February 19, 1941, 2:00 p. m.

L. B. No. 128, Friday, February 21, 1941, 2:00 p. m.

L. B. No. 135, Friday, February 21, 1941, 2:00 p. m.

L. B. No. 142, Wednesday, February 26, 1941, 2:00 p. m.

L. B. No. 152, Friday, February 21, 1941, 2:00 p. m.

L. B. No. 162, Wednesday, February 26, 1941, 2:00 p. m.

L. B. No. 201, Wednesday, February 12, 1941, 2:00 p. m.

Revenue

L. B. No. 70, Tuesday, February 18, 1941, 2:00 p. m.

L. B. No. 115, Thursday, February 20, 1941, 2:00 p. m.

L. B. No. 116, Thursday, February 20, 1941, 2:00 p. m.

L. B. No. 117, Thursday, February 20, 1941, 2:00 p. m.

L. B. No. 118, Thursday, February 20, 1941, 2:00 p. m.

L. B. No. 119, Thursday, February 20, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Banking, Commerce and Insurance

LEGISLATIVE BILL NO. 47. Placed on General File.

LEGISLATIVE BILL NO. 55. Placed on General File.

LEGISLATIVE BILL NO. 48. Placed on General File.

(Signed) Thornton, Chairman

Revenue

LEGISLATIVE BILL NO. 54. Indefinitely postponed.

LEGISLATIVE BILL NO. 37. Placed on General File.

(Signed) Murphy, Chairman

REQUEST—To Add Name of Co-Introducer

Mr. Bowman requested unanimous consent to add the name of A. J. Brodahl as a co-introducer of L. B. No. 110.

No objection was raised and the President so ordered.

REPORT—Clerk of Legislature

January 26,1941

To the President and Members of the

Legislature of Nebraska

Gentlemen:

A report of the expenditures for the 1939 regular and the 1940 special session of the Legislature and ad interim activities is submitted herewith. As in the previous report, I do not wish to detail duties performed during the interim. I do wish to mention the more important matters which have received attention by the clerk's office.

At the close of the regular and the special session, the journal clerk and engrossing clerk were retained to assist in the clerk's office; and a custodian was provided by the Legislature.

To compile the Session Laws it was necessary, after each session, to arrange the acts consistent with the Compiled Statutes, prepare "running titles", check each law and list the sections of the Statutes, Supplement or Session Laws that had been affected by the legislation passed in the last session, and prepare the general index in conformity with the index of the Compiled Statutes.

The Legislative Journal was proofed for the permanent volume and indexed. In addition to the general index, it contains a chronology of all bills introduced, showing the date and page of the Journal, for the progress and disposition of each bill. The general index was improved by including therein listings as appearing in the Session Laws and also a subject matter index of bills introduced and not passed, which formerly had been omitted.

A digest, covering the Introduction of Bills in other state legislatures and Congress, was prepared pursuant to motion adopted by the Legislative Council. A copy of the Digest and recommendations in connection therewith is submitted with this report to become a part of the records of the Legislature.

Pursuant to Legislative Resolutions No. 41 and No. 42, adopted by the Fifty-third Session, the Clerk, as custodian of legislative furniture (a) equipped quarters assigned to the Legislative Council; (b) furnished said quarters with regular and proper janitor service, as well as other rooms and quarters definitely assigned to the Legislature; (c) took complete control of all furniture and equipment of the legislative quarters so assigned; and (d) prepared, as directed, an inventory itemized and indexed, of the property, including furniture and equipment, assigned to or belonging to the Legislature of Nebraska. The report is on file in the office of the Legislative Council and the office of the Clerk of the Legislature.

During the interim the different legislative rooms have been used for various meetings of state departments for public lettings, public examinations, committee meetings and the like, and several hundred scheduled meetings have been held in the various rooms, in addition to many meetings not scheduled.

All records of previous unicameral sessions and activities of the Clerk's office are on file.

Respectfully submitted,

(Signed) Hugo F. Srb,
Clerk of the Legislature.

LEGISLATIVE EXPENSE, STATE OF NEBRASKA
From Jan. 1, 1939 to Jan. 1, 1941

	Appr. No.	Amount		Total
Salary of Members	E-2			74,999.74
Mileage of Members	E-3	557.70		
Mileage of Members	S-3	536.25		1,093.95
Salary of Off. & Employees.	E-4	43,103.97		
Salary of Off. & Employees.	S-4	1,642.58	44,746.55	
Salary, Clerk of Legis.	8	7,200.00		
Salary, Office, Clerk of L.	8-a	1,300.00	8,500.00	
Salary, Legislative Council	6-a	1,967.50		
Salary, Legislative Council	6	6,005.75	7,973.25	61,219.80
Postage	1	2,000.00		
Postage	E-5	4,895.00	6,895.00	
Postage	S-5		450.00	7,345.00
Office Supplies	E-5	3,280.75		
Office Supplies	S-5	207.54		3,488.29
Telephone	E-5	607.95		
Telephone	S-5	59.00		666.95
Journals (Daily)	E-5	2,679.07		
Journals (Daily)	S-5	130.59	2,809.66	
Printing Bills	E-5	4,360.84		
Printing Bills	S-5	183.70	4,544.54	
Session Laws (Separates)	E-5	630.77		
Session Laws (Separates)	S-5	23.52	654.29	
Bound Session Laws	10	2,119.54		
Bound Session Laws	S-5	260.80	2,380.34	
Perm. Legis. Journal	10	1,754.77		
Perm. Legis. Journal	S-5	174.74	1,929.51	12,318.34

	Appr. No.	Amount	Total
Signs and Cards	E-5		44.25
Flowers	E-5		19.28
C.S. Supp. 1937, Members	E-5	384.00	
C.S. Supp. 1939, Members	E-5	352.00	
C.S. Supp. 1939, R. Thomas	S-5	8.00	744.00
Transp. & Lodging	E-5		440.27
Repairs & Upkeep	E-5		106.70
Furniture & Fixtures	E-5		337.71
Office of Clerk—Maint.	8-b		432.34
Legislative Council (Maint. & Members' expense)	6	2,406.66	
Maintenance	6-a	636.09	3,042.75
Intergovernmental Coop.	5		500.00
Legis. Ins. Investigation	E-212		554.32
Grand total			$167,353.69

Note: S-5—Special Session, Total $3,676.72

December 31, 1940
Hugo F. Srb
Clerk of the Legislature.

MESSAGE FROM THE GOVERNOR

Nebraska Advisory Defense Committee

January 31, 1941

To the President and Members of the Legislature
Gentlemen:

I am enclosing herewith three copies of

> "A bill for an Act relating to national and state defense; to provide for the establishment of the **"Nebraska advisory defense committee"** and of other committees of defense; to prescribe the powers and duties thereof; and to declare an emergency."

In connection with this bill, I am writing this brief message in order that it may be called to your special attention. I feel that if Nebraska is to cooperate efficiently with the federal government in its national defense program, some advisory committee such as this

bill provides for is necessary. It will give to the state an agency through which the federal government can function and gather information regarding Nebraska's resources and possibilities from the standpoint of national defense.

It is my belief that such a committee can be of great benefit in assisting us to have defense contracts allotted to residents of this state, and I trust that it will be introduced and promptly passed with whatever amendments you feel will make it more effective.

Respectfully submitted,

(Signed) Dwight Griswold
Governor

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 194. By Peterson of Lancaster.

A bill for an Act to amend Section 30-205, Compiled Statutes of Nebraska, 1929, relating to wills; to provide for the execution of wills executed without the state of Nebraska; to promote uniformity of law among the states with respect to foreign executed wills; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 195. By Asimus of Holt, Weborg of Cuming.

A bill for an Act relating to game and fish; to require a license for each bird dog used for hunting purposes only; to establish a license fee therefor; and to provide penalties.

LEGISLATIVE BILL NO. 196. By Raecke of Merrick, Rakow of Antelope.

A bill for an Act to amend Sec. 39-1037, C. S. Supp., 1939, relating to rules of the road and registration and licenses for motor vehicles; to provide penalties for the violation thereof; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 197. By Blome of Cheyenne.

A bill for an Act to amend Sec. 39-11,100, C. S. Supp., 1939, relating to highways and bridges; to define reckless driving; to provide penalties; and to repeal said original section.

LEGISLATIVE BILL NO. 198. By Blome of Cheyenne.

A bill for an Act to amend Sec. 39-11,113, C. S. Supp., 1939, relating to highways and bridges; to provide that certain motor vehicles shall display warning flags at certain times; and to repeal said original section.

LEGISLATIVE BILL NO. 199. By Mueller of Buffalo.

A bill for an Act to amend Sections 77-1410, 77-1418, 77-1602, 77-1605, 77-1612, 77-1613, 77-1614, 77-1616 and 77-1806, Compiled Statutes of Nebraska, 1929; to amend Secs. 32-211, 33-129, 77-1006, 77-1609, 77-1801, 77-1804, 77-1805 and 77-1848, C. S. Supp., 1939, relating to county government and officers; to provide salaries to be paid to county assessors and their assistants; to provide that they shall make up the assessment books and tax lists; to provide for the assessment of motor vehicles; to provide that they shall work full time; to provide that their offices shall be separate from those of county clerks in counties having a population of more than four thousand; to repeal said original sections; to repeal Section 77-1604, Compiled Statutes of Nebraska, 1929; and to repeal Sec. 77-1445, C. S. Supp., 1939.

LEGISLATIVE BILL NO. 200. By Tvrdik, Norman of Douglas.

A bill for an Act to amend Section 39-1406, Compiled Statutes of Nebraska, 1929, relating to state highways; to provide for the allocation of the state highway fund arising from motor vehicle registration fees within the county; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 201. By Metzger of Cass, Gantz of Box Butte, Kotouc of Richardson, Murphy of Scotts Bluff, Lambert of Platte.

A bill for an Act relating to counties and county government; to grant additional powers to county boards of counties wherein a federal fort, airport or assembly plant for the construction or assembly of airplanes or plant for the manufacture of explosives, arms, munitions or any other industry or project owned or sponsored by the federal government for defense purposes is located, and to the county boards of counties adjacent thereto; to authorize and empower county boards, within their respective counties to regulate and restrict the height, number of stories and size of buildings and other structures, and the construction and sanitation of the same, the percentage of lot that may be occupied, the size of yards, courts or other open

spaces, the density of population, and the location and use of buildings, structures, automobile trailers, house trailers and land for trade, industry, residence or other purposes; to establish set back building lines in residential districts; to create a board in such counties to be known as the **"county zoning commission"**; to define the powers and duties of such commission; to provide a method of procedure; to authorize the imposition and enforcement of penalties; and to declare an emergency.

LEGISLATIVE BILL NO. 202. By Van Diest of Loup.

A bill for an Act to amend Sec. 70-707, C. S. Supp., 1939, relating to public power and irrigation districts; to provide that those using water for agricultural purposes shall have a preference over those using water for power purposes; to define **"just compensation"**; to provide procedure for the acquisition and appropriation by irrigation districts under the powers of eminent domain of any water being used for power purposes; and to repeal said original section.

LEGISLATIVE BILL NO. 203. By Blome of Cheyenne.

A bill for an Act to amend Sections 43-102 and 43-106, Compiled Statutes of Nebraska, 1929, relating to infants; to establish procedure for the adoption by a married person of any child of his or her spouse by a former marriage; and to repeal said original sections.

LEGISLATIVE BILL NO. 204. By Asimus of Holt.

A bill for an Act to amend Sec. 48-702 (g), C. S. Supp., 1939, relating to labor, unemployment compensation, and the employment of labor and free employment services; to re-define **"employer"**; to repeal said original subsection; and to declare an emergency.

LEGISLATIVE BILL NO. 205. By Gantz of Box Butte.

A bill for an Act to amend Section 46-112, Compiled Statutes of Nebraska, 1929, relating to irrigation districts; to empower the board of directors of irrigation districts to purchase and control real and personal property of the district, to sell, convey and lease any real or personal property owned by the district and to make all contracts and do all other acts in relation to the property and concerns of the district necessary to the exercise of its corporate powers; to provide that in cases where irrigation districts shall have acquired real estate, at a cost not to exceed three thousand dollars by gift, purchase or judicial proceeding, the boards of such districts may sell such real estate without submitting the question to the vote of the

electors; to provide for limitation of contracts of sale and for limitations of right to lease real estate costing in excess of three thousand dollars; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 206. By Sorrell of Otoe.

A bill for an Act to amend Sec. 48-115, C. S. Supp., 1939, relating to labor; to provide that the workmen's compensation law shall cover any firemen of any city or village when fighting fire or saving life or property beyond the corporate limits of the city or village, if authorized to go beyond the corporate limits by the city council or board of trustees; and to repeal said original section.

LEGISLATIVE BILL NO. 207. By Jeppesen of Dakota, Carmody of Hitchcock, Mueller of Buffalo, Reed of Lancaster.

A bill for an Act relating to wild life and game; to amend Secs. 37-101, 37-211, 37-213, 37-309, 37-405 and 37-501, C. S. Supp., 1939; to amend Sections 37-208, 37-306 and 37-609, Compiled Statutes of Nebraska, 1929; to establish rules and regulations relating to game and fish and hunting and fishing; to provide penalties; to repeal said original sections; to repeal Secs. 37-419, 37-423, 37-424, 37-425 and 37-426, C. S. Supp., 1939; and to repeal Sections 37-420 and 37-421, Compiled Statutes of Nebraska, 1929.

LEGISLATIVE BILL NO. 208. By Neubauer of Harlan.

A bill for an Act relating to monopolies and unlawful combinations; to prohibit the operation of motion picture theaters which are owned, controlled, managed or operated, in whole or in part, by producers or distributors of motion picture films, or in which such producers or distributors have any interest; to provide penalties for the violation thereof; and to declare an emergency.

LEGISLATIVE BILL NO. 209. By Mekota of Saline.

A bill for an Act to amend Sec. 33-127, C. S. Supp., 1939, relating to fees and salaries; to provide that the county judge shall be allowed the sum of three dollars for all inheritance tax hearings; and to repeal said original section.

LEGISLATIVE BILL NO. 210. By Mekota of Saline.

A bill for an Act relating to crimes and punishments; to declare it unlawful to disturb the peace; and to provide penalties.

LEGISLATIVE BILL NO. 211. By Mekota of Saline.

A bill for an Act relating to county government and officers; and to provide for the deposit of funds received and held by county judges in their official capacity.

LEGISLATIVE BILL NO. 212. By Howard of McPherson.

A bill for an Act to amend Secs. 27-319 and 27-321, C. S. Supp., 1939, relating to courts and actions; to provide for and to get permission for the bringing of actions against the state of Nebraska with respect to its ownership of or interest in bonds or other obligations issued by irrigation districts, drainage districts, municipal corporations, political or governmental subdivisions of the state of Nebraska; to provide where such actions may be brought; to provide the manner of service of process upon the state of Nebraska in such actions; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 213. By Weborg of Cuming.

A bill for an Act to provide for the acquisition, construction, improvement, operation and maintenance of bridges; to define the term **"bridge", "improvements", "cost of bridge", "state bridge commission," "county bridge commission", "city bridge commission"**; to authorize the creation of a state bridge commission of Nebraska or a county or city bridge commission; to provide for the rules and regulations necessary for its government; to authorize the construction or the acquisition by purchase or condemnation of any existing interstate bridge between the state of Nebraska and any adjoining state and across any river, navigable or non-navigable stream which forms a boundary between the state of Nebraska and any such state; to acquire by purchase, gift or otherwise a franchise to build bridges within the state of Nebraska and any adjoining state and across any river, navigable or non-navigable stream forming a boundary line between any county in the state of Nebraska and any other state in the United States; to provide means of acquisition by condemnation or purchase of any such bridge; to authorize any such bridge commission to exercise the power of eminent domain; to acquire all the necessary real estate and personal property located in this state and to acquire real estate and personal property located in adjoining states; to authorize the state bridge commission or any county or city bridge commission to issue revenue bonds and to secure the same by mortgage of the revenues of such bridge and by deed of trust of the properties thereof; to provide that any bonds when issued shall be eligible for investments in any trust or sinking funds of the state of Nebraska; to authorize said commission to col-

lect and distribute tolls and dispense with election and vote of electors in the issuance of such revenue bonds and to authorize said commissions to accept gifts and grants to construct bridges and to do everything necessary thereto and to issue such revenue bonds without an election or a vote of the electors; to authorize the refunding of said bonds; and to declare an emergency.

LEGISLATIVE BILL NO. 214. By Price of Lancaster, Rakow of Antelope.

A bill for an Act relating to liquors; to amend Sec. 53-329, C. S. Supp., 1939, prohibiting manufacturers, distributors or wholesalers of alcoholic liquors including beer, to extend credit to recipients of retailers' licenses; to repeal said original section; and to provide penalties for the violation thereof.

LEGISLATIVE BILL NO. 215. By Price of Lancaster.

A bill for an Act to amend Sec. 89-112, C. S. Supp., 1939, relating to weights and measures; to prescribe the size of container or packages of flour permitted to be sold in the state of Nebraska; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 216. By Bevins, Sullivan of Douglas.

A bill for an Act relating to the adoption of children; to prescribe when adoption shall be permitted; to ratify former adoptions; to prescribe the type and whose consents are necessary, the form of petition for filing in county court; to provide for an investigation of the merits of the petition, a hearing and notice thereof on said petition, the form and effect of the decree of adoption, the sealing of adoption records; to determine the rights of adopted children and their parents; to provide for an appeal from said order of adoption; to prescribe the manner of payment of fees of such proceedings; and to repeal Article 1, Chapter 43, Compiled Statutes of Nebraska, 1929.

LEGISLATIVE BILL NO. 217. By Thornton of Jefferson, Raecke of Merrick, Johnson of Dodge, Rakow of Antelope.

A bill for an Act to amend Sec. 33-114, C. S. Supp., 1939, relating to fees and salaries; to establish fees received by county clerk as ex-officio register of deeds in filing decree in probate proceedings as provided in Section 30-1302, Compiled Statutes of Nebraska, 1929; to repeal said original section and to declare an emergency.

LEGISLATIVE BILL NO. 218. By Johnson of Dodge, Kotouc of Richardson, Raecke of Merrick, Mischke of Knox.

A bill for an Act relating to agriculture; to provide for the regulation and licensing of frozen food and locker service plants by the department of agriculture and inspection; to define terms; to establish fees; to establish rules for the operation thereof; to provide for reports; and to establish penalties for the violation thereof.

LEGISLATIVE BILL NO. 219. By Crosby of Lincoln.

A bill for an Act to amend Sec. 8-1,124, C. S. Supp., 1939, relating to banks and banking; to fix the maximum salary or compensation for deputies, examiners or assistants therein; and to repeal said original section.

LEGISLATIVE BILL NO. 220. By Howard of McPherson, Crosby of Lincoln, Bowman of Adams, Neubauer of Harlan.

A bill for an Act to amend Section 24-812, Compiled Statutes of Nebraska, 1929, relating to religious societies; to provide for the change of name of local or state religious corporations, if and when the national or parent religious corporation, having jurisdiction including the state of Nebraska, changes that part of its name which is common to both parent and local bodies; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 221. By Callan of Gage, Sorrell of Otoe, Murphy of Scotts Bluff, Peterson of Lancaster, John Adams, Jr., Ernest A. Adams of Douglas.

A bill for an Act relating to public welfare, public health and social security; to establish a state surplus agricultural revolving fund to effect the more punctual administration of the assistance laws of said state; specifically to appropriate from the general fund of the state of Nebraska the sum of three hundred thousand dollars for the uses and purposes of said revolving fund; to provide for the repayment to the general fund of the state of Nebraska of the sum so appropriated; to amend Sec. 68-324, C. S. Supp., 1939; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 222. By Committee on Appropriations. (Official Budget Bill presented by Governor Dwight Griswold)

A bill for an Act making appropriations for the state government of the state of Nebraska for the biennium beginning July 1, 1941, and ending June 30, 1943; prescribing conditions for the determination of the levy of state taxes for the state general fund; reciting limits and conditions on the expenditure of funds from the appropriations so made; and to declare an emergency.

LEGISLATIVE BILL NO. 223. By Committee on Appropriations. (Official Budget Bill presented by Governor Dwight Griswold)

A bill for an Act to provide for the payment of the salaries of the officers of the Nebraska state government for the biennium ending June 30, 1943; to prescribe conditions for payment thereof; and to declare an emergency.

LEGISLATIVE BILL NO. 224. By John Adams, Jr., Ernest A. Adams of Douglas.

A bill for an Act to amend Sec. 33-143, C. S. Supp., 1939, relating to fees and salaries; to fix the **per diem** and mileage of grand jurors and petit jurors; and to repeal said original section.

LEGISLATIVE BILL NO. 225. By John Adams, Jr., Ernest A. Adams of Douglas.

A bill for an Act to amend Section 20-1321, Compiled Statutes of Nebraska, 1929, relating to judgments; to prescribe the contents of the judgment record; to authorize the court to abbreviate the complete record; and to repeal said original section.

LEGISLATIVE BILL NO. 226. By John Adams, Jr., Ernest A. Adams of Douglas.

A bill for an Act to amend Section 20-1923, Compiled Statutes of Nebraska, 1929, relating to civil procedure, district court; to prescribe the duties of clerks of district courts in a review on appeal with reference to the care and disposition of bills of exception transmitted to them from the clerk of the supreme court; and to repeal said original section.

LEGISLATIVE BILL NO. 227. By John Adams, Jr., Ernest A. Adams of Douglas.

A bill for an Act to amend Sec. 26-115, C. S. Supp., 1939, relating to county government and officers; to provide for the payment of claims against the county for fees of jurors with deductions for

delinquent personal taxes due from such jurors; to provide for the immediate delivery of jurors' pay warrants; and to repeal said original section.

LEGISLATIVE BILL NO. 228. By Price of Lancaster, Sorrell of Otoe, Crossland of Wayne, Mueller of Buffalo, Johnson of Dodge, Matzke of Seward.

A bill for an Act to amend Secs. 37-502 and 37-505, C. S. Supp., 1939, relating to game and fish; to establish rules for fishing and for the taking of fish; to establish rules for the sale and barter of game animals and game fish; and to repeal said original sections.

LEGISLATIVE BILL NO. 229. By Kotouc of Richardson.

A bill for an Act relating to the state of Nebraska; to provide that in the purchase of petroleum products for the state of Nebraska those petroleum products which are produced and refined in the state of Nebraska shall be purchased, whenever possible.

LEGISLATIVE BILL NO. 230. By Johnson of Dodge, Raecke of Merrick.

A bill for an Act to amend Section 16-663, Compiled Statutes of Nebraska, 1929, relating to municipal corporations; to provide that cities of the first class having a population of more than five thousand and less than twenty-five thousand may use funds or earnings arising from the operation of water works, gas works, power plants, heating or lighting systems solely for the payment of expenses, improvements, extensions and additions to said works or systems or for reserve for depreciation, improvements, extensions and additions, and for no other purpose unless authorized by a majority vote of the electors voting on the proposition to divert the funds at a general or special election for the uses and purposes of another municipal activity specifically named in the proposal submitted; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 231. By Norman, Bevins, Tvrdik, John Adams, Jr., Sullivan of Douglas; Hanna of Cherry, Carlson of Phelps, Reed of Lancaster.

A bill for an Act to amend Secs. 32-903, 32-1806 and 32-1809, C. S. Supp., 1939; to amend Sections 32-1804, 32-1808, 32-1813, 32-1814, 32-1816 and 32-1820, Compiled Statutes of Nebraska, 1929, relating to elections; to establish rules and regulations for elections in counties having a population over one hundred fifty thousand; to

establish salaries of election officials; and to repeal said original sections.

LEGISLATIVE BILL NO. 232. By Peterson of Lancaster, Murphy of Scotts Bluff, Van Diest of Loup, Callan of Gage, Matzke of Seward, Gantz of Box Butte.

A bill for an Act relating to national and state defense; to provide for the establishment of the **"Nebraska advisory defense committee"** and of other committees of defense; to prescribe the powers and duties thereof; and to declare an emergency.

LEGISLATIVE BILL NO. 233. By Raecke of Merrick.

A bill for an Act to amend Section 69-111, Compiled Statutes of Nebraska, 1929, relating to chattel mortgages; to provide penalty for failure of the mortgagor to exhibit for inspection the mortgaged property on demand of the mortgagee or his agent at reasonable hours; and to repeal said original section.

LEGISLATIVE BILL NO. 234. By Lambert of Platte, Metzger of Cass. Gantz of Box Butte, Callan of Gage, Murphy of Scotts Bluff, Greenamyre of Madison, Jeppesen of Dakota, Raecke of Merrick, Thornton of Jefferson, Carmody of Hitchcock; Bevins, John Adams, Jr., Tvrdik, Norman of Douglas; Crosby of Lincoln, Weborg of Cuming, Carlson of Phelps, Hanna of Cherry, Van Diest of Loup, Blome of Cheyenne, Mischke of Knox, Johnson of Dodge, Ray Thomas of Clay, Knezacek of Valley, Matzke of Seward, Brodahl of Saunders, Crossland of Wayne, Howard of McPherson; Price, Peterson of Lancaster; Asimus of Holt, Kotouc of Richardson, Bowman of Adams, Neubauer of Harlan, Sorrell of Otoe.

A bill for an Act relating to public welfare, public health and social security; to empower the board of control of state institutions, the county boards of the several counties and other departments and agencies of the state of Nebraska to cooperate with and

to enter into contracts with the United States department of agriculture; and to declare an emergency.

LEGISLATIVE BILL NO. 235. By Sorrell of Otoe.

A bill for an Act to amend Sec. 1, Article VIII, constitution of Nebraska, relating to revenue; to amend Article XVII, constitution of Nebraska; and to provide for the effective date thereof.

MOTION—That L. B. No. 201 Be Read Second Time

Mr. President: I move that the rules be suspended and that L. B. No. 201 be read the second time and referred to committee today. (Signed) Metzger

The motion prevailed with 35 ayes, no nays, 8 not voting.

CONSENT—To Add Names of Co-introducers

Upon request by Mr. Peterson, unanimous consent was granted to permit members who wished to sign L. B. No. 232 as co-introducers to do so.

The following names were so added: Johnson of Dodge, Kotouc of Richardson, Neubauer of Harlan, Ray Thomas of Clay, Mischke of Knox, John Adams, Jr. of Douglas, Weborg of Cuming.

MESSAGE FROM THE GOVERNOR

Member, Board of Control

January 31, 1941

To the President and Members of the Legislature
Gentlemen:

For the information and consideration of your honorable body, I am pleased to advise you that I have appointed Mr. Henry H. Dudley of Omaha as a member of the Board of Control of State Institutions for a six-year term beginning in 1941.

Respectfully submitted,

(Signed) Dwight Griswold
Governor

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L.B. No.	Introducer	Committee Reference
201	Metzger, et al	Government
171	Hanna, Gantz	Government
172	Gantz	Agriculture
173	Crosby	Judiciary
174	Sullivan, et al	Public Health & Misc. Subs.
175	Matzke	Banking, Comm. & Ins.
176	Price	Public Health & Misc. Subs.
177	Garber	Government
178	Garber	Labor and Public Welfare
179	Blome	Public Works
180	Neubauer	Agriculture
181	Blome, Mischke	Appropriations
182	Mekota	Judiciary
183	Howard, Mueller	Revenue
184	J. Adams, Jr., et al	Labor and Public Welfare
185	Mischke, Carmody	Revenue
186	Neubauer.	Revenue
187	Mischke	Public Health & Misc. Subs.
188	Callan	Judiciary
189	Tvrdik, Sullivan	Labor and Public Welfare
190	Blome, Bevins	Labor and Public Welfare
191	Gantz, et al	Government
192	Mueller	Appropriations
193	Mueller	Government

Adjournment

At 11:37 a. m. Mr. Tvrdik moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Monday.

The motion was lost with 17 ayes, 17 nays, 9 not voting.

Thanks for Apples

John Adams, Jr. moved that Mr. Sorrell thank Mr. Banning, for the apples distributed to the Legislators.

The motion prevailed.

Adjournment

At 11:43 a. m. Mr. Mischke moved that the Legislature adjourn.

The motion prevailed with 19 ayes, 13 nays, 11 not voting.

Hugo F. Srb,
Clerk of the Legislature.

NINETEENTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, February 3, 1941.

Pursuant to adjournment, the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Reverend Harold C. Gosnell, pastor of Holy Trinity Episcopal Church of Lincoln, Nebraska.

The roll was called and all members were present except Mr. Rakow, who was excused.

The Journal for the Eighteenth Day was approved as corrected.

PETITIONS AND MEMORIALS

Mr. Brodahl introduced a petition favoring the passage of L. B. No. 110.

A letter was read, which was received through the Governor's office, opposing the barber bill.

NOTICE OF COMMITTEE HEARINGS

Judiciary

L. B. No. 120, Wednesday, February 19, 1941, 2:00 p. m.

L. B. No. 124, Wednesday, February 19, 1941, 2:00 p. m.

Agriculture

L. B. No. 88, Thursday, February 13, 1941, 2:00 p. m.

L. B. No. 154, Thursday, February 13, 1941, 3:00 p. m.

Public Health & Miscellaneous Subjects

L. B. No. 4, Friday, February 7, 1941, 2:00 p. m.

L. B. No. 43, Friday, February 7, 1941, 2:00 p. m.

L. B. No. 44, Friday, February 7, 1941, 2:00 p. m.

L. B. No. 86, Friday, February 7, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Public Works

LEGISLATIVE BILL NO. 10. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 10:

1. Amend the bill, page 3, section 20, line 42, by striking therefrom the word **"first"** and by inserting in lieu thereof the word **"second"**.

2. Amend the bill, page 3, section 20, line 46, by striking therefrom the words and figures **"in the year 1946"** and by inserting in lieu thereof **"as these terms expire"**.

3. Amend the bill, page 4, section 19, by striking all of said section after the word "office" in line 10 therein, down to and including the word **"annum."**, in line 14 of said section.

(Signed) Mischke, Chairman

LEGISLATIVE BILL NO. 20. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 20:

1. Amend page 2, section 1, line 10, by striking therefrom the words "one hundred and fifty" and by inserting in lieu thereof the words "five hundred".

LEGISLATIVE BILL NO. 21. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 21:

1. Amend page 2, section 1, line 31, by inserting after the word "employees" the words "and appointees".

2. Amend page 2, section 1, line 34, by striking the colon

after the word "expedient" and inserting in lieu thereof a period—strike the remainder of the section and insert in lieu thereof: "Said board is also empowered to establish and maintain reserves and funds and provide for premiums for the purposes authorized in this section and to adopt plans under which the beneficiaries shall contribute."

3. Amend the title of the bill in line 8, by inserting the words "plans and" after the word "under".

4. Amend the title of the bill in lines 9, and 10, by striking the comma after the word "board" in line 9, and by striking the words "the cost thereof to be charged to current operating expense".

(Signed) Sorrell, Chairman

REQUEST—To Withdraw Name as Co-introducer

Mr. Weborg requested unanimous consent to withdraw his name as a co-introducer of L. B. No. 195.

No objection was raised and the President so ordered.

REQUEST—To Add Name as Co-introducer

Mr. Sorrell that unanimous consent be granted to add the name of Mr. Carlson to L. B. No. 133.

No objection was raised and the President so ordered.

MOTION—To Reserve Telephones for Use of Members

Mr. Sullivan moved that the Committee on Legislative Administration be instructed to reserve the use of the telephones in the post office for the use of members of the Legislature.

The motion prevailed and the President so ordered.

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 4. Falls City Chamber of Commerce.

In Appreciation of Hospitality and Entertainment Furnished to the Members of this Legislature and State Officers by the Falls City Chamber of Commerce.

Introduced by George T. Sullivan of Douglas

Preamble

WHEREAS, the members of the fifty-fifth Session, Nebraska State Legislature, 1941, while visiting the oil fields were honored guests of and entertained by the Falls City Chamber of Commerce on January 29, 1941, and

WHEREAS, while as such guests, our hosts spared no pains to extend many kindly courtesies and much thoughtful hospitality to members of this Legislature during said visit, and

WHEREAS, the members of this body desire to express their most sincere appreciation for the entertainment and the hospitality extended, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-FIFTH REGULAR SESSION ASSEMBLED:

1. That the members of this Legislature extend a vote of thanks to the Falls City Chamber of Commerce for their thoughtfulness in providing for our entertainment in their city on January 29, 1941.

2. That a copy of this resolution be spread at large upon the Journal of this Legislature; and that the Clerk be directed to forward a copy of this resolution, properly authenticated and suitably engrossed to the Falls City Chamber of Commerce.

Mr. Brodahl presiding

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 236. By Metzger of Cass.

A bill for an Act to amend Section 71-2206, Compiled Statutes of Nebraska, 1929, relating to public health and welfare; to provide that the director of health for the department of health shall appoint at least one member of the profession of medicine and surgery, one member of the profession of osteopathy and one member of the profession of chiropractic to the state board of examiners in the basic sciences; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 237. By Johnson of Dodge, John Adams, Jr., of Douglas.

A bill for an Act relating to personal property; to prescribe rules and regulations governing and controlling trust receipts and pledges of personal property unaccompanied by possession in the pledgee; to

make uniform the law with reference thereto; to designate a short title; and to state interpretation and validity clauses.

LEGISLATIVE BILL NO. 238. By Price of Lancaster.

A bill for an Act to amend Sec. 86-301, C. S. Supp., 1939, relating to telephone and telegraph companies; to provide that telegraph and telephone companies may construct telephone and telegraph lines, including repeater stations, upon and under any of the school, university, saline, or other lands of the state of Nebraska; and to repeal said original section.

LEGISLATIVE BILL NO. 239. By Price of Lancaster.

A bill for an Act to amend Section 72-238, Compiled Statutes of Nebraska, 1929, relating to school lands and funds; to provide that the board of educational lands and funds may grant easements to telephone companies for the purpose of establishing buried cable lines across school lands of the state of Nebraska; and to provide for the method of determining the compensation to be paid for the easement granted; and to repeal said original section.

LEGISLATIVE BILL NO. 240. By Mekota of Saline, Murphy of Scotts Bluff.

A bill for an Act relating to crimes and punishments; to define terms; to prohibit possession or use of machine guns except under certain conditions; to regulate the manufacture and registration thereof; to empower the issuance of search warrants as a means of enforcement of this act; to state severability and interpretation clauses; to designate a short title; and to repeal Section 28-1011, Compiled Statutes of Nebraska, 1929.

LEGISLATIVE BILL NO. 241. By Raecke of Merrick, Gantz of Box Butte.

A bill for an Act relating to carriers; to provide that the issue of bills of lading by any common carrier shall be governed by the provisions of this act; to prescribe the essential terms that are embodied in the forms in bills of lading; to state the obligations and rights of carriers upon their bills of lading; to provide rules and regulations for the negotiation and transfer of bills; to define criminal offenses in connection with the issuance of bills of lading and their incidents; to set forth the interpretation which should be placed upon the provisions of this act; to define penalties for the violation thereof; to state a saving clause and a short title for this act.

LEGISLATIVE BILL NO. 242. By Gantz of Box Butte.

A bill for an Act to amend Sec. 32-1203, C. S. Supp., 1939, relating to elections; to provide for filling vacancies on the ballot after the primary election for the offices of county judge and county superintendent; and to repeal said original section.

LEGISLATIVE BILL NO. 243. By Matzke of Seward.

A bill for an Act to waive release, and abandon all claims to certain lands in the State of Nebraska.

LEGISLATIVE BILL NO. 244. By Gantz of Box Butte.

A bill for an Act to amend Sec. 72-211, C. S. Supp., 1939, relating to school lands and funds; to provide that school lands not exceeding six hundred and forty acres in the aggregate may be sold to the United States of America and to cities, villages or counties within the state of Nebraska for the purpose of use as aviation fields and as fields for aerial traffic; to provide for obtaining from the owners assignments of contracts of sale and of lease contracts on school lands desired for such purposes and for the condemnation of the interest of the holders of sale and lease contracts thereon if assignments cannot be procured; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 245. By Gantz of Box Butte.

A bill for an Act to amend Section 79-208, Compiled Statutes of Nebraska, 1929, relating to schools; to provide for the selection of sites for school buildings; and to repeal said original section.

LEGISLATIVE BILL NO. 246. By Johnson of Dodge.

A bill for an Act relating to property; to assimilate interests in real and personal property to each other; to simplify their creation and transfer; to protect the owners of present and future interests; to abolish estates in fee tail and fee simple conditional; to abolish certain ancient technical rules concerning the effect of certain language in conveyances; to provide for cross-remainders by implication in certain cases; to provide for the effect of conveyances in cases of identity of grantor and grantee; to make certain provisions concerning conveyances between husband and wife; to provide for damages recoverable for waste; to establish a rule of construction tending to make uniform the law of property among those states which adopt similar acts; to designate a short title; to state clauses

concerning interpretation and retroactiveness; to repeal Sections 76-105, 76-106, 30-202, 76-237, 20-2129 and 20-2130, Compiled Statutes of Nebraska, 1929, and all acts or parts of acts in conflict herewith.

LEGISLATIVE BILL NO. 247. By Brodahl of Saunders.

A bill for an Act to amend Sec. 32-1164, C. S. Supp., 1939, relating to elections; to provide that delegates to county conventions of the several political parties shall, in the organization and transaction of their business, elect a county chairman; and to repeal said original section.

LEGISLATIVE BILL NO. 248. By Raecke of Merrick.

A bill for an Act relating to insurance; to provide rules and regulations governing and controlling the operations of insurers transacting the business of workmen's compensation insurance under the supervision of the director of insurance for the department of insurance; and to state a validity clause.

LEGISLATIVE BILL NO. 249. By Raecke of Merrick.

A bill for an Act relating to partnerships; to make uniform the law pertaining thereto: to provide for the citation of this act; to define the nature of a partnership; to state the relations of partners to persons dealing with the partnership; to define the relations of partners to one another; to define the property rights of a partner; to prescribe a procedure for the dissolution and winding-up of partnerships; and to repeal all acts and parts of acts inconsistent with this act.

LEGISLATIVE BILL NO. 250. By Price of Lancaster.

A bill for an Act relating to corporations; to enact a general corporation law for Nebraska relating to corporations, foreign and domestic organized for pecuniary profit; to provide for their incorporation, operation, management, control, regulation, merger, consolidation, dissolution and for the renewal, extension or restoration of their corporate existence; to provide for the domestication of foreign corporations; and to repeal Article I, Chapter 24, Compiled Statutes of Nebraska, 1929, and Sec. 24-113, C. S. Supp., 1939; to repeal Article II, Chapter 24, Compiled Statutes of Nebraska, 1929, and Sec. 24-208, C. S. Supp., 1939; to repeal Sections 24-301, 24-302 and 24-303, Compiled Statutes of Nebraska, 1929; and to declare an emergency.

LEGISLATIVE BILL NO. 251. By Price of Lancaster.

A bill for an Act relating to corporations; to make uniform the law of transfer of shares of stock in corporations; to amend Section 20-1520, Compiled Statutes of Nebraska, 1929; to define terms; to designate a short title; and to repeal said original section.

LEGISLATIVE BILL NO. 252. By Mischke of Knox.

A bill for an Act to appropriate ten per cent of all fees remitted into the state treasury by the state board of examiners in medicine, osteopathy, chiropractic, dentistry, optometry, pharmacy, embalming (including fees received from applicant or practicing funeral directors and undertakers as well as embalmers), chiropody and veterinary medicine, the state board of cosmetologist examiners, the state board of barber examiners, the athletic division under the governor, the bureau of education and registration for nurses, the state real estate commission, state brand fund of the secretary of state, the state board of professional engineering and architectural examiners and by any other state board, bureau, division, fund or commission, not mentioned above, now existing or hereafter created, if and when specifically appropriated or reappropriated by the legislature during any biennium; to direct the method of handling fees remitted into the state treasury by each of said boards, bureaus, divisions and commissions, as provided by law; specifically to appropriate ten per cent of all said fees remitted into the state treasury during the biennium ending June 30, 1943, for the uses and purposes of the general fund of the state; to repeal Secs. 33-158, 33-159 and 33-160, C. S. Supp., 1939, as of June 30, 1941; and to declare an emergency.

LEGISLATIVE BILL NO. 253. By Sullivan, Tvrdik, Norman of Douglas.

A bill for an Act relating to railroads; to provide that railroads shall furnish hospital facilities for their employees in certain cases; to establish rules; and to provide penalties.

LEGISLATIVE BILL NO. 254. By Raecke of Merrick, Sullivan of Douglas.

A bill for an Act to permit the city of Grand Island, Nebraska, to file suit against the state of Nebraska in the district court of Hall County, Nebraska, for the purpose of obtaining a fair and impartial adjudication as to its right to obtain a refund of two thousand dollars, paid as a filing fee for an application for a storage reservoir; to provide for the waiver of sovereignty on the part of the state of Nebraska for the prosecution of said suit; to waive the defense of the statute of limitations on behalf of the state; and to declare an emergency.

LEGISLATIVE BILL NO. 255. By Mischke of Knox.

A bill for an Act to amend Sec. 12-124, C. S. Supp., 1939, relating to official bonds; to provide that county boards may pay the premiums on surety bonds of county treasurers and deputy county treasurers; to provide for a refund; and to repeal said original section.

LEGISLATIVE BILL NO. 256. By Raecke of Merrick.

A bill for an Act relating to personal property; to regulate conditional sales and to make uniform the law relating thereto; to provide penalties for the violation thereof; to prescribe rules for the interpretation thereof; to designate a short title therefor; and to repeal all acts and parts of acts in conflict therewith.

LEGISLATIVE BILL NO. 257. By Mekota of Saline.

A bill for an Act to amend Sections 20-202 and 20-216, Compiled Statutes of Nebraska, 1929, relating to civil procedure, district court; to establish the time of commencement of civil actions for the recovery of the title or possession of real estate and for the foreclosure of mortgages thereon; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 258. By Mekota of Saline.

A bill for an Act to amend Section 76-218, Compiled Statutes of Nebraska, 1929, relating to real property; to establish rules and regulations for the recording of instruments affecting the title to real property; to provide for the cancellation of record of real estate mortgages and contracts; to establish the period for which the record of such mortgages and contracts shall constitute notice as against subsequent encumbrancers or purchasers for value; to repeal said original section and to declare an emergency.

LEGISLATIVE BILL NO. 259. By Mekota of Saline.

A bill for an Act to amend Section 32-1110, Compiled Statutes of Nebraska, 1929, relating to elections; to provide for the election of delegates to county conventions; and to repeal said original section.

LEGISLATIVE BILL NO. 260. By Blome of Cheyenne.

A bill for an Act relating to crimes and punishments; to define larceny from stores, shops and other places of business, commonly

known as shoplifting; to provide that such larceny, and the buying or receiving of property so stolen shall be a felony; and to define penalties.

LEGISLATIVE BILL NO. 261. By Price of Lancaster.

A bill for an Act to amend Sec. 33-120, C. S. Supp., 1939, relating to fees and salaries; to provide the compensation which sheriff shall receive for return of execution without levy, for attending before judge or court in criminal cases; and to repeal said original section.

LEGISLATIVE BILL NO. 262. By Peterson of Lancaster.

A bill for an Act to amend Section 85-402, Compiled Statutes of Nebraska, 1929, relating to the state university and normal schools; to provide for the construction and financing of buildings for dormitories and for boarding, housing and student activity purposes; and to repeal said original section.

LEGISLATIVE BILL NO. 263. By Carlson of Phelps, Hanna of Cherry, Greenamyre of Madison, Matzke of Seward.

A bill for an Act relating to crimes and punishments; to provide that the making, drawing, uttering or delivering of checks, drafts or orders for the payment of money upon any bank or other depository, in which the maker or drawer has no account or deposit, shall constitute a felony; and to provide penalties.

LEGISLATIVE BILL NO. 264. By Price of Lancaster.

A bill for an Act relating to decedents' estates; to provide for the summary settlement of estates of deceased persons where the real estate, if any, is wholly exempt, and the personal property, if any, does not exceed in amount and value the personal taxes, costs, reasonable expenses of administration and attorneys' fees, exemptions from liability for debts, expenses of funeral and last sickness, debts due the United States, and reasonable allowances for the family of the deceased; to provide for taxation and remission of costs; to amend Sections 30-332, 30-333 and 30-334, Compiled Statutes of Nebraska, 1929; to repeal said original sections; to provide that this act may be cited as the **"small estates act"**; to state a validity clause; and to provide that the remedy granted by the same shall be cumulative.

LEGISLATIVE BILL NO. 265. By Price of Lancaster.

A bill for an Act relating to guardians; to provide for the summary disposition without guardianship of estates consisting of personal property of less value than five hundred dollars belonging to minors or incompetent persons; and to provide for the summary termination of guardianships of minors or incompetents where the personal assets in the hands of the guardian amount to less than five hundred dollars and the ward is not the owner of real estate.

LEGISLATIVE BILL NO. 266. By Callan of Gage.

A bill for an Act to authorize the construction of a bridge or bridges across the Big Blue river near the boundary line of the state of Kansas, out of the state gasoline tax fund; and to provide for condemnation proceedings.

LEGISLATIVE BILL NO. 267. By Mischke of Knox, Johnson of Dodge, Neubauer of Harlan, Van Diest of Loup, Mueller of Buffalo, Knezacek of Valley.

A bill for an Act relating to highways and bridges; to establish rules of the road for pedestrians; to prohibit hitch hiking; and to provide penalties.

LEGISLATIVE BILL NO. 268. By Crossland of Wayne, Crosby of Lincoln.

A bill for an Act relating to crimes and punishments; to prohibit defamation of building and loan associations; and to provide penalties for the violation thereof.

LEGISLATIVE BILL NO. 269. By Blome of Cheyenne, Crosby of Lincoln, Mischke of Knox, Van Diest of Loup, Reed of Lancaster.

A bill for an Act to amend Sections 26-204, 26-205, 26-267 and 26-269, Compiled Statutes of Nebraska, 1929; to amend Sec. 32-215, C. S. Supp., 1939, relating to counties under township organization; to prescribe the method and manner of districting and redistricting such counties; to provide procedure on appeal from action of the commissioners or board in such districting or redistricting to district and supreme courts; to provide for change in terms of office of supervisors after redistricting; to repeal said original sections; and to repeal Section 26-206, Compiled Statutes of Nebraska, 1929.

LEGISLATIVE BILL NO. 270. By Sullivan, Bevins of Douglas.

A bill for an Act relating to railroads; to require railroads to give immediate notice of serious accidents occurring on their lines operated within the state of Nebraska to the Nebraska state railway commission; to prescribe the duties of the commission upon receipt of such notice; and to provide penalties for the violation thereof.

LEGISLATIVE BILL NO. 271. By Crossland of Wayne, Crosby of Lincoln.

A bill for an Act to amend Sections 8-304 and 8-312, Compiled Statutes of Nebraska, 1929, relating to banks and banking; to determine and fix the rights of a shareholder in a building and loan association to withdraw all or part of his or her stock payments; to determine and fix the rights of a building and loan association to repurchase and retire its outstanding shares; to determine and fix the method and authorize and direct the distribution of the residue of earnings of a building and loan association after the payment of expenses and the setting aside of a sum for the reserve funds; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 272. By Asimus of Holt, Mueller of Buffalo, Blome of Cheyenne, Johnson of Dodge, Ray Thomas of Clay.

A bill for an Act to amend Sec. 60-801, C. S. Supp., 1939, relating to motor vehicles; to provide that the fee for towing each automobile upon the highways of the state of Nebraska shall be three dollars; and to repeal said original section.

LEGISLATIVE BILL NO. 273. By Sorrell of Otoe.

A bill for an Act to amend Sec. 2-101, C. S. Supp., 1939, and Section 2-102, Compiled Statutes of Nebraska, 1929, relating to agriculture; to provide for elections by the state board of agriculture; to provide for the election of officers thereof and to establish their terms; and to repeal said original sections.

LEGISLATIVE BILL NO. 274. By Sorrell of Otoe.

A bill for an Act to amend Sec. 35-606, C. S. Supp., 1939, relating to rural fire protection districts; to prescribe the limitation on their indebtedness; and to repeal said original section.

LEGISLATIVE BILL NO. 275. By Howard of McPherson, Hanna of Cherry, Gantz of Box Butte, Van Diest of Loup, Metzger of Cass, Kotouc of Richardson, Blome of Cheyenne, Murphy of Scotts Bluff, Carmody of Hitchcock, Crosby of Lincoln, Carlson of Phelps, Mischke of Knox.

A bill for an Act to amend Sec. 54-710, C. S. Supp., 1939, relating to livestock; to provide for brand inspection of all cattle shipped or transported out of the brand area; to provide certain exceptions; to provide penalties; to provide a validity clause; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 276. By Hanna of Cherry, Howard of McPherson, Gantz of Box Butte, Van Diest of Loup, Metzger of Cass, Kotouc of Richardson, Blome of Cheyenne, Murphy of Scotts Bluff, Carmody of Hitchcock, Crosby of Lincoln, Carlson of Phelps, Mischke of Knox.

A bill for an Act relating to livestock; to provide for the sale and distribution of the proceeds, of all cattle for which satisfactory ownership cannot be established; to establish the "estray fund"; to provide for the recovery of expenses for keeping and feeding estrays; and to define terms.

LEGISLATIVE BILL NO. 277. By Howard of McPherson, Hanna of Cherry, Gantz of Box Butte, Van Diest of Loup, Metzger of Cass, Kotouc of Richardson, Blome of Cheyenne, Murphy of Scotts Bluff, Carmody of Hitchcock, Crosby of Lincoln, Carlson of Phelps, Mischke of Knox.

A bill for an Act relating to live stock; to regulate and restrict the sale, purchase and slaughter of branded and unbranded livestock; to provide penalties; and to declare an emergency.

LEGISLATIVE BILL NO. 278. By Howard of McPherson, Hanna of Cherry, Gantz of Box Butte, Metzger of Cass, Kotouc of Richardson, Blome of Cheyenne, Murphy of Scotts Bluff, Carmody of Hitchcock, Crosby of Lincoln, Carlson of Phelps, Mischke of Knox.

A bill for an Act to amend Sec. 54-149—**54-140,** C. S. Supp., 1939, relating to livestock; to establish the requirement of a bill of sale for the sale of branded livestock; to provide a validity clause; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 279. By Sorrell of Otoe.

A bill for an Act relating to minerals, oil and gas; to establish rules and regulations for the disposal of waste products, including salt water, from any oil or gas well; to define the duties of the state engineer; and to provide penalties.

LEGISLATIVE BILL NO. 280. By Van Diest of Loup, Mischke of Knox, Kotouc of Richardson, Metzger of Cass.

A bill for an Act relating to county government and officers; and to prescribe the qualifications of county surveyors in counties having fifteen thousand or more inhabitants.

LEGISLATIVE BILL NO. 281. By Sorrell of Otoe, Crosby of Lincoln; Amos Thomas, Bevins, Tvrdik, Sullivan of Douglas.

A bill for an Act relating to the state of Nebraska; to establish the Nebraska agricultural and industrial development and advertising commission and to define its powers, duties and purposes; to prescribe the membership thereof; to appropriate the sum of one hundred thousand dollars therefor; to amend Secs. 81-7401, 81-7402 and 81-7403, C. S. Supp., 1939; to repeal said original sections; and to declare an emergency.

President Johnson presiding

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L.B. No.	Introducer	Committee Reference
194	Peterson	Judiciary
195	Asimus	Agriculture
196	Raecke, Rakow	Judiciary
197	Blome	Judiciary
198	Blome	Public Works
199	Mueller	Government
200	Tvrdik, et al	Public Works
202	Van Diest	Public Works

203	Blome	Judiciary
204	Asimus	Labor & Public Welfare
205	Gantz	Public Works
206	Sorrell	Labor & Public Welfare
207	Jeppesen, et al	Agriculture
208	Neubauer	Banking, Comm. & Ins.
209	Mekota	Judiciary
210	Mekota	Judiciary
211	Mekota	Government
212	Howard	Judiciary
213	Weborg	Public Works
214	Price, Rakow	Judiciary
215	Price	Banking, Comm. & Ins.
216	Bevins, Sullivan	Judiciary
217	Thornton, et al	Government
218	Johnson, et al	Agriculture
219	Crosby	Banking, Comm. & Ins.
220	Howard, et al	Public Health & Misc. Subs.
221	Callan, et al	Appropriations
222	Committee on Appropriations	Appropriations
223	Committee on Appropriations	Appropriations
224	J. Adams, Jr., E. A. Adams	Judiciary
225	J. Adams, Jr., E. A. Adams	Judiciary
226	J. Adams, Jr., E. A. Adams	Judiciary
227	J. Adams, Jr., E. A. Adams	Government
228	Price, et al	Agriculture
229	Kotouc	Public Health & Misc. Subs.
230	Johnson, Raecke	Public Works
231	Norman, et al	Government
232	Peterson, et al	Public Health & Misc. Subs.
233	Raecke	Judiciary
234	Lambert, et al	Judiciary
235	Sorrell	Revenue

SELECT FILE

LEGISLATIVE BILL NO. 2. Referred to E. and R for engrossment with 26 ayes, no nays, 17 not voting.

LEGISLATIVE BILL NO. 1. Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL NO. 47. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 55. Read and considered.

Mr. Greenamyre offered the following amendments, which were adopted:

Amend subdivision 1, line 21, by striking the word "fifty" and substituting the word "twenty-five" therefor.

Amend the title by striking the word "fifty" in the third line and substituting therefor the word "twenty-five".

Referred to E and R for review.

LEGISLATIVE BILL NO. 48. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 37. Read and considered.

Referred to E and R for review.

Adjournment

At 10:48 a. m. Mr. Weborg moved to adjourn.

Mr. Tvrdik moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Tuesday.

The motion prevailed with 36 ayes, no nays, 7 not voting.

Hugo F. Srb,
Clerk of the Legislature.

TWENTIETH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, February 4, 1941.

Pursuant to adjournment, the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the Nineteenth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Callan, Mr. Greenamyre, one each, favoring the exemption from taxation of gasoline used in farm motors; Mr. Blome, one, opposing the recommendations of the State Planning Board in regard to the educational system in Nebraska; Mr. Mueller, one, opposing any legislation to regulate pump irrigation; Mr. Matzke, one, favoring jury service for women; Mr. Bowman, one, favoring the present hunting and fishing license fee; Ray Thomas, one, favoring a reapportionment of the salary of members of the Legislature.

The following petitions were received through the Governor's office: one, opposing barber shop regulations; one, favoring further control of bindweed; one, regarding game laws.

Member Excused

Mr. Mischke was excused for the sessions on February 5 and 6.

NOTICE OF COMMITTEE HEARINGS

Judiciary

L. B. No. 137, Wednesday, February 19, 1941, 2:00 p. m.

L. B. No. 138, Wednesday, February 19, 1941, 2:00 p. m.

Labor and Public Welfare

L. B. No. 131, Monday, February 10, 1941, 2:00 p. m.

L. B. No. 41, Monday, February 10, 1941, 2:00 p. m.

Education

L. B. No. 134, Monday, February 10, 1941, 2:00 p. m.

L. B. No. 139, Monday, February 10, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Education

LEGISLATIVE BILL NO. 79. Placed on General File.

LEGISLATIVE BILL NO. 80. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 80:

1. Page 3, Section 1, line 48, after the word "shall" add ", if possible,".

2. Page 3, Section 1, line 49, after the word "owner" add "or owners, or the authorized agent or representative of the owner or owners".

LEGISLATIVE BILL NO. 109. Placed on General File.

(Signed) Matzke, Chairman

Enrollment and Review

LEGISLATIVE BILL NO. 2. Correctly engrossed.

LEGISLATIVE BILL NO. 1. Correctly engrossed.

LEGISLATIVE BILL NO. 40. Placed on Select File.

LEGISLATIVE BILL NO. 5. Placed on Select File with amendments.

E and R amendments to L. B. No. 5:

1. Amend the title, page 1, line 3, by inserting the words "each of" after the word "during" and before the word "the".

2. Amend the bill, page 2, section 1, line 5, by inserting the words "each of" after the word "during" and before the word "the".

3. Amend the title, page 1, line 3, by striking the word "a" after "1942," and insert in lieu thereof the words "an annual".

4. Amend the bill, page 2, section 1, line 6, by striking the word "a" after the word "levy" and insert in lieu thereof the words "an annual".

LEGISLATIVE BILL NO. 8. Placed on Select File with amendments.

E and R amendments to L. B. No. 8:

1. Amend the bill, title, page 1, line 3 by inserting the punctuation ";" after the word "Board" and before the conjunction "and" therein.

LEGISLATIVE BILL NO. 45. Placed on Select File with amendments.

E and R amendments to L. B. No. 45:

1. Amend the bill, page 2, section 1, lines 1, 2, 12 and 13 and page 1, title, line 4 by striking therefrom "Game, Forestation and Parks Commission" and by inserting in lieu thereof the words "game, forestation and parks commission".

2. Amend the bill, page 2, section 1, line 4 and page 1, title, line 3 by striking therefrom wherever the same appears in each of said lines the words "Railroad Fish Car" and by inserting in lieu thereof the words "railroad fish car".

LEGISLATIVE BILL NO. 6. Placed on Select File with amendments.

E and R amendments to L. B. No. 6:

1. Amend the bill, page 1, title, lines 4 and 5 by dividing the word "cigarettes" as follows: ciga-rettes.

2. Amend the bill, page 2, section 1, line 23 by inserting the punctuation "." after the word "days" therein.

(Signed) Crosby, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 4. Mr. Sullivan moved its adoption.

The motion prevailed and the resolution was adopted.

REQUEST—To Add Name as Co-introducer

Mr. Peterson requested that unanimous consent be granted to add the name of Mr. Crosby as a co-introducer of L. B. No. 262.

No objection was raised and the President so ordered.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 282. By Weborg of Cuming.

A bill for an Act to amend Sections 45-112, 45-119, 45-120 and 45-121, Compiled Statutes of Nebraska, 1929, relating to interest; to establish maximum rates of interest to be charged by licensed money lenders; to define terms; to establish rules for the regulation of licensed money lenders; to define the duties of the secretary of state; to provide penalties for the violation thereof; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 283. By Carmody of Hitchcock.

A bill for an Act to amend Sec. 26-1801, C. S. Supp., 1939, relating to county government and officers; to provide that counties may pay a bounty of one dollar for each coyote killed in the county; and to repeal said original section.

LEGISLATIVE BILL NO. 284. By Carmody of Hitchcock.

A bill for an Act relating to schools; to provide for equitable distribution of the temporary school fund and any other state funds for the purpose of public elementary and high school education by establishing an equalization system; to repeal Sections 79-222, 79-223, 79-224 and 79-2003, Compiled Statutes of Nebraska, 1929; to repeal Sec. 79-2002, C. S. Supp., 1939; and to declare an emergency.

LEGISLATIVE BILL NO. 285. By Crosby of Lincoln.

A bill for an Act to amend Section 46-606, Compiled Statutes of

Nebraska, 1929, relating to irrigation; to provide that the owner of any storage capacity for appropriating water may change the point of diversion of, or the line of any flume, ditch of aqueduct; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 286. By Crosby of Lincoln.

A bill for an Act to amend Section 44-502, Compiled Statutes of Nebraska, 1929, relating to insurance; to provide for the valuation of life insurance policies at rates of interest not less than two per cent; and to repeal said original section.

LEGISLATIVE BILL NO. 287. By Crosby of Lincoln.

A bill for an Act to amend Section 81-113, Compiled Statutes of Nebraska, 1929, relating to state administrative departments of the state of Nebraska; to provide that, in the discretion of the governor, any employee, may be required to furnish bond, and, when so required, the premium on such bond shall be paid by the state; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 288. By Crosby of Lincoln.

A bill for an Act to amend Sections 76-807 and 76-808, Compiled Statutes of Nebraska, 1929, relating to real property; to exempt the state engineer, state surveyor, any county surveyor, or the duly authorized agents or employees of such officers while in the performance of their duties, from the provisions and penalties of the statutes relating to trespass; and to repeal said original sections.

LEGISLATIVE BILL NO. 289. By Ernest A. Adams, Sullivan of Douglas; Johnson of Dodge, Greenamyre of Madison.

A bill for an Act relating to public lettings; to provide for the letting of certain contracts for public improvements as competitive bidding; to provide that the provisions of this act shall be cumulative with and supplemental to Chapter 73, C. S. Supp., 1939.

LEGISLATIVE BILL NO. 290. By Ernest A. Adams of Douglas.

A bill for an Act to amend Sec. 81-103, C. S. Supp., 1939, relating to the civil government of the state of Nebraska; to prescribe the maximum salaries to be paid to certain heads of executive departments appointed by the governor; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 291. By Peterson of Lancaster, Van Diest of Loup.

A bill for an Act to amend Sec. 32-1164, C. S. Supp., 1939, relating to elections; to provide that delegates to the county convention may not authorize others to appear for or act for them in their stead; and to repeal said original section.

LEGISLATIVE BILL NO. 292. By Thornton of Jefferson; John Adams, Jr., Tvrdik, Norman, Sullivan, Bevins of Douglas; Greenamyre of Madison, Mueller of Buffalo, Sorrell of Otoe.

A bill for an Act relating to municipal corporations; to provide for the creation of a police civil service commission in cities of the metropolitan class, and in cities of the first class having a population of five thousand or more inhabitants; to permit the creation of such commissions in cities of the second class and villages having a population of less than five thousand inhabitants; to prescribe the method of appointment of members of such commissions and their powers, duties and qualifications; to provide the manner and means by which such powers shall be exercised and the persons affected thereby; to provide for the adoption by such commissions of rules and regulations governing the administration of their duties; to prescribe the qualifications of candidates for the police force, members thereof and the chief of police in all cities affected thereby; to prescribe the manner of selection of members of the police force and the chief of police; to provide for the method of ascertaining and fixing the seniority rights of members of the police force; to provide the method of demotion, elevation and suspension of members; to provide for hearings and appeals therefrom; to require the giving of testimony; to prohibit false testimony, campaign contributions for political purposes, or any violation of any provision thereof; to prescribe penalties for the violation thereof; to repeal all acts or parts of acts in conflict therewith; to state a validity clause; and to declare an emergency.

LEGISLATIVE BILL NO. 293. By Rakow of Antelope, Reed of Lancaster.

A bill for an Act relating to public welfare and safety; to provide for the storage, handling and utilizing of liquefied petroleum gases; to define terms; to establish the duties of the state fire marshal in connection therewith; to provide penalties; and to state a validity clause.

LEGISLATIVE BILL NO. 294. By Reed, Peterson, Price of Lancaster.

A bill for an Act relating to drainage; to provide for the discontinuance of the activities of any sanitary district organized under the provisions of Article 6, Chapter 31, Compiled Statutes of Nebraska, 1929, as amended; to prescribe procedure for effecting such discontinuance; to vest the property and rights of such district in cities or villages and in the county boards of counties in which the districts are located; and to provide for a vote of the electors in such sanitary district.

LEGISLATIVE BILL NO. 295. By Kotouc of Richardson.

A bill for an Act to amend Sections 50-114, 49-501, 49-502, 49-504, 49-506 and 49-508, Compiled Statutes of Nebraska, 1929, relating to the legislature; to provide for the distribution of all session laws and legislative journals through the clerk of the supreme court, acting as state librarian, in the interest of economy and efficiency as part of the plan to merge and consolidate agencies now rendering service incidental to the work of the legislature; to limit the number of session laws and legislative journals to be printed during any biennium in view of the number of volumes probably required to supply the demand therefor; to repeal said original sections; to repeal Sections 49-503 and 49-505, Compiled Statutes of Nebraska, 1929; and to declare an emergency.

LEGISLATIVE BILL NO. 296. By Asimus of Holt.

A bill for an Act to amend Secs. 60-302 and 77-1451, C. S. Supp., 1939, relating to revenue; to establish rules as to the registration of motor vehicles owned by itinerant merchants and used in their business; to define terms; and to repeal said original sections.

LEGISLATIVE BILL NO. 297. By Greenamyre of Madison (By request), Metzger of Cass, Sorrell of Otoe, Kotouc of Richardson.

A bill for an Act to amend Sec. 8-122, C. S. Supp., 1939, relating to banks and banking; to make provisions for the chartering of a bank in any town where one or more banks are already in operation; and to repeal said original section.

LEGISLATIVE BILL NO. 298. By Johnson of Dodge.

A bill for an Act to amend Secs. 66-601, 66-602 and 66-309,

C. S. Supp., 1939, relating to motor vehicle fuels; to provide specifications with respect to signs and placards indicating the sale price of said fuels; and to repeal said original sections.

LEGISLATIVE BILL NO. 299. By Gantz of Box Butte, Kotouc of Richardson, John Adams, Jr. of Douglas.

A bill for an Act to provide for recompilation, editing, publishing and distributing the statutes of Nebraska; to repeal Article 4, Chapter 49, Compiled Statutes of Nebraska, 1929; and to declare an emergency.

LEGISLATIVE BILL NO. 300. By Committee on Judiciary.

A bill for an Act relating to statutes and laws; to provide for the compilation, authentication, publication and sale of a **"1941" cumulative supplement"** to the **"compiled statutes of Nebraska, 1929"**; to direct the clerk of the supreme court as state librarian under the supervision of the supreme court to arrange or contract for the same without cost to the state; to fix a maximum retail price for such supplement; and to declare an emergency.

LEGISLATIVE BILL NO. 301. By Neubauer of Harlan, Crosby of Lincoln.

A bill for an Act to amend Section 32-206, Compiled Statutes of Nebraska, 1929, relating to elections; to amend Sec. 33-109, C. S. Supp., 1939; to provide that in counties having a population less than eight thousand inhabitants the county board may by resolution, retain the office of clerk of the district court; to provide for the salary of said clerk; and to repeal said original sections.

LEGISLATIVE BILL NO. 302. By Ernest A. Adams, Norman, Sullivan of Douglas.

A bill for an Act relating to public health and welfare; to define bedding and upholstered furniture; to regulate the use of sanitary materials therein; to provide for license fee and licensing of the manufacture, repair or renovating of such articles; to provide for enforcement of the provisions of this act; to prescribe penalties for violations thereof; to repeal Section 71-2307, Compiled Statutes of Nebraska, 1929; and to declare an emergency.

LEGISLATIVE BILL NO. 303. By Mischke of Knox.

A bill for an Act to amend Sec. 72-707, C. S. Supp., 1939, relating to public property; to provide that state officers and other agencies of the state, except the legislature and the supreme court, shall notify the tax commissioner of the purchase of any furniture or equipment prior to such purchase and again after the same has been received; to amend Section 84-502, Compiled Statutes of Nebraska, 1929; to provide that the clerk of the legislature shall be custodian of all legislative property; to establish his duties in connection therewith; and to repeal said original sections.

LEGISLATIVE BILL NO. 304. By Mischke of Knox.

A bill for an Act to amend Sec. 5, 6 and 7, Article III, constitution of Nebraska, relating to the legislature; to provide that the legislative authority of the state shall be vested in a legislature consisting of one chamber; to provide that each member thereof shall be elected for a term of four years, except in nineteen hundred and forty-four in even numbered districts, when they shall be elected for a term of two years; to provide for staggered terms; to provide for annual sessions; to fix the salaries of the members; and to provide that this amendment shall be in full force and take effect on the first Thursday after the first Tuesday in January, nineteen hundred and forty-three.

LEGISLATIVE BILL NO. 305. By Mischke of Knox.

A bill for an Act to repeal Article 10, Chapter 60, C. S. Supp., 1939, relating to title and transfer of motor vehicles; and to declare an emergency.

LEGISLATIVE BILL NO. 306. By Raecke of Merrick.

A bill for an Act to amend Section 77-701, Compiled Statutes of Nebraska, 1929, as amended, relating to revenue; to provide that intangible property owned by corporations shall be taxed in the taxing district where the business is transacted; and to repeal said original section.

LEGISLATIVE BILL NO. 307. By Metzger of Cass.

A bill for an Act to amend Sec. 37-201, C. S. Supp., 1939, relating to game and fish; to provide that no tax or permit shall be required from a farmer when killing wild life in the protection of his own property; and to repeal said original section.

LEGISLATIVE BILL NO. 308. By Raecke of Merrick.

A bill for an Act to amend Secs. 68-115 and 68-116, C. S. Supp., 1939, relating to poor persons; to prescribe a legal settlement for such persons; to provide regulations pertaining to the movement of certain poor persons and to prescribe a penalty for the violation of said regulations; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 309. By Matzke of Seward.

A bill for an Act to amend Section 62-1802, Compiled Statutes of Nebraska, 1929, relating to negotiable instruments; to expedite and to simplify the collection and payment by banks of checks and other instruments for the payment of money; and to repeal said original section.

LEGISLATIVE BILL NO. 310. By Reed of Lancaster.

A bill for an Act to amend Sec. 48-707 (f), C. S. Supp., 1939, relating to labor and unemployment compensation; to provide for successive employers' reserve accounts, contribution and benefit experience, payrolls and the determination of the contribution rate of successive employers; and to repeal said original subsection.

LEGISLATIVE BILL NO. 311. By Johnson of Dodge, Greenamyre of Madison.

A bill for an Act relating to the state of Nebraska; to provide that all revenues of the state of Nebraska shall go into the general fund; to provide for appropriations and the disposition of unexpended balances; and to declare an emergency.

LEGISLATIVE BILL NO. 312. By Greenamyre of Madison.

A bill for an Act to amend Sections 44-327, 44-328 and 44-329, Compiled Statutes of Nebraska, 1929, relating to insurance; to provide that no person shall act as a soliciting agent for any insurance company or negotiate or place risks, unless the company, his principal, is an admitted company in this state; to provide for annual registration of certain agents and brokers of insurance; to provide that such agents and brokers must annually procure a registration certificate from the department of insurance; to provide that a soliciting agent must be a natural person; to provide for the issuance of a broker's certificate to other than a natural person; to provide a penalty for the violation thereof; to provide rules and regulations governing and controlling applications to the department of insurance

for issuance of registration certificates to insurance agents or brokers; to provide the basis and form of procedure for denying the issuance of such certificates either upon original or renewal applications or for the revocation of such certificates; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 313. By Greenamyre of Madison.

A bill for an Act relating to revenue; to provide methods for listing tangible and intangible property for purposes of taxation; to provide that certificates of ownership shall be used in all transactions by any person in which interest on bonds of domestic or foreign corporations is involved; to require that certificates of ownership in such transactions shall be returned at least one time during each thirty days to the county assessor of the county in which the owner resides; to require foreign corporations, any of whose stock is owned by residents of this state, to qualify in the office of the secretary of the state and thereafter report to the tax commissioner a list of their resident share holders; to declare that the provisions of this act shall be cumulative with and supplemental to existing laws on the same subject; to state a saving clause; and to declare an emergency.

LEGISLATIVE BILL NO. 314. By Greenamyre of Madison (By request)

A bill for an Act relating to criminal procedure; to provide that where the defendant shall propose to offer in his defense testimony to establish an alibi on his behalf; and to repeal all acts and parts of acts in so far as they conflict therewith.

LEGISLATIVE BILL NO. 315. By Greenamyre of Madison.

A bill for an Act to amend Sec. 60-1006, C. S. Supp., 1939, relating to motor vehicles; to provide that certificates of title shall be issued in quadruplicate; to provide that the original shall be delivered to the owner and a copy delivered to the owner and a copy delivered to any lien holder; and to repeal said original section.

LEGISLATIVE BILL NO. 316. By Greenamyre of Madison.

A bill for an Act to amend Sec. 26-108, C. S. Supp., 1939, relating to county government and officers; to provide procedure whereby county boards may finance the construction, improvement or repair of county buildings; and to repeal said original section.

LEGISLATIVE BILL NO. 317. By Greenamyre of Madison.

A bill for an Act to amend Section 44-328, Compiled Statutes of Nebraska, 1929, relating to insurance; to prescribe procedure for the licensing of insurance agents; to fix a penalty for the violation thereof; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 318. By Jeppesen of Dakota.

A bill for an Act relating to revenue; to levy an annual excise tax on the use and furnishing of stamps, coupons, tickets, certificates, cards or other similar device or devices, for or with the sale of goods, wares and merchandise; to provide that the proceeds of the excise tax levied shall inure to the state assistance fund; to provide penalties for the the violation thereof; and to declare an emergency.

LEGISLATIVE BILL NO. 319. By Jeppesen of Dakota.

A bill for an Act relating to revenue; to provide for property tax relief by the levying, collecting and paying of taxes on incomes of individual taxpayers and by the levying, collecting and paying of taxes or excises with respect to the carrying on or doing business by corporations, joint stock associations or limited partnerships, based upon net income; to provide penalties for the violation thereof; and to declare an emergency.

Member Excused

Mr. Sorrell was excused for the remainder of the day.

BILLS ON FIRST READING (continued)

LEGISLATIVE BILL NO. 320. By Jeppesen of Dakota, Ray Thomas of Clay.

A bill for an Act to amend Sec. 1, Article VIII, Constitution of Nebraska, relating to revenue; to amend Article XVII, Constitution of Nebraska; and to provide for the effective date thereof.

LEGISLATIVE BILL NO. 321. By Reed of Lancaster.

A bill for an Act relating to revenue; to provide that nonresident itinerant merchants shall stop at ports of entry upon entering the state; and to define the duties and establish the powers of the inspectors at such ports of entry.

LEGISLATIVE BILL NO. 322. By Blome of Cheyenne; Norman, Sullivan, Ernest A. Adams, of Douglas; Crosby of Lincoln, Brodahl of Saunders.

A bill for an Act relating to public convenience and welfare; to regulate the professional practice of photography; to establish the state board of photographic examiners; to establish their powers and duties; to define terms; to provide for fees; to establish the "photography fund"; and to provide penalties.

LEGISLATIVE BILL NO. 323. By Peterson of Lancaster, Ray Thomas of Clay, Sorrell of Otoe, Neubauer of Harlan, Rakow of Antelope.

A bill for an Act relating to agriculture; to authorize the Nebraska state board of agriculture to refund **"Nebraska state fair grand stand debentures"** heretofore issued by an issue of **"Nebraska state fair grand stand bonds"** in an amount not exceeding two hundred fifty-six thousand dollars; to provide that the refunding bonds authorized to be issued shall be paid solely out of moneys derived from earnings arising out of admissions paid for admittance to the grand stand at the Nebraska state fair grounds and from no other source; and to declare an emergency.

LEGISLATIVE BILL NO. 324. By Rakow of Antelope.

A bill for an Act relating to decedents' estates; to provide procedure for the examination of persons concealing property or writings belonging to an estate when such persons are not in the county where administration is granted; to provide damages for conversion of estate property; and to provide penalties.

LEGISLATIVE BILL NO. 325. By Rakow of Antelope.

A bill for an Act relating to county government and officers; and to prescribe the qualifications of county judges in counties having six thousand or more inhabitants.

LEGISLATIVE BILL NO. 326. By Rakow of Antelope.

A bill for an Act to amend Section 77-2203, Compiled Statutes of Nebraska, 1929, relating to revenue; to prescribe the date when inheritance tax and the interest thereon shall be ascertained and assessed; to provide the time when inheritance tax ceases to be a lien upon real estate; to create a presumption concerning the payment of inheritance tax; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 327. By Price, Reed of Lancaster; Van Diest of Loup.

A bill for an Act relating to liquors, to regulate advertising of alcoholic liquor by licensed liquor retailers; to prohibit certain kinds of liquor advertising; and to provide penalties for the violation thereof.

LEGISLATIVE BILL NO. 328. By John Adams, Jr. of Douglas (By request)

A bill for an Act relating to the blind; to create a state agency for the blind in and for the state of Nebraska; to prescribe its personnel, its duties and powers; to provide for improving the conditions of the blind of this state under the authority of such agency; to appropriate for the uses and purposes of such agency, for the biennium ending June 30, 1943, the sum of twenty thousand dollars; to state a validity clause; and to repeal Sections 83-311, 83-312, 83-313, 83-314, 83-315, 83-316, 83-317, 83-318 and 83-319, Compiled Statutes of Nebraska, 1929.

LEGISLATIVE BILL NO. 329. By Mekota of Saline.

A bill for an Act to amend Sec. 32-209, C. S. Supp., 1939, relating to elections; to provide for the election of a register of deeds in counties having a population of fourteen thousand and less than one hundred fifty thousand; and to repeal said original section.

LEGISLATIVE BILL NO. 330. By Callan of Gage.

A bill for an Act to amend Sec. 70-701, C. S. Supp., 1939, relating to public power and irrigation districts; to define the term "municipality" with respect to the extension thereof to include incorporated cities or villages to which districts shall furnish electrical energy; to repeal said original section; to state a validity clause; and to declare an emergency.

LEGISLATIVE BILL NO. 331. By Bevins, Tvrdik of Douglas.

A bill for an Act to amend Sec. 53-398, C. S. Supp., 1939, relating to liquors; to provide that local governing bodies of municipalities may recommend the issuance of licenses to sell beer at retail within their corporate limits unless objected to by a sufficient petition signed by the qualified electors of the city or village of such number as shall equal fifty-one per cent of the votes cast at the last general election held therein; and to repeal said original section.

LEGISLATIVE BILL NO. 332. By Norman, Tvrdik, Sullivan, Bevins of Douglas.

A bill for an Act relating to schools; to establish a retirement system for employees of school districts in cities of the metropolitan class other than those employees now under a pension or retirement plan; to provide for a retirement fund and the administration thereof; to define certain offenses under this act and to provide penalties therefor; and to state a validity clause.

LEGISLATIVE BILL NO. 333. By Norman, Tvrdik, Sullivan, Bevins of Douglas; Kotouc of Richardson, Mueller of Buffalo.

A bill for an Act to authorize a preference in governmental contracts and purchases in favor of supplies, provisions, materials and labor; manufactured, grown, produced or available in the state of Nebraska; to provide such preference shall not be for articles of inferior quality to those offered by competitors outside the state of Nebraska; to establish and authorize a differential in cost in favor of Nebraska products and labor of equal quality; directing notice of such preference be given in all requests, notices and advertisements for bids; and to declare an emergency.

LEGISLATIVE BILL NO. 334. By Committee on Appropriations.

A bill for an Act to amend Sec. 54-914, C. S. Supp., 1939, relating to livestock; to provide compensation to be paid by the state of Nebraska to owners of bovine animals ordered slaughtered in the eradication of bovine tuberculosis; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 335. By Trvdik, Sullivan of Douglas.

A bill for an Act to amend Sec. 24-1314, C. S. Supp., 1939, relating to cooperative companies; to prescribe the interest rate which cooperative credit associations may be permitted to charge and collect; and to repeal said original section.

LEGISLATIVE BILL NO. 336. By Committee on Appropriations.

A bill for an Act to amend Sec. 54-962, C. S. Supp., 1939, relating to livestock; to provide for the amount for which owners of bovine animals, positively reacting to the test for Bang's disease shall be compensated by the state when such diseased animals are ordered

slaughtered; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 337. By Van Diest of Loup, Asimus of Holt, Knezacek of Valley, John Adams, Jr., of Douglas.

A bill for an Act relating to insurance; to provide for a stabilization fund to be required of domestic assessment associations hereafter organized to transact the business of accident and health insurance; to provide for the deposit of such fund with the department of insurance, the withdrawal thereof to pay claims, and for restoration of any such withdrawal; to provide a method for the accumulation of such fund by existing companies and for the withdrawal thereof and restoration of any such withdrawal; to provide that no foreign assessment accident and health association shall hereafter be authorized to do business in Nebraska unless it shall have assets on deposit with the state insurance department of its domicile at least equal to those required of like domestic associations.

LEGISLATIVE BILL NO. 338. By Tvrdik, Sullivan, Bevins, Norman, John Adams, Jr., Ernest A. Adams of Douglas; Brodahl of Saunders.

A bill for an Act to repeal Secs. 37-428, 37-429, 37-430 and 37-431, C. S. Supp., 1939, relating to the state game refuge on each side of the banks of the Platte river between the counties of Dodge and Saunders.

LEGISLATIVE BILL NO. 339. By Mischke of Knox, Tvrdik of Douglas, Johnson of Dodge.

A bill for an Act to amend Sections 45-113 and 45-117, Compiled Statutes of Nebraska, 1929, relating to the amount of annual license fee that loan agents shall pay to the secretary of state; to provide that the secretary of state shall appoint two auditors to inspect the books and records of loan agents, under the direction of the secretary of state; and to repeal said original section.

LEGISLATIVE BILL NO. 340. By Callan of Gage.

A bill for an Act to amend Section 84-308, Compiled Statutes of Nebraska, 1929, relating to the auditor of public accounts; to provide that all vouchers, receipts, and cancelled warrants more than ten years old that are on file in the office of the auditor of public accounts may be destroyed; and to repeal said original section.

LEGISLATIVE BILL NO. 341. By Peterson of Lancaster.

A bill for an Act to amend Secs. 28-463, 28-467, 28-470 and 28-471, C. S. Supp., 1939, relating to narcotic drugs; to define terms; to establish rules for the sale of narcotic drugs, and to regulate the use thereof; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 342. By Metzger of Cass.

A bill for an Act to amend Section 45-113, Compiled Statutes of Nebraska, 1929, relating to interest; to prescribe eligibility of applicants for license to operate as a loan agent; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 343. By Murphy of Scotts Bluff.

A bill for an Act to amend Section 77-1402, Compiled Statutes of Nebraska, 1929, and Secs. 60-302 and 39-1191, C. S. Supp., 1939, relating to revenue; to provide that all motor vehicles shall be assessed and registered where the owner maintains his principal place of maintenance or residence and without regard to the owner's legal residence; and to repeal said original sections.

LEGISLATIVE BILL NO. 344. By Peterson of Lancaster.

A bill for an Act relating to banks and banking; to authorize and regulate the operation of personal loan departments by banks; to permit banks to make charges at a greater rate than nine per cent per annum on loans of one thousand dollars or less under certain conditions; to provide maximum charges therefor; to provide for the administration of this act by the department of banking, state of Nebraska; to prescribe penalties for the violation thereof; and to declare an emergency.

LEGISLATIVE BILL NO. 345. By Price of Lancaster, Lambert of Platte, Thornton of Jefferson.

A bill for an Act to amend Sections 16-206 and 17-436, Compiled Statutes of Nebraska, 1929, relating to municipal corporations; to restrict the powers of cities of the first class having a population of more than five thousand inhabitants and less than twenty-five thousand inhabitants, cities of the second class having a population of more than one thousand inhabitants and less than five thousand inhabitants and villages to levy and collect an occupation tax upon

wholesale dealers selling, offering to sell, delivering, or taking orders for future delivery commodities to retailers for purposes of resale in said cities and villages from truck, automobile or other vehicle, to the city or village of the principal place of business of said wholesaler; and to repeal said original sections.

LEGISLATIVE BILL NO. 346. By Sullivan, Tvrdik, John Adams, Jr., Bevins of Douglas; Price of Lancaster.

A bill for an Act relating to fire companies and firemen; to promote the more efficient protection of life and property throughout the state from the hazard of fire, by providing a minimum standard of salaries for firemen in all cities and villages throughout the state having paid fire departments, such minimum salaries to be fixed according to the population of such cities and villages; to fix classifications of such cities and villages for the purposes of this act; to provide a scale of minimum salaries for members of paid municipal fire departments in such cities and villages according to such classification; to provide for the semimonthly payment of salaries to firemen; to provide that the salaries of members of fire departments, as stipulated herein, shall be certified as a specific item in the annual levy by the city council, board of trustees or other local governing body of each such city or village in its annual budget; to fix the date when the scale of minimum salaries provided in this act shall become effective; specifically to exclude from this act any city or village not maintaining a regularly established, paid fire department manned by full time personnel; to state a validity clause; and to repeal all acts or parts of acts in conflict herewith.

LEGISLATIVE BILL NO. 347. By Blome of Cheyenne, John Adams, Jr., Bevins of Douglas; Kotouc of Richardson, Metzger of Cass.

A bill for an Act relating to revenue; to impose an annual tax for the privilege of doing business in Nebraska upon fire insurance companies doing business in this state based upon fire insurance premium receipts; to provide for cancellation of licenses to do business in Nebraska of any fire insurance company or corporation upon the failure to pay the tax provided herein; to provide for the distribution of the taxes so collected; to provide for firemen's relief; and to provide for the purchase or repair of necessary fire-fighting equipment.

LEGISLATIVE BILL NO. 348. By Amos Thomas of Douglas, Price of Lancaster.

A bill for an Act to amend Sec. 27-601, C. S. Supp., 1939, relating to fiduciaries; to prescribe legal investments for trustees, executors, administrators or guardians in the absence of express instructions in the instrument creating the fiduciary relationship; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 349. By Murphy of Scotts Bluff, Kotouc of Richardson.

A bill for an Act relating to public safety and welfare; to provide for zoning regulations for airports; to establish city and county air boards; to define their powers and duties; to define the powers and duties of the Nebraska aeronautics commission; to define terms; to provide for hearings; to provide for appeals; to provide penalties; and to provide a validity clause.

LEGISLATIVE BILL NO. 350. By Tvrdik, John Adams, Jr., Amos Thomas, Norman of Douglas.

A bill for an Act to amend Sec. 77-1601, C. S. Supp., 1939, relating to revenue; to provide that all real property subject to taxation shall be assessed on the first day of April, 1941 and 1942 and every second year thereafter; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 351. By Van Diest of Loup; John Adams, Jr., Bevins, Tvrdik, Sullivan of Douglas; Johnson of Dodge, Neubauer of Harlan, Howard of McPherson, Hanna of Cherry, Asimus of Holt.

A bill for an Act relating to illegitimacy; to provide for the support of children born out of wedlock; to provide for the care during pregnancy, confinement and recovery of the mothers of such children; to provide for proceedings to establish the paternity of such children; and to repeal Chapter 9, Compiled Statutes of Nebraska, 1929.

LEGISLATIVE BILL NO. 352. By Norman, Sullivan, Bevins, Tvrdik, John Adams, Jr., Ernest A. Adams of Douglas.

A bill for an Act to amend Sec. 12-124, C. S. Supp., 1939, to amend Section 12-125, Compiled Statutes of Nebraska, 1929, relating to official bonds; to prescribe the bonds of county officers upon which county boards may pay the premium; to provide that the

premiums on such bonds shall be paid from the general fund of the county; and to repeal said original sections.

LEGISLATIVE BILL NO. 353. By Ernest A. Adams, John Adams, Jr., Norman of Douglas.

A bill for an Act to amend Sec. 18-1401, C. S. Supp., 1939, relating to municipal corporations; to authorize the levy of an annual special tax for the purpose of owning, operating, constructing, maintaining and equipping sewerage disposal plants or sewerage systems or for the purpose of improving or extending any existing sewerage systems therein; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 354. By Ernest A. Adams of Douglas.

A bill for an Act to amend Sec. 77-1804, C. S. Supp., 1939, relating to revenue; to grant county boards authority, in their discretion, to direct county assessors, where the assessor is supervisor of the tax lists, and in all other counties county clerks; to prepare unit tax ledgers in lieu of tax lists, and when so directed to make it the duty of the county assessor or county clerk, as case is, to prepare tax unit ledgers; to prescribe for the information to be reflected upon unit tax ledgers; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 355. By Ernest A. Adams of Douglas.

A bill for an Act to amend Section 77-1906, Compiled Statutes of Nebraska, 1929, relating to revenue; to eliminate the requirement that tax receipts be required to be firmly bound in book form; and to eliminate the necessity of a triplicate tax receipt; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 356. By Ernest A. Adams of Douglas.

A bill for an Act to amend Section 77-1602, Compiled Statutes of Nebraska, 1929, relating to revenue; to prescribe the method of making up assessment books; to provide for unit valuation ledgers to be furnished by county boards; to eliminate the necessity of assessment books heretofore provided by the state board of equalization and assessment; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 357. By Ernest A. Adams of Douglas.

A bill for an Act to amend Sec. 77-1805, C. S. Supp., 1939, relating to revenue; to provide for the consolidation of taxes uniform in any school district, village, city or other taxing subdivisions, after forming other taxes in subdivisions into a single tax; to provide that the county clerk, after transmission of the tax lists or unit tax ledgers to the county treasurer shall set up on his records a controlling account that reflects the total tax assessed; to provide for recording monthly tax collections upon said controlling act; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 358. By Ernest A. Adams of Douglas.

A bill for an Act to amend Section 77-1807, Compiled Statutes of Nebraska, 1929, relating to revenue; to provide for the form of the unit tax ledger; to require substantial compliance to the form prescribed; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 359. By Ernest A. Adams of Douglas.

A bill for an Act to amend Section 77-1806, Compiled Statutes of Nebraska, 1929, relating to revenue; to provide for the delivery of unit tax ledgers in their original compilation or the annual additions thereof, to the county treasurer on or before November first each year; to provide that the county clerk shall transmit to the county treasurer a warrant for the collection of county taxes with the original unit tax ledger, and single warrants annually at the time the additions are made to the unit tax ledger; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 360. By Tvrdik of Douglas.

A bill for an Act to amend Sec. 48-170, C. S. Supp., 1939, relating to salaries of judges of the **"Nebraska workmen's compensation court"**, clerks and other assistants and employees, and expenses; to repeal said original section; and to declare an emergency.

MOTION—To Place on General File

Mr. President: I move that the rules be suspended and that L. B. No. 232 be withdrawn from the Committee on Public Health and Miscellaneous Subjects and placed on General File.

(Signed) Metzger

The motion prevailed with 34 ayes, no nays, 9 not voting.

BILLS ON FIRST READING (continued)

LEGISLATIVE BILL NO. 361. By Sullivan, Tvrdik, Norman of Douglas.

A bill for an Act relating to courts; to provide for the retirement of judges of the district and supreme courts, their pensions upon retirement, the appointment of their successors and for additional temporary service to be performed by them during retirement; and to state a validity clause.

LEGISLATIVE BILL NO. 362. By Ernest A. Adams of Douglas.

A bill for an Act to amend Section 22-107, Compiled Statutes of Nebraska, 1929, relating to municipal courts; to provide for the selection of a presiding judge thereof; to prescribe his powers and duties; and to repeal said original section.

LEGISLATIVE BILL NO. 363. By Ernest A. Adams of Douglas.

A bill for an Act relating to municipal corporations; to create and establish a traffic court in cities of the metropolitan class as a division of the municipal court; to provide for the housing of such court; to define the jurisdiction of the traffic court and the selection and duties of the judge thereof; to provide for the appointment, duties and salary of a court reporter for the traffic court; to provide for appeals from the traffic court; and to declare an emergency.

MESSAGE FROM THE GOVERNOR

Nebraska Advisory Defense Committee

February 4, 1941.

To the President and Members of the Legislature:

Gentlemen:

I am sending you the attached letter received by me this morning from George V. Strong, Brigadier General of the U. S. Army and the Commanding General of the Seventh Corps Area with headquarters at Omaha.

I feel that this letter should be called to the early attention of your honorable body, and I suggest that steps be taken soon to solve the questions surrounding the construction of the bomber plant at Fort Crook.

Respectfully submitted,

(Signed) Dwight Griswold
Governor

REQUEST—To Consider L. B. No. 232 on General File

Mr. Metzger asked unanimous consent to consider L. B. No. 232 on General File immediately.

No objection was raised and the President so ordered.

GENERAL FILE

LEGISLATIVE BILL NO. 232. Read and considered.

Referred to E and R for reveiw.

BILLS ON FIRST READING (continued)

LEGISLATIVE BILL NO. 364. By Ernest A. Adams of Douglas.

A bill for an Act to amend Sections 14-410 and 14-415, Compiled Statutes of Nebraska, 1929, relating to cities of the metropolitan class; to provide for membership on the city planning commission from counties whose territory is effected by rural planning jurisdiction of metropolitan cities; to define the powers of such members; to provide that cities of the metropolitan class having a population of one hundred fifty thousand or more may exercise zoning powers beyond the territorial limits thereof; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 365. By Ernest A. Adams of Douglas.

A bill for an Act to amend Subsection XXXIII, 14-102, Compiled Statutes of Nebraska, 1929, relating to municipalities; to establish building regulations covering territory beyond the boundaries of a city of the metropolitan class having a population of one hundred fifty thousand or more as to which territory the city exercises zoning jurisdiction; to repeal said original subsection and to declare an emergency.

LEGISLATIVE BILL NO. 366. By Ernest A. Adams of Douglas.

A bill for an Act to amend Section 19-301, Compiled Statutes of Nebraska, 1929, relating to the public health; to authorize cities of the metropolitan class having a population of one hundred fifty thousand inhabitants or more by ordinance to exercise the power to inspect plumbing within the corporate limits of such cities and over all the territory such cities exercise zoning jurisdiction; to repeal said original section; and to declare an emergency.

MOTION—To Read Second Time

Mr. President: I move that the rules be suspended and that L. B. No. 364, L. B. No. 365 and L. B. No. 366 be read the second time. (Signed) Ernest A. Adams

The motion prevailed with 34 ayes, no nays, 9 not voting.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L.B. No.	Introducer	Committee Reference
364	E. A. Adams	Government
365	E. A. Adams	Government
366	E. A. Adams	Government

BILLS ON FIRST READING (continued)

LEGISLATIVE BILL NO. 367. By Crosby of Lincoln, Kotouc of Richardson.

A bill for an Act to amend Secs. 39-1034, 39-1035 and 39-1037, C. S. Supp., 1939, relating to regulations of the road and use for travel; to fix and prescribe the weight and length of vehicles which may be operated on the highways of the state of Nebraska; to prohibit the use and operation of combinations of vehicles as defined by the laws of the state of Nebraska; to provide penalties for the violation thereof; to provide penalties for the violation of Article 10, Chapter 39, Compiled Statutes of Nebraska, 1929, as amended; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 368. By Mekota of Saline; Amos Thomas, Sullivan of Douglas; Johnson of Dodge, Callan of Gage, Raecke of Merrick.

A bill for an Act to provide for a **"state guard"** for the state of Nebraska; to designate a short title; and to declare an emergency.

LEGISLATIVE BILL NO. 369. By Mekota of Saline; Amos Thomas, Sullivan of Douglas; Callan of Gage, Raecke of Merrick.

A bill for an Act to repeal Article 2, Chapter 55, Compiled Statutes of Nebraska, 1929, relating to home guards; and to declare an emergency.

LEGISLATIVE BILL NO. 370. By Amos Thomas, Sullivan of Douglas; Johnson of Dodge, Callan of Gage.

A bill for an Act to protect property by making criminal certain unlawful entries on, injuries to and interferences with property, authorizing the closing of streets; to designate a short title; to provide penalties; and to declare an emergency.

LEGISLATIVE BILL NO. 371. By Amos Thomas, Sullivan of Douglas; Johnson of Dodge, Callan of Gage, Raecke of Merrick.

A bill for an Act to provide for a **"naval militia"** for the state of Nebraska; to designate a short title; and to declare an emergency.

LEGISLATIVE BILL NO. 372. By Amos Thomas, Sullivan of Douglas; Johnson of Dodge, Callan of Gage.

A bill for an Act relating to armories; to create the **"Nebraska armory board"**; to define its powers and duties; to amend Secs. 18-1801, 14-101, 14-113, 14-518, 15-201, 16-201, 16-202, 17-401, 14-508, 15-831, 16-705 and 17-571, C. S. Supp., 1939; to confer delegated charter powers on cities or villages with respect to the acquisition of real estate within their corporate limits for the construction of armories thereon by the state of Nebraska, or by the **"Nebraska armory board"**; to provide for the conveyance without consideration by such cities or villages to the **"Nebraska armory board"** of any lot, piece or parcel of land now owned or hereafter owned or acquired for armory purposes; to repeal said original sections; and to declare an emergency.

L. B. No. 105, L. B. No. 200 Re-referred

The President announced that L. B. No. 105 and L. B. No. 200, formerly referred to Public Works had been re-referred to the Committee on Revenue.

Member Excused

Mr. Garber was excused for the remainder of the day.

Speaker Howard presiding

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L.B. No.	Introducer	Committee Reference
236	Metzger	Public Health & Misc. Subs.
237	Johnson, J. Adams, Jr.	Judiciary
238	Price	Banking, Comm. & Ins.
239	Price	Banking, Comm. & Ins.
240	Mekota, Murphy	Judiciary
241	Raecke, Gantz	Judiciary
242	Gantz	Government
243	Matzke	Public Health & Misc. Subs.
244	Gantz	Education
245	Gantz	Education
246	Johnson	Judiciary
247	Brodahl	Government
248	Raecke	Labor & Public Welfare
249	Raecke	Judiciary
250	Price	Judiciary
251	Price	Judiciary
252	Mischke	Appropriations
253	Sullivan, et al	Public Health & Misc. Subs.
254	Raecke, Sullivan	Claims and Deficiencies
255	Mischke	Government
256	Raecke	Judiciary
257	Mekota	Judiciary
258	Mekota	Judiciary
259	Mekota	Government

260	Blome	Judiciary
261	Price	Government
262	Peterson	Education
263	Carlson, et al	Judiciary
264	Price	Judiciary
265	Price	Judiciary
266	Callan	Appropriations
267	Mischke, et al	Public Works
268	Crossland, Crosby	Judiciary
269	Blome, et al	Government
270	Sullivan, Bevins	Banking, Comm. & Ins.
271	Crossland, Crosby	Banking, Comm. & Ins.
272	Asimus, et al	Public Works
273	Sorrell	Agriculture
274	Sorrell	Public Health & Misc. Subs.
275	Howard, et al	Agriculture
276	Hanna, et al	Agriculture
277	Howard, et al	Agriculture
278	Howard, et al	Agriculture
279	Sorrell	Public Works
280	Van Diest, et al	Government
281	Sorrell, et al	Appropriations

Adjournment

At 12:20 p. m. Mr. Mueller moved to adjourn.

The motion prevailed.

Hugo F. Srb,
Clerk of the Legislature.

TWENTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, February 5, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Jeppesen and Mr. Mischke who were excused.

The Journal for the Twentieth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Greenamyre, one, Mr. Crosby, one, each favoring a tax exemption on gasoline used in farm motors; Mr. Asimus, one, Mr. Lambert, one, each opposing the recommendations of the State Planning Board in regard to the educational system in Nebraska; Mr. Thornton, one, favoring repeal of the game and fish laws.

The following petitions were received through the Governor's office:

Two, opposing liens for assistance to aged recipients; one, opposing the recommendations of the State Planning Board in regard to the educational system in Nebraska.

Invitation

A letter was read from the Nebraska Commercial Truckers' Association and the United Transporters of Petroleum Products extending an invitation to the members and officers of the Legislature to be their guests at a banquet on February 18, 1941 at 6:30 p. m. in the Hotel Lincoln.

Communication

A letter was read, from the Bill Drafter, advising that approximately forty-eight bills are in preparation and suggesting that the Legislature recess until 8:00 p. m. February 5, 1941, so that all requests made to the bill drafting service may be completed.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce and Insurance

L. B. No. 18, Tuesday, February 11, 1941, 2:00 p. m.

L. B. No. 75, Tuesday, February 11, 1941, 2:00 p. m.

L. B. No. 76, Tuesday, February 11, 1941, 2:00 p. m.

L. B. No. 78, Tuesday, February 11, 1941, 2:00 p. m.

L. B. No. 81, Tuesday, February 11, 1941, 2:00 p. m.

L. B. No. 170, Tuesday, February 11, 1941, 2:00 p. m.

Revenue

L. B. No. 83, Tuesday, February 18, 1941, 2:00 p. m.

L. B. No. 105, Tuesday, February 18, 1941, 2:00 p. m.

L. B. No. 149, Tuesday, February 25, 1941, 2:00 p. m.

L. B. No. 155, Tuesday, February 25, 1941, 2:00 p. m.

L. B. No. 156, Tuesday, February 25, 1941, 2:00 p. m.

Mr. Mekota presiding

STANDING COMMITTEE REPORTS

Education

LEGISLATIVE BILL NO. 27. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 27:

1. Page 1, strike from the title in lines 3 and 4 "to amend Section 77-102, Compiled Statutes of Nebraska, 1929,"

2. Page 1, strike from the title in lines 5, 6, 7 and 8 the fol-

lowing "to provide that the state of Nebraska shall have a lien on the proceeds of all policies of insurance on buildings located on school lands;" and insert "to authorize the inclusion in leases of provisions for insurance on buildings with loss payable clauses to the extent of due and unpaid rentals where the loss exceeds forty per cent of the sum insured;"

3. Page 1, strike from the title in lines 11, 12 and 13 the following "to provide that educational land held under sales contracts shall be taxed as real estate;"

4. Page 3, Section 1, line 40 following "." strike the sentence beginning with "The" and ending on line 45 with the word "state." and insert "The state may require leases to include provisions that buildings on the premises be insured and that the policies be made payable to the state to the extent of any due and unpaid rental where the loss exceeds forty per cent of the sum insured."

5. Page 6, strike Section 3 beginning with line 1 to line 10 inclusive, and renumber the subsequent sections in the bill to conform

6. Page 8, Section 6, line 29 strike the word "ten" and insert "thirty"

7. Page 8, Section 6, line 31 strike the word "may" and insert "shall"

8. Page 9, Section 6, line 42 after the word "with" add "the field work involved in"

9. Page 9, Section 6, line 43 change ";" to "," and add "whose duty shall be to personally supervise the lands, leases and sales contracts under jurisdiction of the board and to manage the same in a businesslike manner;"

10. Page 9, Section 6, line 44 after "shall" add "under the general direction of the board"

11. Page 9, Section 6, line 45 after "." add "The salary of said employees shall be fixed by the board not to exceed three thousand dollars per annum each, payable monthly, plus necessary traveling expenses, as provided by law."

Page 9, Section 7, line 3 strike ";" and insert "." then strike "and that said original Section 77-102, Compiled Statutes of Nebraska, 1929, is hereby repealed."

(Signed) Matzke, Chairman

Enrollment and Review

LEGISLATIVE BILL NO. 232. Placed on Select File.

(Signed) Crosby, Chairman

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 373. By Kotouc of Richardson (By request)

A bill for an Act relating to liens; to provide for liens for material furnished and labor performed upon oil and gas wells and oil and gas pipe lines; and to establish procedure therefor.

LEGISLATIVE BILL NO. 374. By Johnson of Dodge.

A bill for an Act to amend Sections 28-1010 and 28-1011, Compiled Statutes of Nebraska, 1929, relating to crimes and punishments; to establish a presumption of unlawful intent for any violation of the provisions of these statutes relating to the sale, disposal, possession or transportation of machine guns or sawed-off shot guns; and to repeal said original sections.

LEGISLATIVE BILL NO. 375. By Raecke of Merrick, Gantz of Box Butte, Peterson of Lancaster.

A bill for an Act relating to public welfare, public health and social security; to empower county boards of the several counties of the state of Nebraska to establish revolving funds for the purchase of food order stamps and cotton order stamps; to amend Sec. 26-108, C. S. Supp., 1939; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 376. By Carmody of Hitchcock.

A bill for an Act relating to schools; to require the school board or board of education of every school district lying wholly or partially within the corporate limits of any incorporated city or village to publish the proceedings of their meetings in a legal newspaper published in or of general circulation in the school district; to prescribe the rate to be paid for such publications; and to declare an emergency.

LEGISLATIVE BILL NO. 377. By Carmody of Hitchcock (By request)

A bill for an Act to amend Sec. 77-2010, C. S. Supp., 1939, relating to revenue; to provide that a school district shall have the right and power to purchase any real estate in their district which is subject to sale for taxes; to provide procedure therefor; and to repeal said original section.

LEGISLATIVE BILL NO. 378. By Gantz of Box Butte, Carlson of Phelps.

A bill for an Act to amend Secs. 43-504 and 43-512, C. S. Supp., 1939, relating to public aid to dependent children, public assistance and services for crippled children and for public services for child welfare; to define a **"dependent child"** as used in this category of social security; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 379. By Price of Lancaster, Thornton of Jefferson, Blome of Cheyenne; Sullivan, Norman, Bevins of Douglas.

A bill for an Act relating to schools; relating to retirement of teachers; to establish a teachers retirement system; to provide for a retirement fund for teachers and for the administration thereof; to appropriate the sum of ten thousand dollars annually, or so much thereof as may be necessary, out of the general fund of the state of Nebraska, to pay the expenses of administering said system; and to define certain crimes and offenses under this act and to provide penalties therefor.

LEGISLATIVE BILL NO. 380. By Committee on Judiciary, Gantz of Box Butte, Amos Thomas of Douglas.

A bill for an Act relating to evidence; to empower the court to appoint expert witnesses in civil and criminal actions and proceedings; to provide for the manner and method of their appointment; to provide procedure for inspection and examination of the person or subject matter committed to experts, and for the filing of reports of experts; to fix the compensation of expert witnesses; to state a severability clause and a short title; to repeal all acts or parts of acts which are in conflict or inconsistent with the provisions thereof; and to declare an emergency.

LEGISLATIVE BILL NO. 381. By Brodahl of Saunders (By request), Weborg of Cuming.

A bill for an Act relating to schools; to provide for the change in boundaries of certain school districts; to provide that the owners of farm lands, not within the limits of an incorporated city or village, situated in a school district, containing an incorporated city or village, which maintains a high school, may have such lands attached to an adjacent rural school district; to provide procedure for the transfer of certain pupils residing on such lands, to the city or village districts for school purposes.

LEGISLATIVE BILL NO. 382. By Greenamyre of Madison.

A bill for an Act to amend Sec. 75-224, C. S. Supp., 1939, relating to the transportation of passengers and property by motor carriers in intrastate commerce upon the public highways of the state of Nebraska; to except motor vehicles operated for the transportation of passengers within the corporate limits of cities of the first class and villages; and to repeal said original section.

LEGISLATIVE BILL NO. 383. By Brodahl of Saunders.

A bill for an Act to amend Sections 54-403 and 54-411, Compiled Statutes of Nebraska, 1929, relating to livestock; to provide that any person taking up an estray animal or animals shall notify the sheriff of the county within three days; to provide for notice by publication and to repeal said original sections.

LEGISLATIVE BILL NO. 384. By Bevins of Douglas.

A bill for an Act relating to municipal corporations; to provide for the establishment of a civil service department in cities of the metropolitan class having a population of one hundred thousand inhabitants or more; to prescribe the officials and employees of such cities that are specifically excluded from the operation of this act; and to repeal the limitations and provisions of Sections 14-214 and 14-215, Compiled Statutes of Nebraska, 1929, that are in conflict with the provisions of this act.

LEGISLATIVE BILL NO. 385. By Bevins of Douglas.

A bill for an Act relating to public utilities including telephone companies; to prohibit any service charge by any public utility; and to provide penalties.

LEGISLATIVE BILL NO. 386. By Bevins, Sullivan of Douglas.

A bill for an Act relating to labor; to provide for the elimination

of wage and hour standards detrimental to the health, safety, morals, and standard of living of employees; to establish minimum wage and maximum hour standards; to establish rules and regulations therefor; to prescribe the powers and duties of the commissioner of labor; and to provide penalties.

LEGISLATIVE BILL NO. 387. By Sorrell of Otoe.

A bill for an Act relating to courts; to provide for the disposition of dormant estates and guardianships; and to define terms.

LEGISLATIVE BILL NO. 388. By Ernest A. Adams, Sullivan, Bevins of Douglas.

A bill for an Act to amend Section 77-1701, Compiled Statutes of Nebraska, 1929, relating to revenue; to provide for the consist of the board of equalization in counties that contain cities of the metropolitan class, with a population of one hundred thousand inhabitants or more; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 389. By Peterson of Lancaster.

A bill for an Act relating to banks and banking; to provide for the organization, licensing, and control of industrial finance companies; to prescribe procedure therefor; to prescribe powers and limitations thereof; to provide for supervision by the department of banking; to provide methods for conversion of corporations organized and existing under the statutory provisions herein repealed into industrial finance companies; to amend Secs. 8-701 and 8-702, C. S. Supp., 1939; and to repeal Article 51, of Chapter 81, Compiled Statutes of Nebraska, 1929; and to repeal Article 51, Chapter 81, C. S. Supp., 1939.

LEGISLATIVE BILL NO. 390. By Peterson of Lancaster, Lambert of Platte, Ray Thomas of Clay, Crosby of Lincoln, Neubauer of Harlan.

A bill for an Act relating to revenue; to provide procedure concerning the deposit in banks of funds of public power districts, public irrigation districts and public power and irrigation districts; to provide for duties and responsibilities of treasurers and other competent officers of such districts in the handling of district funds; and to declare an emergency.

LEGISLATIVE BILL NO. 391. By Raecke of Merrick, Greenamyre of Madison, Neubauer of Harlan; Bevins, Sullivan of Douglas; Johnson of Dodge.

A bill for an Act to amend Section 71-2101, 71-2102, 71-2103, 71-2104, 71-2105, 71-2106, 71-2107, 71-2108, 71-2109, 71-2110 and 71-2111, Compiled Statutes of Nebraska, 1929, relating to public health and welfare; to establish rules and regulations for the practice of cosmetology; to define terms; to establish fees; to establish the duties of the department of health in connection therewith; to provide penalties; to state a validity clause; to repeal said original sections; and to repeal Section 71-2112, Compiled Statutes of Nebraska, 1929.

MOTION—To Consider L. B. No. 232

Mr. Peterson moved that the rules be suspended and that L. B. No. 232 be considered on Select File.

A call of the House was ordered.

The call was raised.

The motion prevailed with 30 ayes, no nays, 13 not voting.

SELECT FILE

LEGISLATIVE BILL NO. 232. Referred to E and R for engrossment.

Member Excused

Mr. Kotouc was excused for the afternoon.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L.B. No.	Introducer	Committee Reference
282	Weborg	Banking, Comm. & Ins.
283	Carmody	Agriculture
284	Carmody	Education

285	Crosby	Public Works
286	Crosby	Banking, Comm. & Ins.
287	Crosby	Government
288	Crosby	Judiciary
289	E. A. Adams, et al	Public Works
290	E. A. Adams	Government
291	Peterson, et al	Government
292	Thornton, et al	Labor
293	Rakow, Reed	Labor
294	Reed, et al	Public Health & Misc. Subs.
295	Kotouc	Public Health & Misc. Subs.
296	Asimus	Revenue
297	Greenamyre, et al	Banking, Comm. & Ins.
298	Johnson	Banking, Comm. & Ins.
299	Gantz, et al	Judiciary

Speaker Howard presiding

300	Committee on Judiciary	Judiciary
301	Neubauer, Crosby	Government
302	E. A. Adams, et al	Public Health & Misc. Subs.
303	Mischke	Government
304	Mischke	Government
305	Mischke	Public Works
306	Raecke	Revenue
307	Metzger	Agriculture
308	Raecke	Judiciary
309	Matzke	Banking, Comm. & Ins.
310	Reed	Judiciary
311	Johnson, Greenamyre	Appropriations
312	Greenamyre	Banking, Comm. & Ins.

313	Greenamyre	Revenue
314	Greenamyre	Judiciary
315	Greenamyre	Public Works
316	Greenamyre	Government
317	Greenamyre	Banking, Comm. & Ins.
318	Jeppesen	Revenue
319	Jeppesen	Revenue
320	Jeppesen, Ray Thomas	Revenue
321	Reed	Revenue
322	Blome, et al	Public Health & Misc. Subs.
323	Peterson, et al	Agriculture
324	Rakow	Judiciary
325	Rakow	Government
326	Rakow	Revenue
327	Price, et al	Judiciary
328	J. Adams, Jr.	Labor & Public Welfare
329	Mekota	Government
330	Callan	Judiciary
331	Bevins, Tvrdik	Judiciary
332	Norman, et al	Education
333	Norman, et al	Labor & Public Welfare
334	Committee on Appropriations	Appropriations
335	Tvrdik, Sullivan	Banking, Comm. & Ins.
336	Committee on Appropriations	Appropriations
337	Van Diest, et al	Banking, Comm. & Ins.
338	Tvrdik, et al	Agriculture
339	Mischke, et al	Banking, Comm. & Ins.
340	Callan	Appropriations
341	Peterson	Public Health & Misc. Subs.

342	Metzger	Banking, Comm. & Ins.
343	Murphy	Revenue
344	Peterson	Banking, Comm. & Ins.
345	Price, et al	Banking, Comm. & Ins.
346	Sullivan, et al	Revenue
347	Blome, et al	Revenue
348	Amos Thomas, Price	Judiciary
349	Murphy, Kotouc	Government
350	Tvrdik, et al	Revenue
351	Van Diest, et al	Public Health & Misc. Subs.
352	Norman, et al	Government
353	E. A. Adams, et al	Revenue
354	E. A. Adams	Government
355	E. A. Adams	Revenue
356	E. A. Adams	Revenue
357	E. A. Adams	Revenue
358	E. A. Adams	Revenue
359	E. A. Adams	Revenue
360	Tvrdik	Appropriations
361	Sullivan, et al	Appropriations
362	E. A. Adams	Judiciary
363	E. A. Adams	Judiciary
367	Crosby, Kotouc	Public Works
368	Mekota, et al	Government
369	Mekota, et al	Government
370	Amos Thomas, et al	Judiciary
371	Amos Thomas, et al	Government
372	Amos Thomas, et al	Government

BILLS ON FIRST READING (continued)

LEGISLATIVE BILL NO. 392. By Crossland of Wayne.

A bill for an Act to amend Section 17-574, Compiled Statutes of Nebraska, 1929, relating to municipal corporations; to provide that the municipal clerk of every city or village having a population of less than forty thousand inhabitants shall publish the official proceedings of the local governing body in some legal newspaper published in the city or village; to provide if no legal newspaper is published therein then the official proceedings shall be published in a legal newspaper within the county and of general circulation in the city or village; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 393. By Thornton of Jefferson.

A bill for an Act to amend Section 16-306, Compiled Statutes of Nebraska, 1929, relating to municipal corporations; to prescribe the maximum salaries of officers of cities of the first class having a population of more than five thousand and less than twenty-five thousand inhabitants; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 394. By Thornton of Jefferson.

A bill for an Act relating to banks and banking; to provide for the clearing at par all checks drawn on any bank or trust company, organized under the laws of this state; to provide penalties for the violation thereof; and to declare an emergency.

LEGISLATIVE BILL NO. 395. By Callan of Gage, Garber of Webster, Thornton of Jefferson.

A bill for an Act to amend Sec. 66-803, C. S. Supp., 1939, relating to motor vehicle fuels; to provide rules and regulations governing and controlling transportation of such fuels through ports of entry with respect to the carrying of such fuels in the supply tanks of vehicles; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 396. By Callan of Gage.

A bill for an Act to amend Section 45-114, Compiled Statutes of Nebraska, 1929, relating to interest; to provide for a period of

publication of any notice of the filing of an application for a license as a loan agent; and to repeal said original section.

LEGISLATIVE BILL NO. 397. By J. Adams, Jr. of Douglas (By request)

A bill for an Act relating to crimes and punishments; to declare the use of "the confidence game" to obtain money, property or other valuable thing to be a felony; to provide a penalty therefor; and to declare an emergency.

LEGISLATIVE BILL NO. 398. By Van Diest of Loup, Knezacek of Valley, Kotouc of Richardson, Mueller of Buffalo, Neubauer of Harlan, Asimus of Holt, Brodahl of Saunders, Metzger of Cass, Norman of Douglas, Hanna of Cherry, Blome of Cheyenne, Carlson of Phelps.

A bill for an Act to appropriate the sum of.....dollars for the benefit of Lela Brock; and to declare an emergency.

LEGISLATIVE BILL NO. 399. By Sullivan, Bevins, John Adams, Jr. of Douglas.

A bill for an Act to amend Secs. 68-317 and 68-324, C. S. Supp., 1939, relating to public welfare and social security; to create, establish and make division of the assistance funds; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 400. By Blome of Cheyenne, Gantz of Box Butte.

A bill for an Act to amend Section 28-524, Compiled Statutes of Nebraska, 1929, relating to crimes and punishments; to prescribe penalties for poultry stealing; for buying or concealing stolen poultry, or for concealing a poultry or pigeon thief; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 401. By Sullivan, Tvrdik, J. Adams, Jr., Bevins of Douglas.

A bill for an Act to amend Sec. 53-350, C. S. Supp., 1939, relating to liquors; to direct the uses and purposes to which the net proceeds arising out of gallonage tax to be paid on the manufacture

of and the distribution at wholesale of alcoholic liquors shall be put, for the biennium ending June 30, 1943, if and when specifically appropriated by the legislature; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 402. By Raecke of Merrick, Crossland of Wayne.

A bill for an Act relating to revenue to levy an excise tax upon oils severed from the soil of the state of Nebraska; to establish the rates thereof; to provide for the allocation and distribution of said tax moneys; to establish procedure for the collection thereof; to define terms; to provide penalties; and to provide a validity clause.

SELECT FILE

LEGISLATIVE BILL NO. 40. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 5. E and R amendments as found in the Legislative Journal for the Twentieth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 8. E and R amendments as found in the Legislative Journal for the Twentieth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 45. E and R amendments as found in the Legislative Journal for the Twentieth Day were adopted.

Laid over.

LEGISLATIVE BILL NO. 6. E and R amendment No. 2 as found in the Legislative Journal for the Twentieth Day was adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL NO. 10. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Nineteenth Day were adopted.

Mr. Peterson offered the following amendment to L. B. No. 10, which was adopted:

That Section 1 be amended by striking the following sentences from lines 50 to 57 inclusive: "Said commission may appoint an official stenographic reporter at an annual salary not exceeding two thousand five hundred dollars per annum, until the legislature shall otherwise provide by law, payable in equal monthly installments. Said commission may appoint an attorney at an annual salary not exceeding three thousand dollars per annum, until the legislature shall otherwise provide by law, payable in equal monthly installments."

Mr. Sullivan moved that the word "three" in line 13 be changed to "five."

The motion was lost with 8 ayes, 22 nays, 13 not voting.

Mr. Metzger moved to amend the bill as follows:

That in line 10, Sec. 4, page 4, after the word "be" the words "three thousand dollars per year" be stricken and in lieu thereof "fixed by the legislature" be inserted; also in line 13, Section 1, page 2 and in page 5, Sec. 4, line 19.

The motion was lost with 9 ayes, 20 nays, 14 not voting.

Mr. Peterson moved that L. B. No. 10 be referred back to the standing committee with directions to provide for an appointive commission.

President Johnson presiding

Mr. Norman moved to indefinitely postpone L. B. No. 10.

The Chair ruled that Mr. Norman's motion was in order.

Mr. Mekota appealed from the decision of the Chair.

Vote was taken on the question and the Chair was sustained with 29 ayes, 8 nays, 6 not voting.

Ernest A. Adams moved that consideration of L. B. No. 10 be postponed until 10:00 a. m. February 6, 1941.

The motion prevailed with 23 ayes, 16 nays, 4 not voting.

REQUEST—To Add Name of Co-introducer

Mr. Gantz asked that unanimous consent be granted to add the name of George C. Weborg to L. B. No. 378 as a co-introducer.

No objection was raised and the President so ordered.

Recess

At 12:35 p. m. Mr. Matzke moved to recess until 8:00 p. m.

The motion prevailed.

After Recess

The Legislature reconvened at 8:00 p. m. President Johnson presiding.

The roll was called and all members were present except Messrs. Jeppesen, Kotouc and Mischke, who were excused.

BILLS ON FIRST READING

The following bills were read the first time by title:

Mr. Blome presiding

LEGISLATIVE BILL NO. 403. By Peterson of Lancaster; Sullivan, John Adams, Jr. of Douglas; Callan of Gage, Johnson of Dodge.

A bill for an Act to amend Sec. 48-702, C. S. Supp., 1939, as amended by Section 1, Chapter 2, Session Laws of Nebraska, 1940, Special; to amend Secs. 48-703, 48-704, 48-706, 48-707, 48-708, 48-709(b), 48-711(a) and (e), 48-712, 48-714(a), and 48-715(d), C. S. Supp., 1939, as amended, relating to labor, unemployment compensation and the employment of labor and free employment services; to redefine terms used in the unemployment compensation law; to provide special benefit rights for individuals inducted into the armed forces of this country; to redefine the classes of employers and employments subject to the provisions of the unemployment compensation law; to eliminate special treatment of part time workers; to redefine qualifications for benefits; to make more specific the manner in which claims for benefits shall be determined, redetermined and appealed; to change the basis of contribution liability from wages payable to wages paid; to provide three-year reserve account experience as a basis for future contribution rates; to provide a method of appeal from contribution rate determinations; to provide for the furnishing of information to employers with respect to benefit charges; to change procedures for charging benefits to employers' reserve accounts and the pooled account; to provide for the manner of insuring the solvency of the pooled account; to eliminate partial transfers of reserve accounts; to extend date for requesting termination of coverage; to provide a separate treasurer for the

unemployment compensation fund and to fix the amount of his bond; to extend date for submitting annual report; to provide for tenure and remuneration of advisory council members; to provide for the manner in which administration funds shall be expended and to recognize an obligation on the part of the state to repay funds improperly expended; to make an offense any discrimination by an employer against a worker on account of claims for benefits; to provide the manner in which benefits erroneously obtained may be recovered or recouped; to provide for transition from the old law to the law as amended; to provide for separability of provisions; to repeal said original sections; to repeal said original section as amended; and to declare an emergency.

LEGISLATIVE BILL NO. 404. By Kotouc of Richardson (By request)

A bill for an Act to amend Sec. 39-2107, C. S. Supp., 1939, relating to interstate county bridges; to provide for the issuance of revenue bonds therefor and the investments in revenue bonds issued by counties of Nebraska; to provide for the issuance of refunding revenue bonds of interstate county bridges; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 405. By Price of Lancaster.

A bill for an Act to amend Section 89-139, Compiled Statutes of Nebraska, 1929, relating to weights and measures; to establish license fees on scales; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 406. By Asimus of Holt.

A bill for an Act to amend Section 37-406, Compiled Statutes of Nebraska, 1929, relating to game and fish; to provide for the passage of water over or through dams or other obstructions in order to preserve fish life; to repeal said original section; and to provide penalties.

LEGISLATIVE BILL NO. 407. By Brodahl of Saunders.

A bill for an Act to amend Sec. 26-133, C. S. Supp., 1939, relating to county government and officers; to provide the method of nomination and election of county commissioners; and to repeal said original section.

LEGISLATIVE BILL NO. 408. By Price of Lancaster.

A bill for an Act to amend Sec. 70-702, C. S. Supp., 1939, relating to public power districts and to public power and irrigation districts; to provide that such districts, when so created, shall be public proprietary corporations; to provide that such districts shall be political subdivisions of the state for the election of its directors; to provide that such districts, when so created, shall exercise no governmental functions, shall not be considered a governmental subdivision of the state and that their property shall not be exempt from taxation; to repeal said original section; to state a saving clause; and to declare an emergency.

LEGISLATIVE BILL NO. 409. By Price of Lancaster.

A bill for an Act to amend Section 81-5440, C. S. Supp., 1939, relating to securities; to exempt from the operation of the act certain types of securities; to repeal Section 81-5440, C. S. Supp., 1939; and to declare an emergency.

LEGISLATIVE BILL NO. 410. By Price of Lancaster.

A bill for an Act relating to investment companies; to define investment companies; to provide the nature and scope of the business of such companies; to provide the terms and conditions upon which they may be permitted to do business; and to provide for their regulation and qualification within the state of Nebraska.

LEGISLATIVE BILL NO. 411. By Price of Lancaster.

A bill for an Act to amend Sec. 8-702, C. S. Supp., 1939, relating to banks and banking; to fix the amount of annual fees to be paid by foreign investment companies; and to repeal said original section.

LEGISLATIVE BILL NO. 412. By Price of Lancaster.

A bill for an Act to amend Section 81-5108, C. S. Supp., 1939, to provide the method of examination of installment investment companies; to repeal Section 81-5108, C. S. Supp., 1939.

LEGISLATIVE BILL NO. 413. By Brodahl of Saunders (By request)

A bill for an Act to amend Sec. 26-105, C. S. Supp., 1939, relating to county government and offices; to provide that the county board shall not lease office room in the court house to any private business; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 414. By Thornton of Jefferson.

A bill for an Act to amend Sec. 39-801, C. S. Supp., 1939, relating to highways and bridges; to provide that county boards shall advertise for bids for bridge construction or repair; to provide that any construction awarded without such advertising shall be void; to repeal said original section; and to repeal Section 39-802, Compiled Statutes of Nebraska, 1929.

LEGISLATIVE BILL NO. 415. By Garber of Webster.

A bill for an Act to amend Section 50-104, Compiled Statutes of Nebraska, 1929, relating to the legislature; to extend legislative immunity to words written or spoken in connection with legislative reports; and to repeal said original section.

LEGISLATIVE BILL NO. 416. By Bowman of Adams.

A bill for an Act to amend Section 16-304, Compiled Statutes of Nebraska, 1929, relating to municipal corporations; to prescribe the status of the chief of the fire department in cities of the first class having a population of more than five thousand and less than twenty-five thousand inhabitants, when the several offices and positions of trust or employment in the public service of such city are classified on the basis of merit; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 417. By Rakow of Antelope.

A bill for an Act to amend Section 33-134, Compiled Statutes of Nebraska, 1929, relating to fees and salaries; and to repeal said original section.

LEGISLATIVE BILL NO. 418. By Howard of McPherson.

A bill for an Act to amend Sec. 60-407, C. S. Supp., 1939, relating to motor vehicles; to provide that a portion of the moneys inuring to **"motor vehicle operator's license fund"** may be reappropriated to the **"highway cash fund"**, and used for the supervision, construction and maintenance of state highways, if and when appropriated by the legislature for that purpose; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 419. By Weborg of Cuming.

A bill for an Act to amend Sec. 77-2039, C. S. Supp., 1939, relating to revenue; to provide for the redemption by the owner of real estate sold for taxes; and to repeal said original section.

LEGISLATIVE BILL NO. 420. By Murphy of Scotts Bluff.

A bill for an Act to amend Section 77-1806, Compiled Statutes of Nebraska, 1929, relating to revenue; to provide for the delivery of certificates of footing of tax lists by the county clerk to the state tax commissioner; to provide for the expense of securing the same upon the failure of the county clerk so to do; and to repeal said original section.

LEGISLATIVE BILL NO. 421. By Raecke of Merrick.

A bill for an Act to amend Sec. 46-101, C. S. Supp., 1939, relating to irrigation; to permit non-resident electors of irrigation districts to vote by mail; and to repeal said original section.

LEGISLATIVE BILL NO. 422. By Reed of Lancaster (By request)

A bill for an Act to appropriate the sum of five thousand dollars out of the general fund of the state of Nebraska to clear the title to certain lands, rightfully owned by the state of Nebraska; and to declare an emergency.

LEGISLATIVE BILL NO. 423. By Rakow of Antelope.

A bill for an Act to provide that the board of public works of any city or village may, with the approval of the council or board of trustees thereof, designate and employ any competent person as executive manager to have active direction and supervision of the operation and management of any public utility owned and operated by said municipality; to provide that such person may be one of the members of the board of public works; to provide for the fixing of the salary of such executive manager; to state a validity clause; to repeal or supersede all other acts or parts of acts not in conformity with the provisions of this bill; and to declare an emergency.

LEGISLATIVE BILL NO. 424. By Knezacek of Valley, Asimus of Holt, Van Diest of Loup.

A bill for an Act to direct the game forestation and parks com-

mission to take the necessary steps to acquire Fort Hartsuff as a historic site for state park or memorial purposes.

LEGISLATIVE BILL NO. 425. By Greenamyre of Madison.

A bill for an Act to amend Section 83-712, Compiled Statutes of Nebraska, 1929, relating to state institutions; to provide for the temporary admission of voluntary patients to state hospitals; to provide for the payment of actual expenses for such patients; to prohibit the acceptance of any fees from such patients, their relatives or friends by physicians employed by the state; to provide penalties; and to repeal said original section.

LEGISLATIVE BILL NO. 426. By Greenamyre of Madison.

A bill for an Act to appropriate the sum of.....dollars for the benefit of Opal Bredehoft; and to declare an emergency.

LEGISLATIVE BILL NO. 427. By Weborg of Cuming (By request).

A bill for an Act to amend Section 51-204, Compiled Statutes of Nebraska, 1929; to amend Sec. 51-210, C. S. Supp., 1939, relating to municipal libraries; to authorize the library board of any city, village, township or county to sell and convey any real estate, owned by the library board or by the public library, which is not used for library purposes; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 428. By Rakow of Antelope.

A bill for an Act to amend Sec. 79-2101, C. S. Supp., 1939, relating to schools; to provide for the transfer of children from one school district to another; and to repeal said original section.

LEGISLATIVE BILL NO. 429. By Neubauer of Harlan, Carmody of Hitchcock.

A bill for an Act to ratify the compact entered into by the states of Colorado, Kansas and Nebraska relating to the Republican river; and to declare an emergency.

LEGISLATIVE BILL NO. 430. By Peterson of Lancaster.

A bill for an Act relating to corporations; to provide for the

organization of non-profit hospital service corporations; to establish the powers, duties and purposes of such corporations; to establish the rules and regulations for the government thereof; to prescribe the powers and duties of the department of insurance; to provide for licenses; and to establish fees therefor.

LEGISLATIVE BILL NO. 431. By Howard of McPherson.

A bill for an Act to amend Section 40-117, Compiled Statutes of Nebraska, 1929, relating to homesteads; to provide that homesteads shall descend subject to the debts of the surviving spouse; and to repeal said original section.

LEGISLATIVE BILL NO. 432. By Howard of McPherson.

A bill for an Act to amend Sec. 60-1014, C. S. Supp., 1939, relating to motor vehicles; to provide that a portion of the moneys arising from the administration of the motor vehicle title and transfer law may be reappropriated to the highway cash fund and may be used for the supervision, construction and maintenance of state highways, if and when appropriated by the legislature; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 433. By Howard of McPherson.

A bill for an Act relating to municipal corporations; to amend Sec. 18-1601, C. S. Supp., 1939; to provide for the construction, purchase or otherwise acquiring of electric light and power plants, distribution systems, transmission lines, distribution systems and transmission lines, or additions thereto, or real or personal property needed or useful in connection therewith; to provide for generating equipment or additional generating equipment for existing electric light and power plants, distribution systems, transmission lines, distribution systems and transmission lines; to provide for payment of the cost thereof; to provide methods for the issuance and sale of revenue bonds or debentures; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 434. By Sorrell of Otoe.

A bill for an Act to amend Section 77-1911, Compiled Statutes of Nebraska, 1929, relating to revenue; to provide for the publication of the personal tax rolls; and to repeal said original section.

LEGISLATIVE BILL NO. 435. By John Adams, Jr., of Douglas (By request).

A bill for an Act to amend Sections 48-108 and 48-111, Compiled Statutes of Nebraska, 1929; to amend Secs. 48-120, 48-140, 48-145, 48-147 and 48-165, C. S. Supp., 1939, relating to labor; to establish rules and regulations relating to workmen's compensation; to regulate policies of insurance therefor; to provide penalties; and to repeal said original sections.

LEGISLATIVE BILL NO. 436. By Peterson of Lancaster.

A bill for an Act to amend Sections 32-1601, 32-1602 and 32-1603, Compiled Statutes of Nebraska, 1929, relating to elections; to prescribe procedure concerning certificate of appointment, and meeting of the college of electors to elect a president and vice president; and to repeal said original sections.

LEGISLATIVE BILL NO. 437. By Peterson of Lancaster.

A bill for an Act relating to revenue; to create a fund to be known as the **"state building fund"** to consist of the proceeds of an annual tax of two-tenths of one mill on the dollar of actual valuation on the grand assessment roll of the state; to provide for the separation of said fund and the allocation thereof on a percentage basis; to appropriate the same for the use of the respective institutions which are under the general control of the board of control, of the board of regents and of the board of education of the state normal schools, to be expended by said boards, respectively, for the purchase of lands, construction of new buildings and for permanent improvements, remodeling and repairs; to provide that unexpended balances remaining at the end of the biennium in said funds appropriated shall not lapse; to provide for the acceptance of and assent to the acts of Congress which offer, by way of grants, aid to the state for agencies of the state government in aid of construction for use of state institutions; to authorize the state treasurer to receive grants of money appropriated by Congress and to pay warrants drawn by the auditor of public accounts upon certificates or vouchers presented by said expending agencies in accordance with the terms and conditions specified by the acts of Congress; and to declare an emergency.

LEGISLATIVE BILL NO. 438. By John Adams, Jr., of Douglas (By request).

A bill for an Act to amend Sec. 12-124, C. S. Supp., 1939, relating to official bonds; to provide for the payment of premiums thereon by the county board; and to repeal said original section.

LEGISLATIVE BILL NO. 439. By Norman, Tvrdik of Douglas.

A bill for an Act to amend Sec. 70-706, C. S. Supp., 1939, relating to public power and irrigation districts; to provide conditions and restrictions for the acquisition by any such district of municipal and other electric light or power plants or systems specified in this act; and to repeal said original section.

LEGISLATIVE BILL NO. 440. By John Adams, Jr., of Douglas (By request).

A bill for an Act relating to elections; to provide a method for determining the order in which names of candidates shall appear on certain ballots; and to repeal all acts and parts of acts in conflict therewith.

LEGISLATIVE BILL NO. 441. By John Adams, Jr., of Douglas.

A bill for an Act to amend Sec. 53-337, C. S. Supp., 1939, relating to liquors; to prohibit the sale at retail, including beer, on secular days between the hours of one o'clock A. M. and six o'clock A. M.; to prohibit the sale at retail of alcoholic liquors, including beer, between the hours of one o'clock A. M. Sunday and six o'clock A. M. Sunday; to prohibit the sale at retail of alcoholic liquors, except beer, between the hours of six o'clock A. M. Sunday and twelve o'clock midnight Sunday; to provide for closing prior to one o'clock A. M. within the corporate limits of cities or villages by ordinance; to provide for closing prior to one o'clock A. M. outside the corporate limits of cities or villages by rule of the commission; to provide penalties for the violation of the provisions thereof; and to repeal said original section.

LEGISLATIVE BILL NO. 442. By Carlson of Phelps. (By request)

A bill for an Act to amend Sec. 68-260, C. S. Supp., 1939, relating to public welfare and social security; to raise the maximum assistance grant from thirty dollars per month to forty dollars per month; and to repeal said original section.

LEGISLATIVE BILL NO. 443. By Hanna of Cherry, Howard of McPherson, Gantz of Box Butte, Van Diest of Loup, Murphy of Scotts Bluff, Metzger of Cass, Carlson of Phelps, Carmody of Hitchcock, Crosby of Lincoln.

A bill for an Act relating to live stock; and to establish a brand area for the state of Nebrsaka.

LEGISLATIVE BILL NO. 444. By Hanna of Cherry, Howard of McPherson, Gantz of Box Butte, Van Diest of Loup, Murphy of Scotts Bluff, Metzger of Cass, Carlson of Phelps, Carmody of Hitchcock, Crosby of Lincoln.

A bill for an Act relating to live stock; to define open markets; and to repeal Sec. 54-709, C. S. Supp., 1939.

LEGISLATIVE BILL NO. 445. By Matzke of Seward.

A bill for an Act to amend Sec. 44-310 (4), C. S. Supp., 1939, relating to insurance; to prescribe the type of securities that are legal investments for domestic insurance companies; and to repeal said original section.

LEGISLATIVE BILL NO. 446. By Price of Lancaster (By request).

A bill for an Act to amend Sec. 60-322, C. S. Supp., 1939, relating to motor vehicles; to provide for the sealing of license plates to the motor vehicle for which such plates are issued; to define the duties of the state engineer and of county treasurers in connection therewith; and to repeal said original section.

LEGISLATIVE BILL NO. 447. By Hanna of Cherry, Howard of McPherson, Gantz of Box Butte, Van Diest of Loup, Murphy of Scotts Bluff, Metzger of Cass, Carlson of Phelps, Carmody of Hitchcock, Crosby of Lincoln.

A bill for an Act relating to live stock; to provide rules and regulations for inspecting brands on live stock; and to provide penalties for the violation thereof.

LEGISLATIVE BILL NO. 448. By Garber of Webster.

A bill for an Act to amend Sec. 60-330, C. S. Supp., 1939, relating to motor vehicles; to establish the registration fee for passenger motor vehicles not used for hire; and to repeal said original section.

LEGISLATIVE BILL NO. 449. By Ernest A. Adams of Douglas, Price of Lancaster.

A bill for an Act relating to decedents' estates; to provide for the appointment of a public administrator by the governor in all counties having more than fifty thousand population; to fix his term, qualifications and duties; to provide for the filing of his oath and bond; to establish conditions under which estates are administered by the public administrator; the amount of his compensation and to provide for the conditions under which and the manner in which he can be removed.

LEGISLATIVE BILL NO. 450. By Matzke of Seward, Sorrell of Otoe.

A bill for an Act to amend Secs. 77-1915 and 77-1959, C. S. Supp., 1939; to amend Section 77-1916, Compiled Statutes of Nebraska, 1929, relating to revenue; to fix the date on which personal property taxes shall become delinquent; to provide for the collection of delinquent personal property taxes; to provide the method of making returns of distress warrants; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO 451. By Committee on Appropriations.

A bill for an Act specifically to appropriate the sum of ten thousand dollars for the uses and purposes of the **"Bang's disease eradication fund"** from the effective date of this act; and to declare an emergency.

LEGISLATIVE BILL NO. 452. By Gantz of Box Butte.

A bill for an Act relating to claims against the estates of deceased persons; to provide when the time for filing claims shall commence to run and the time within which legal notice thereof shall be given.

LEGISLATIVE BILL NO. 453. By Norman of Douglas (By request), Sullivan, Tvrdik of Douglas.

A bill for an Act to amend Sec. 39-2107, C. S. Supp., 1939, relating to interstate county bridges; to provide for the issuance of revenue bonds, their form, terms, conditions, registration, retirement and trust agreement; to provide for the issuance of refunding bonds to refund any outstanding bonds; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO 454. By Gantz of Box Butte.

A bill for an Act relating to legal publications; to provide the form and manner of publishing legal notices; to provide for notice in particular proceedings; to provide generally for notices not otherwise specifically provided for by statute; to amend Secs. 20-523 and 30-1104, C. S. Supp., 1939; to amend Sections 20-1529, 69-103, 20-519 and 24-207, Compiled Statutes of Nebraska, 1929; and to repeal said original sections.

LEGISLATIVE BILL NO. 455. By Van Diest of Loup, Hanna of Cherry.

A bill for an Act to amend Section 39-115, Compiled Statutes of Nebraska, 1929, relating to highways; to provide the time for filing objections to establishing or altering roads upon favorable report of the county surveyor; and to repeal said original section.

LEGISLATIVE BILL NO. 456. By Van Diest of Loup, Metzger of Cass.

A bill for an Act relating to vocational education; specifically to appropriate the sum of fifty-three thousand dollars, or so much thereof as may be necessary for the establishment and operation of a vocational trade and industrial school for men and boys in the city of Broken Bow, Custer county, Nebraska; to empower the board of vocational education to administer the provisions of this act; and to declare an emergency.

LEGISLATIVE BILL NO. 457. By Tvrdik, Sullivan of Douglas.

A bill for an Act to amend Section 28-517, Compiled Statutes of Nebraska, 1929, relating to crimes and punishments; to prescribe penalties for third, fourth and subsequent offenses of the crime of petit larceny; to prescribe the mode of proof of prior offenses; and to repeal said original section.

LEGISLATIVE BILL NO. 458. By Van Diest of Loup, Hanna of Cherry.

A bill for an Act relating to elections; to repeal Section 32-1161, Compiled Statutes of Nebraska, 1929, outlining procedures pertinent to recount of the votes; and to declare an emergency.

LEGISLATIVE BILL NO. 459. By Callan of Gage.

A bill for an Act relating to motor vehicle fuels; to provide

procedure for the payment of refunds of taxes imposed on motor vehicle fuels, with allocations to the state assistance fund deducted, if any, to persons who purchase motor vehicle fuels on which motor vehicle fuel tax is paid, either directly or indirectly, in the event that the taxed motor vehicle fuel is used solely for agricultural purposes; to define terms used in this act; to provide that the chief of the bureau of motor fuels in the department of agriculture and inspection shall administer the provisions thereof; to provide for the mixing of identifying chemicals in all **"tax refund"** motor vehicle fuels at the time of sale or purchase, which identifying chemicals shall be furnished without cost to distributors by the administrator; to amend Sec. 66-411 (A), C. S. Supp., 1939; to provide penalties for the violation thereof; to state validity and saving clauses; to repeal said original subsection; to repeal Sec. 66-411 (B), C. S. Supp., 1939; and to declare an emergency.

LEGISLATIVE BILL NO. 460. By Gantz of Box Butte, Blome of Cheyenne.

A bill for an Act relating to irrigation; to provide rules for the regulation and conservation of ground water; to define terms; to establish fees; to provide penalties for the violation thereof; and to state a validity clause.

LEGISLATIVE BILL NO. 461. By Ernest A. Adams of Douglas.

A bill for an Act to amend Sec. 53-351, C. S. Supp., 1939, relating to liquors; to provide that the Nebraska liquor control commission may require that tax stamps be affixed at the place of manufacture where liquor is originally bottled; and to repeal said original section.

LEGISLATIVE BILL NO. 462. By Ernest A. Adams of Douglas, Callan of Gage, Neubauer of Harlan.

A bill for an Act relating to chemurgy; to accept on behalf of the state of Nebraska the conditions, purposes and terms of Sec. 202, of an act of Congress, known as Public No. 430, 75th Congress, 3d session, entitled "An act to provide for the conservation of national soil resources and to provide an adequate and balanced flow of agricultural commodities in interstate and foreign commerce and for other purposes"; and to declare an emergency.

LEGISLATIVE BILL NO. 463. By Ernest A. Adams, Norman, Tvrdik, Sullivan, Amos Thomas, Bevins of Douglas; Metzger of Cass.

A bill for an Act to require provision for educational opportunities for physically handicapped children who are unable to attend regular school classes; to prescribe the methods of such educational training under the supervision of the state superintendent of public instruction; to provide for reimbursement of school districts for the extra expense involved; and to declare an emergency.

LEGISLATIVE BILL NO. 464. By Crosby of Lincoln; Sullivan, Tvrdik, Amos Thomas, Ernest A. Adams of Douglas; Metzger of Cass.

A bill for an Act to amend Secs. 3-215 and 3-216, C. S. Supp., 1939, relating to aircraft and airmen; to establish a tax upon fuels purchased and used for aircraft; to provide for collection, allocation and disbursement of such tax moneys; to provide for refunds and to establish procedure therefor; and to repeal said original sections.

LEGISLATIVE BILL NO. 465. By Ernest A. Adams of Douglas, Blome of Cheyenne.

A bill for an Act relating to national preparedness; to accept on behalf of the state of Nebraska the conditions, purposes and terms of an act of Congress known as H. R. 1074, 77th Congress, entitled "A bill to promote national preparedness and the national welfare through appropriation of funds to assist the several States and Territories in making adequate provisions through schools for physical education, including athletics; instruction and guidance in healthful living; wider recreational use of school facilities; and the development of school camps"; and to declare an emergency.

LEGISLATIVE BILL NO 466. By Ernest A. Adams of Douglas.

A bill for an Act relating to highways; to provide for the lighting of federal highways, state highways and county highways by the department of roads and irrigation; to provide for the payment therefor out of the gasoline tax funds of the state of Nebraska, or other funds; and to declare an emergency.

LEGISLATIVE BILL NO. 467. By Tvrdik, Ernest A. Adams, Norman of Douglas.

A bill for an Act to amend Section 75-301, Compiled Statutes of Nebraska, 1929, relating to the state railway commission; to grant to said commission the power to determine who shall have the right to appear and practice before the commission; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 468. By Sullivan of Douglas.

A bill for an Act to amend Sec. 39-1425, C. S. Supp., 1939, relating to construction contracts; to provide that the department of roads and irrigation and the county board shall receive all bids for construction contracts in the county seat of the county in which the work or major portion of the work is to be done; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 469. By John Adams Jr. of Douglas (By request).

A bill for an Act to amend Sec. 12-119, C. S. Supp., 1939 relating to official bonds; to limit the amount of such bonds; and to repeal said original section.

LEGISLATIVE BILL NO. 470. By Neubauer of Harlan, Brodahl of Saunders, Metzger of Cass, Carlson of Phelps, Ernest A. Adams of Douglas, Thornton of Jefferson, Bowman of Adams, Ray Thomas of Clay, Weborg of Cuming, Matzke of Seward, Garber of Webster, Carmody of Hitchcock, Blome of Cheyenne, Asimus of Holt, Knezacek of Valley, Sorrell of Otoe.

A bill for an Act relating to motor vehicle fuels; to provide procedure for the payment of refunds of taxes imposed on motor vehicle fuels, with allocations to the state assistance fund deducted, if any, to persons who purchase motor vehicle fuels on which motor vehicle fuel tax is paid, either directly or indirectly, in the event that the taxed motor vehicle fuel is used solely for agricultural purposes; to define terms used in this act; to provide that the chief of the bureau of motor fuels in the department of agriculture and inspection shall administer the provisions thereof; to provide for the mixing of identifying chemicals in all **"tax refund"** motor vehicle fuels at the time of sale or purchase, which identifying chemicals shall be furnished without cost to distributors by the administrator; to provide penalties for the violation thereof; to state validity and saving clauses; and to declare an emergency.

LEGISLATIVE BILL NO. 471. By Neubauer of Harlan, Carmody of Hitchcock.

A bill for an Act relating to state administrative departments; to establish the division of water conservation within the department

of roads and irrigation and to prescribe its powers and duties; to provide that the titular head thereof shall be the chief of water conservation; to prescribe his powers and duties; to define terms; and to declare an emergency.

LEGISLATIVE BILL NO. 472. By Sullivan, Tvrdik, Norman of Douglas.

A bill for an Act to amend Secs. 81-5102, 81-5103, 81-5106, 81-5112, C. S. Supp., 1939, relating to banks and banking; to prescribe requirements for the operation of installment investment companies; and to repeal said original sections.

LEGISLATIVE BILL NO. 473. By Neubauer of Harlan, Howard of McPherson, Hanna of Cherry.

A bill for an Act to amend Sec. 1, Article VIII, constitution of Nebraska, relating to revenue; to provide that revenue from gasoline and other motor fuel excise and license taxation, motor vehicle registration fees and license taxes, to be used solely for construction, reconstruction, maintenance and repair of public highways and bridges; to amend Article XVII, constitution of Nebraska; and to provide for the effective date thereof.

LEGISLATIVE BILL NO. 474. By Johnson of Dodge.

A bill for an Act to amend Sec. 1, Article VIII, and Sec. 2, Article VIII, constitution of Nebraska relating to revenue; to amend Article XVII, constitution of Nebraska; and to provide for the effective date thereof.

LEGISLATIVE BILL NO. 475. By Johnson of Dodge.

A bill for an Act relating to municipal corporations; to provide that cities of the second class and villages may use funds or earnings arising from the operation of water works, gas works, power plants, heating or lighting systems solely for the payment of expenses, improvements, extensions and additions to said works or systems or for reserve for depreciation, improvements, extensions and additions, and for no other purpose unless authorized by a majority vote of the electors voting on the proposition to divert the funds at a general or special election for the uses and purposes of another municipal activity specifically named in the proposal submitted; and to declare an emergency.

LEGISLATIVE BILL NO. 476. By Price of Lancaster.

A bill for an Act relating to public safety and welfare; to create

a state board of electricians and to prescribe their powers and duties; to provide for licenses and to establish fees therefor; to define terms; to provide rules and regulations and establish minimum standards relating to electrical wiring and apparatus; to provide for inspections; to appropriate the sum of one thousand dollars from the general fund of the state; and to provide penalties.

LEGISLATIVE BILL NO. 477. By John Adams, Jr. of Douglas (By request)

A bill for an Act to amend Section 20-505, Compiled Statutes of Nebraska, 1929, relating to civil procedure, district court; to provide that summons issued in actions for the foreclosure of tax liens may be made returnable on the third or fourth Monday after its date at the option of the party having same issued; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 478. By Callan of Gage (By request)

A bill for an Act to amend Sec. 79-2523, C. S. Supp., 1939, relating to schools; to fix the levy for school purposes in school districts containing a city of one thousand population or more; to authorize the school board in such districts to levy one-half mill annually for building fund; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 479. By Asimus of Holt, Brodahl of Saunders, Van Diest of Loup, Lambert of Platte.

A bill for an Act relating to the activities of state, county, legislative and municipal officials; to provide that it shall be unlawful to lobby at any session of the legislature or in the interval between sessions until one year has elapsed after the expiration of the term for which said officials were elected; to provide penalties for the violation of the provisions of this act; and to declare an emergency.

LEGISLATIVE BILL NO. 480. By Price of Lancaster.

A bill for an Act to amend Sec. 70-709, C. S. Supp., 1939, relating to public power and irrigation districts; to limit the commissions or remuneration paid to the agents of said districts for the purchase or sale of property or securities; to provide the terms and conditions under which the securities of such districts may be sold; to repeal said original section; and to declare an emergency.

President Johnson presiding

LEGISLATIVE BILL NO. 481. By Tvrdik, Sullivan, Bevins of Douglas.

A bill for an Act to impose compensating fees in the form of a ton-mile tax for the use of the highways of the state of Nebraska by commercial motor vehicles, as defined by the laws of this state, in addition to all other fees now imposed upon such vehicles; to provide that the department of roads and irrigation shall collect such fees and shall make rules, regulations, require bonds or security for the payment thereof; and to provide for the allocatoin of the revenues arising therefrom; and to provide penalties for the violation thereof.

LEGISLATIVE BILL NO. 482. By Asimus of Holt.

A bill for an Act relating to motor vehicles; to levy an excise tax upon all fuel used in the operation of motor vehicles of the diesel type used on public highways, streets and alleys in the state of Nebraska; to provide for the allocation of such moneys; to repeal Article 11, Chapter 60, C. S. Supp., 1939; and to declare an emergency.

LEGISLATIVE BILL NO. 483. By Sorrell of Otoe (By request).

A bill for an Act relating to schools; to detach country lands from high school districts in cities and villages; to provide for a tax upon country lands for high school districts in cities and villages; and to repeal all laws in conflict with this act.

LEGISLATIVE BILL NO. 484. By Sorrell of Otoe (By request).

A bill for an Act to appropriate.....dollars for the establishment of home guard units; to provide that such units shall be subject to mobilization by the governor; and to declare an emergency.

LEGISLATIVE BILL NO. 485. By Van Diest of Loup.

A bill for an Act relating to revenue; to provide for the raising of public revenue to replace all school taxes on real and personal property, excepting school taxes levied on real and personal property for bonded or other indebtedness, by imposing a tax upon the receipts of gross revenue; to provide for the ascertainment, assessment and collection of said tax; to provide penalties for the violation of the terms of this act; and to declare an emergency.

LEGISLATIVE BILL NO. 486. By Greenamyre of Madison.

A bill for an Act to amend Sec. 48-205, C. S. Supp., 1939, relating to labor; to regulate the hours of employment and working

conditions of females under the age of twenty-one years; to except employees of public service corporations from the provisions of this section; to provide for the investigation of working conditions and the issuance of permits by the commissioner of labor; to establish fees; to create and establish the **"labor fund"**; to provide that moneys in said fund shall be paid out only on proper vouchers approved by the labor commissioner; to provide for the revocation of such permits; to provide penalties; and to repeal said original section.

LEGISLATIVE BILL NO. 487. By Garber of Webster (By request).

A bill for an Act relating to foods; to provide for the public health and safety by requiring operators of places where food is prepared for human consumption to be consumed on the premises, to secure upon written application to the director of health, a permit therefor; to provide regulations, restrictions and conditions under which food may be prepared and sold for consumption therein; to provide for the administration and for the distribution of the moneys arising under this act; to state a validity clause; to amend Sections 41-104, 41-105, 41-106, 41-108, 41-109, 41-110, 41-111, 41-112, 41-114 and 41-115, Compiled Statutes of Nebraska, 1929; to provide penalties; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 488. By Price of Lancaster.

A bill for an Act to amend Section 39-1035, Comp. Stat. Supp., 1939, relating to regulation of the road and its use for travel; to provide the maximum gross weight including load that shall be placed on the axle of any vehicle or combination of vehicles; to provide for the maximum gross weight including load that shall be placed on any wheel of any vehicle or combination of vehicles; to establish maximum gross weights of motor vehicles or any combination of such vehicles including the load carried thereon; and to provide the manner of determining said maximum gross weights including load; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 489. By Ernest A. Adams, Sullivan of Douglas.

A bill for an Act to amend Section 77-510, Compiled Statutes of Nebraska, 1929, relating to revenue; to regulate the assessment of railroad property by the state board of equalization and assessment; to provide for the contents of the return to county clerks to be used as the basis of the levy by school districts through which any railroad or part thereof may extend, and the apportionment of the total assessed valuation of railroad property on the basis of school population within said respective school districts; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 490. By Mekota of Saline (By request).

A bill for an Act to amend Sec. 37-301, C. S. Supp., 1939, relating to game and fish; to establish the season for hunting for certain animals; and to repeal said original section.

LEGISLATIVE BILL NO. 491. By Weborg of Cuming.

A bill for an Act to amend Sec. 77-2004, C. S. Supp., 1939, relating to revenue; to provide for notice by publication of the list of the lands and lots subject to sale for delinquent taxes; to establish fees for advertising; and to repeal said original section.

LEGISLATIVE BILL NO. 492. By Ernest A. Adams, Norman, Tvrdik of Douglas.

A bill for an Act to amend Sec. 53-392, C. S. Supp., 1939, relating to liquors; to provide that license fees received by the liquor control commission shall belong to and be paid over to the respective school districts where the same originate; and to repeal said original section.

LEGISLATIVE BILL NO. 493. By Blome of Cheyenne, Ernest A. Adams of Douglas.

A bill for an Act to amend Sec. 68-284, C. S. Supp., 1939, relating to social security; to exempt disabled American world war veterans whose disability is service connected and their wives from per capita; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 494. By Neubauer of Harlan, Carmody of Hitchcock.

A bill for an Act to amend Section 81-6327, Compiled Statutes of Nebraska, 1929, relating to water conservation; to provide that permits must be obtained to build certain dams; to provide exceptions; to establish fees; and to repeal said original section.

Adjournment

At 10:05 p. m. Mr. Howard moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Thursday.

The motion prevailed with 36 ayes, no nays, 7 not voting.

Hugo F. Srb,
Clerk of the Legislature.

TWENTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, February 6, 1941.

Pursuant to adjournment, the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Jeppesen, who was excused.

The Journal for the Twenty-first Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Ray Thomas, one, favoring a tax exemption on gasoline used in farm motors; Mr. Sorrell, one, favoring a new home economics building at the College of Agriculture; Mr. Blome, one, opposing a reduction in fishing and hunting fees, and opposing a tax on bird dogs; Mr. Lambert, one, opposing L. B. No. 70, L. B. No. 83 and L. B. No. 105.

NOTICE OF COMMITTEE HEARINGS

Judiciary

L. B. No. 143, Friday, February 21, 1941, 2:00 p. m.

L. B. No. 144, Friday, February 21, 1941, 2:00 p. m.

L. B. No. 145, Monday, February 24, 1941, 2:00 p. m.

L. B. No. 146, Friday, February 21, 1941, 2:00 p. m.

L. B. No. 159, Friday, February 21, 1941, 2:00 p. m.

L. B. No. 167, Friday, February 21, 1941, 2:00 p. m.

L. B. No. 182, Monday, February 24, 1941, 2:00 p. m.

L. B. No. 188, Monday, February 24, 1941, 2:00 p. m.

L. B. No. 194, Monday, February 24, 1941, 2:00 p. m.

L. B. No. 196, Monday, February 24, 1941, 2:00 p. m.

Public Works

L. B. No. 133, Wednesday, February 12, 1941, 2:00 p. m.

L. B. No. 165, Wednesday, February 12, 1941, 2:00 p. m.

L. B. No. 179, Wednesday, February 12, 1941, 2:00 p. m.

Agriculture

L. B. No. 195, Tuesday, February 11, 1941, 4:30 p. m.

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL NO. 32. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 32:

1. Amend page 2, section 1, line 6, by re-inserting the stricken matter.

(Signed) Sorrell, Chairman

Agriculture

LEGISLATIVE BILL NO. 51. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 51:

1. Amend the bill, page 2, section 1, line 7, by striking therefrom the word "Tribilus" and by inserting in lieu thereof the word "Tribulus".

2. Amend the bill, page 2, section 1, line 8, by striking therefrom the words "pepper grass" and by inserting in lieu thereof the word "peppergrass".

3. Amend the bill, page 2, section 1, line 30, by striking therefrom the words "filled" and by inserting in lieu thereof the word "filed".

4. Amend the bill, page 5, section 2, line 92 by striking the colon after the word "situated" and inserting in lieu thereof a comma —strike the remainder of line 92, all of lines 93, 94, 95 and 96 and insert in lieu thereof: "which description shall not be required to be given by legal subdivisions, but shall be sufficient if generally accurate".

5. Amend the bill, page 10, section 4, line 16 by striking the words "three successive" and inserting in lieu thereof the word "one" and strike the letter "s" in the word "weeks".

6. Amend the bill, page 10, section 4, line 18 by adding after the word "the" the following: "date of" and by striking the word "last" in line 19.

7. Amend the bill, page 10, section 4, line 23, by inserting the figures "51" after the abbreviation "No.".

8. Amend the bill, page 11, section 5, line 46 by inserting the figures "51" after the abbreviation "No.".

9. Amend the bill, page 15, section 7, line 30, by striking therefrom the words "of property".

10. Amend the bill, page 18, section 8, line 80, by striking the word "January".

11. Amend the bill by adding an emergency clause and add the following: "Sec. 11. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law".

12. Amend the title, line 11 by striking the period after word "sections" and inserting a semicolon and insert the following: "and declare an emergency".

(Signed) Neubauer, Chairman

Banking, Commerce & Insurance

LEGISLATIVE BILL NO. 14. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 14:

1. Amend the printed copy of L. B. No. 14, Page 2, Line 23, by striking all after the word "viz" down to and including the word "visitation" in lines 53 and 54, and inserting in lieu thereof the following:

"Its employees, its officers, surgeons, physicians and attorneys at law, and the families of any of the foregoing; to the executive officers, general chairmen, and counsel of employees' organizations when such organizations are authorized and designated to represent employees in accordance with the provisions of the Railway Labor Act; to ministers of religion, traveling secretaries of Railroad Young Men's Christian Associations, inmates of hospitals and charitable and eleemosynary work; to indigent, destitute and homeless persons, and to such persons when transported by charitable societies or hospitals and the necessary agents employed in such transportation; to inmates of the National Homes or State Homes for Disabled Volunteer Soldiers, and of Soldiers' and Sailors' Homes, including those about to enter and those returning home after discharge; to necessary caretakers of livestock, poultry, milk and fruit; to employees on sleeping cars, express cars, and to linemen of telegraph and telephone companies; to Railway Mail Service employees, and persons in charge of the mails when on duty and traveling to and from duty, and all duly accredited agents and officers of the Post-Office Department and the Railway Mail Service, and post-office inspectors while traveling upon official business upon the exhibition of their credentials; to customs inspectors and immigration inspectors; to newsboys on trains, baggage agents, witnesses attending any legal investigation in which the common carrier is interested, persons injured in wrecks and physicians and nurses attending such persons: Provided, that this provision shall not be construed to prohibit the interchange of passes for the officers, agents and employees of common carriers, and their families; nor to prohibit any common carrier from carrying passengers free with the object of providing relief in cases of general epidemic, pestilence, or other calamitous visitation: And provided further, that this provision shall not be construed to prohibit the privilege of passes or franks, or the exchange thereof with each other, for the officers, agents, employees, and their families, of such telegraph, telephone and cable lines, and the officers, agents, employees, and their families, of other common carriers subject to the provisions of this chapter: Provided further, that the term "employees" as used in this paragraph shall include furloughed, pensioned and superannuated employees, persons who have become disabled or infirm in the service of any such common carrier, and the remains of a person killed in the employment of a carrier, and ex-employees traveling for the purpose of entering the service of any such common carrier; and the term "families" as used in this paragraph shall include the families of those persons named in this proviso; also the families of persons killed, and the widows, during widowhood, and minor children, during minority, of persons who died while in the service of any such common carrier."

2. Amend the printed copy of L. B. 14, page 3, line 57, by inserting after the word "persons" the following:

"whose time is not exclusively devoted to the service of a common carrier".

3. Amend the printed copy of L. B. 14 by inserting in the title, in the second line after the word "railroads", the following:

"providing for bringing the exceptions set out in said Act, in agreement with and in conformity to the Federal Transportation Act of 1940;".

(Signed) Thornton, Chairman

Enrollment and Review

LEGISLATIVE BILL NO. 232. Correctly engrossed.

(Signed) Crosby, Chairman

SPECIAL ORDER OF THE DAY

General File

LEGISLATIVE BILL NO. 10.

Ernest A. Adams moved that L. B. No. 10 be referred back to the Standing Committee to be reported back to the Legislature by Wednesday February 19th.

Mr. Norman objected on a point of order,—that his motion of the Twenty-first day to indefinitely postpone was before the Legislature.

After discussion Mr. Norman withdrew his motion.

Mr. Peterson withdrew his motion of the Twenty-first Day to refer with directions.

Mr. Adams' motion was restated and prevailed.

L. B. No. 10 was sent back to Committee on Public Works.

MOTION—Program Lincoln's Birthday

Mr. President: I move that we set 10:30 a. m. February 12th as an order of the day for a program in honor of Abraham Lincoln. That the Chaplain be instructed to prepare the program.

(Signed) Mueller.

The motion prevailed.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L.B. No.	Introducer	Committee Reference
373	Kotouc	Judiciary
374	Johnson	Judiciary
375	Raecke, et al	Public Health & Misc. Subs.
376	Carmody	Education
377	Carmody	Education
378	Gantz, et al	Labor & Public Welfare
379	Price, et al	Education
380	Committee on Judiciary	Judiciary
381	Brodahl, Weborg	Education
382	Greenamyre	Public Works
383	Brodahl	Agriculture
384	Bevins	Labor & Public Welfare
385	Bevins	Revenue
386	Bevins, Sullivan	Labor & Public Welfare
387	Sorrell	Judiciary
388	E. A. Adams, et al	Revenue
389	Peterson	Banking, Comm. & Ins.
390	Peterson, et al	Public Works
391	Raecke, et al	Public Health & Misc. Subs.
392	Crossland	Government
393	Thornton	Government
394	Thornton	Banking, Comm. & Ins.
395	Callan, et al	Public Works
396	Callan	Banking, Comm. & Ins.
397	J. Adams, Jr.	Judiciary

398	Van Diest, et al	Claims & Deficiencies
399	Sullivan, et al	Public Health & Misc. Subs.
400	Blome, Gantz	Judiciary
401	Sullivan, et al	Revenue
402	Raecke, et al	Revenue
403	Peterson, et al	Labor & Public Welfare
404	Kotouc	Government

GENERAL FILE

LEGISLATIVE BILL NO. 20. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Nineteenth Day were adopted.

Mr. Amos Thomas offered the following amendment, which was adopted:

Amend by adding the emergency clause as Sec. 3 and amend the title accordingly.

Referred to E and R for review.

LEGISLATIVE BILL NO. 21. Laid over. Placed at foot of General File.

LEGISLATIVE BILL NO. 79. Read and considered.

Laid over. Retains place on File.

LEGISLATIVE BILL NO. 80. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Twentieth Day were adopted.

Referred to E and R for review.

Adjournment

At 12:00 m. Mr. Mueller moved to adjourn.

The motion prevailed.

Hugo F. Srb,
Clerk of the Legislature.

TWENTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Friday, February 7, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. Speaker Howard presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Jeppesen, who was excused.

The Journal for the Twenty-second Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Lambert, one, favoring a tax exemption on gasoline used in farm motors; Mr. Mueller, one, Mr. Sorrell, one, each favoring the passage of L. B. No. 105 and L. B. No. 83.

The following petitions were received through the Governor's office: one, opposing special assessments; one, favoring an old age pension; one, opposing the barber bill; one favoring a reduction in the amount of bond required of the register of deeds in certain counties; one, opposing L. B. No. 85.

Communications

Letters were read from Congressmen Charles F. McLaughlin and Karl Stefan acknowledging receipt of a copy of Legislative Resolution No. 3 regarding the Sugar Beet Acreage Allotment in Nebraska; also a letter from Mr. G. Koch of Omaha regarding stolen property.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce & Insurance

L. B. No. 102, Thursday, February 13, 1941, 2:00 p. m.

L. B. No. 160, Thursday, February 13, 1941, 2:00 p. m.

L. B. No. 215, Thursday, February 13, 1941, 2:00 p. m.

L. B. No. 106, Thursday, February 13, 1941, 2:00 p. m.

Public Health & Miscellaneous Subjects

L. B. No. 31, Friday, February 14, 1941, 2:00 p. m.

(Changed from February 7, 1941)

Revenue

L. B. No. 107, Thursday, February 27, 1941, 2:00 p. m.

L. B. No. 130, Thursday, February 27, 1941, 2:00 p. m.

L. B. No. 136, Thursday, February 27, 1941, 2:00 p. m.

Judiciary

L. B. No. 173, Monday, February 24, 1941, 2:00 p. m.

Public Works

L. B. No. 198, Friday, February 14, 1941, 2:00 p. m.

L. B. No. 158, Friday, February 14, 1941, 2:00 p. m.

L. B. No. 205, Friday, February 14, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Committee on Committees

Mr. President: Your Committee on Committees desires to recommend the confirmation of the appointment of Mr. Clarke Wilson, Wakefield, Nebraska, as a member of the Game, Forestation and Parks Commission. (Signed) Ernest A. Adams, Chairman

MOTION—To Confirm Appointment

Mr. President: I move that the report of the Committee on Committees be adopted and the appointment confirmed.

(Signed) Ernest A. Adams

Vote was taken on the confirmation of Mr. Wilson:

Voting in the affirmative, 33:

Adams, E. A.	Crossland	Matzke	Peterson
Adams, J., Jr.	Gantz	Mekota	Raecke
Asimus	Greenamyre	Metzger	Rakow
Bevins	Hanna	Mischke	Sorrell
Blome	Johnson	Mueller	Thomas, Amos
Bowman	Knezacek	Murphy	Thomas, Ray
Carlson	Kotouc	Neubauer	Thornton
Carmody	Lambert	Norman	Van Diest
Crosby			

Voting in the negative, 0.

Not voting, 10:

Brodahl	Howard	Reed	Tvrdik
Callan	Jeppesen	Sullivan	Weborg
Garber	Price		

Having received a majority of the votes of all members, the Speaker declared the appointment of Mr. Wilson confirmed.

Appropriations

LEGISLATIVE BILL NO. 129. Placed on General File.

LEGISLATIVE BILL NO. 132. Placed on General File.

(Signed) Callan, Chairman

Agriculture

LEGISLATIVE BILL NO. 63. Placed on General File with amendments.

Report later withdrawn with unanimous consent.

LEGISLATIVE BILL NO. 58. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 58:

1. Amend Page 2, Section 1, Line 25, by striking therefrom the word "used" and by inserting in lieu thereof the words "offered for sale".

2. Amend Page 3, Section 1, Line 70, by adding after the word "department" and period the following "All culls when offered for sale shall bear a label marked Culls in letters two inches high".

3. Amend Page 4, Section 1, line 80, by inserting after the word "grade" the following words : "and minimum size".

4. Amend Page 4, Section 2, Line 9, by striking the word "automobile" and insert in lieu thereof the word "truck".

5. Amend Page 5, Section 3, Line 4, by striking the word "automobile".

6. Amend Page 5, Section 3, line 9 by striking all of said line after the word "state", and all of lines 10, 11, 12, 13 and the word "destination" in line 14 and insert in lieu thereof the following words "must conform to the regulations of this act".

7. Amend Page 5, Section 4, Line 4, by inserting after the word "packer" the following words "or wholesaler" and in line 5 in said section strike the conjunction "or" after the word "packing" and insert in lieu thereof a comma, and after the word "storage" in line 5, of said section insert the words "or resale" and strike the words "within the state" in said line 5.

(Signed) Neubauer, Chairman

Public Works

LEGISLATIVE BILL NO. 19. Placed on General File.

(Signed) Lambert, Vice Chairman

Enrollment and Review

LEGISLATIVE BILL NO. 34. Placed on Select File with amendments.

E and R amendments to L. B. No. 34:

1. Amend the bill, page 1, section 1, line 7 by striking therefrom **"Two Thousand Five Hundred Dollars ($2,500.00)"** and by inserting in lieu thereof the following: "two thousand five hundred dollars".

2. Amend the bill, page 1, section 1, line 9 by striking therefrom **"(12)"**.

3. Amend the bill, page 1, section 1, line 10 by striking therefrom **"Five Thousand Dollars ($5,000.00)"** and by inserting in lieu thereof the words **"five thousand dollars".**

4. Amend the bill, page 2, section 1, lines 15 and 16 by striking therefrom the following: **"Five Thousand Dollars ($5,000.00)"** and by inserting in lieu thereof the following: **"five thousand dollars".**

5. Amend the bill, page 2, section 1, lines 16, 17, 28, 29, 38, 41 and 42, also page 3, section 1, lines 47, 48 and 57 by striking the words "Department of Agriculture and Inspection" wherever the same appear therein and by inserting in lieu thereof the words **"department of agriculture and inspection".**

6. Amend the bill, page 2, section 1, line 36 and page 3, section 1, line 45, also page 3, section 3, line 1 by striking therefrom the word "Act" wherever the same appears therein and by inserting in lieu thereof the word "act".

7. Amend the bill, page 2, section 1, line 39 by striking therefrom the words "Attorney General" and by inserting in lieu thereof the words **"attorney general".**

8. Amend the bill, page 3, section 1, lines 49 and 61 by striking therefrom "One Dollar ($1.00)" wherever the same appears therein and by inserting in lieu thereof the words: **"one dollar".**

9. Amend the bill, page 1, section 1, lines 4 and 6, also page 3, section 1, lines 50, 53 and 58 by striking the word "State" therein and by inserting in lieu thereof the word **"state";** on page 1, title, line 4 of the bill, strike the word "State" therein and by inserting in lieu thereof the word **"state".**

10. Amend the bill, title, line 7, page 2, section 1, line 20 and page 3, section 1, line 57 by striking therefrom the word "Director" and by inserting in lieu thereof in each of said lines respectively the word **"director".**

LEGISLATIVE BILL NO. 37. Placed on Select File with amendments.

E and R amendments to L. B. No. 37:

1. Amend the bill, title, page 1, line 7, and page 2, section 1, line 7, by striking the word "already" and inserting in lieu thereof the words "at that time".

LEGISLATIVE BILL NO. 47. Placed on Select File.

LEGISLATIVE BILL NO. 48. Placed on Select File.

LEGISLATIVE BILL NO. 55. Placed on Select File with amendments.

E and R amendments to L. B. No. 55:

1. Amend the General File amendments, amendment 1, line 2 by striking therefrom the word "twenty-five" and by inserting in lieu thereof the word "twenty-five".

(Signed) Crosby, Chairman

REQUEST—To Withdraw Name as Co-introducer

Mr. Norman requested unanimous consent to withdraw his name as a co-introducer of L. B. No. 338.

No objection was raised and the Speaker so ordered.

RESOLUTION

LEGISLATIVE RESOLUTION NO. 5. Bryan Memorial

Resolution for the Erection of a William Jennings

Bryan Memorial

Introduced by Callan of Gage; Peterson, Reed of Lancaster; Neubauer of Harlan, Gantz of Box Butte, Tvrdik of Douglas, Johnson of Dodge, Kotouc of Richardson, Van Diest of Loup.

Preamble

WHEREAS, William Jennings Bryan was not only a distinguished citizen of Nebraska, but a national and international character held in high regard throughout the world, and

WHEREAS, his idealism and moral stature are increasingly recognized and his masterful eloquence increasingly admired, and

WHEREAS, pursuant to a joint resolution of Congress a statue has been erected to his memory on Riverside Drive in the city of Washington by the people of the nation, and

WHEREAS, the legislature of Nebraska designated William Jennings Bryan as one of the two distinguished Nebraskans entitled to a place in Statuary Hall in Washington and a statue has by the people of Nebraska been placed therein, and

WHEREAS, it is fitting and proper that a suitable memorial to him be erected on the capitol grounds in the city of Lincoln, Nebraska, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF NEBRASKA IN FIFTY-FIFTH REGULAR SESSION ASSSEMBLED:

1. That the governor and the secretary of the Nebraska state historical society shall appoint a Nebraska memorial commission which shall consist of five residents of the state of Nebraska who shall serve without pay and who shall have authority to adopt rules and regulations for procedure and cause plans and specifications to be prepared for the sculpture and placement of a statue on the capitol grounds in compliance with the purposes of this resolution.

2. That no appropriation shall be asked or sought from the legislature. The spirit of this statue is to live in the hearts of the citizens of Nebraska in all the years to come and their voluntary contributions shall become the nucleus for the funds to finance the statue herein contemplated.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L.B. No.	Introducer	Committee Reference
405	Price	Revenue
406	Asimus	Agriculture
407	Brodahl	Government
408	Price	Revenue
409	Price	Banking, Comm. & Ins.
410	Price	Banking, Comm. & Ins.
411	Price	Banking, Comm. & Ins.
412	Price	Banking, Comm. & Ins.
413	Brodahl	Government
414	Thornton	Public Works
415	Garber	Judiciary
416	Bowman	Government
417	Rakow	Government
418	Howard	Appropriations
419	Weborg	Revenue

420	Murphy	Revenue
421	Raecke	Public Works
422	Reed	Appropriations
423	Rakow	Public Works
424	Knezacek, et al	Public Works
425	Greenamyre	Appropriations
426	Greenamyre	Claims & Deficiencies
427	Weborg	Government
428	Rakow	Education
429	Neubauer, Carmody	Public Works
430	Peterson	Banking, Comm. & Ins.
431	Howard	Judiciary
432	Howard	Appropriations
433	Howard	Public Works
434	Sorrell	Revenue
435	J. Adams, Jr.	Labor & Public Welfare
436	Peterson	Government
437	Peterson	Revenue
438	J. Adams, Jr.	Government
439	Norman, Tvrdik	Public Works
440	J. Adams, Jr.	Government
441	J. Adams, Jr.	Judiciary
442	Carlson	Revenue
443	Hanna, et al	Agriculture
444	Hanna, et al	Agriculture
445	Matzke	Banking, Comm. & Ins.
446	Price	Public Works
447	Hanna, et al	Agriculture
448	Garber	Public Works
449	E. A. Adams, Price	Government

450	Matzke, Sorrell	Revenue
451	Committee on Appropriations	Appropriations
452	Gantz	Judiciary
453	Norman, et al	Revenue
454	Gantz	Judiciary
455	Van Diest, Hanna	Public Works
456	Van Diest, Metzger	Appropriations
457	Tvrdik, Sullivan	Judiciary
458	Van Diest, Hanna	Judiciary
459	Callan	Revenue
460	Gantz, Blome	Public Works
461	E. A. Adams	Judiciary
462	E. A. Adams, et al	Agriculture
463	E. A. Adams, et al	Education
464	Crosby, et al	Revenue
465	E. A. Adams, Blome	Government
466	E. A. Adams	Public Works
467	Tvrdik, et al	Banking, Comm. & Ins.
468	Sullivan	Public Works
469	J. Adams, Jr.	Government
470	Neubauer, et al	Revenue
471	Neubauer, Carmody	Public Works
472	Sullivan, et al	Banking, Comm. & Ins.
473	Neubauer, et al	Revenue
474	Johnson	Revenue
475	Johnson	Public Works
476	Price	Labor & Public Welfare
477	J. Adams, Jr.	Judiciary
478	Callan	Education

479	Asimus, et al	Judiciary
480	Price	Revenue
481	Tvrdik, et al	Public Works
482	Asimus	Public Works
483	Sorrell	Education
484	Sorrell	Appropriations
485	Van Diest	Revenue
486	Greenamyre	Labor & Public Welfare
487	Garber	Public Health & Misc. Subs.
488	Price	Public Works
489	E. A. Adams, Sullivan	Revenue
490	Mekota	Agriculture
491	Weborg	Judiciary
492	E. A. Adams, et al	Revenue
493	Blome, E. A. Adams	Labor & Public Welfare
494	Neubauer, Carmody	Public Works

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 2. With emergency clause.

A bill for an Act relating to municipal corporations; to amend Sec. 16-671, C. S. Supp., 1939, to provide that cities of the first class having a population of more than five thousand and less than twenty-five thousand inhabitants may construct, purchase or otherwise acquire a gas plant or a gas system, including a natural or bottled gas plant, gas distribution system or gas pipe lines, either within or without their corporate limits and may pay for the cost of the same by the issuance and sale of revenue bonds or debentures; to provide that cities of the second class and villages may likewise construct, purchase or otherwise acquire a waterworks plant or a water system, a gas plant or a gas system, including a natural or bottled gas plant, gas distribution system or gas pipe lines, either within or without its corporate limits and may pay for the cost of the same by the issuance and sale of revenue bonds or debentures; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Adams, E. A.	Crosby	Matzke	Raecke
Adams, J., Jr.	Crossland	Mekota	Rakow
Asimus	Gantz	Metzger	Reed
Bevins	Greenamyre	Mischke	Sorrell
Blome	Hanna	Mueller	Sullivan
Bowman	Howard	Murphy	Thomas, Amos
Brodahl	Johnson	Neubauer	Thomas, Ray
Callan	Knezacek	Norman	Tvrdik
Carlson	Kotouc	Peterson	Van Diest
Carmody	Lambert	Price	Weborg

Voting in the negative, 0.

Not voting, 3: Garber Jeppesen Thornton

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 1. With emergency clause.

A bill for an Act relating to municipal corporations; to empower cities of the first class, cities of the second class and villages to exercise the right of eminent domain for acquiring public utility property; to provide validity and saving clauses; to repeal Sectons 19-701, 19-702, 19-703, 19-704, 19-705, 19-706 and 19-707, Compiled Statutes of Nebraska, 1929; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Adams, E. A.	Crossland	Metzger	Sorrell
Adams, J., Jr.	Gantz	Mischke	Sullivan
Asimus	Greenamyre	Mueller	Thomas, Amos
Bevins	Hanna	Murphy	Thomas, Ray
Blome	Howard	Neubauer	Thornton
Bowman	Johnson	Norman	Tvrdik
Brodahl	Knezacek	Peterson	Van Diest
Callan	Kotouc	Price	Weborg

Carlson	Lambert	Raecke
Carmody	Matzke	Rakow
Crosby	Mekota	Reed

Voting in the negative, 0.

Not voting, 2: Garber Jeppesen

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Member Excused

Mr. Mueller was excused for the remainder of the day.

GENERAL FILE

LEGISLATIVE BILL NO. 79. Passed over. Retains place on File.

Mr. Murphy presiding

LEGISLATIVE BILL NO. 109. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 27. Read and considered.

Mr. Crosby presiding

Standing Committee amendments, found in the Legislative Journal for the Twenty-first Day, were adopted.

Laid over. Retains place on File.

Members Excused

Mr. Metzger was excused for the remainder of the day.

Mr. Peterson was excused for the session on Monday, February 10, 1941.

Adjournment

At 12:07 p. m. Mr. Raecke moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Monday, February 10, 1941.

The motion prevailed with 37 ayes, no nays, 6 not voting.

Hugo F. Srb,
Clerk of the Legislature

TWENTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, February 10, 1941.

Pursuant to adjournment, the Legislature met at 10.00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Norman and Mr. Peterson, who were excused.

The Journal for the Twenty-third Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Howard, one, opposing L. B. No. 87 and L. B. No. 123; Mr. Van Diest, one, favoring his irrigation bill and two favoring L. B. No. 46; Mr. Hanna, one, opposing L. B. No. 83 and L. B. No. 105; Mr. Sorrell, one, favoring a tax exemption on gasoline used in farm motors; Mr. Carlson, one, opposing L. B. No. 7, one, favoring a reduction of bond required of register of deeds; Mr. Greenamyre, one, opposing a permit fee on bird dogs; Mr. Rakow, one, favoring L. B. No. 36, one, favoring L. B. No. 83 and L. B. No. 105; Mr. Mueller, one, opposing a permit fee on bird dogs; Mr. Lambert, one, favoring L. B. No. 83 and opposing L. B. No. 70 and L. B. No. 105; Mr. Weborg, one, opposing L. B. No. 73, one, opposing L. B. No. 87, L. B. No. 123, L. B. No. 195; Mr. Gantz, one, opposing L. B. No. 87, L. B. No. 123; Mr. Callan, five, opposing L. B. No. 87, L. B. No. 123 and L. B. No. 195; Mr. Thornton, one, opposing L. B. No. 195; all members, one, favoring the G A R Memorial highway in Nebraska.

A letter was received through the Governor's office opposing sale of the Iowa-Nebraska properties.

Communications

A letter was read from Congressman Carl T. Curtis acknowledging receipt of L. R. No. 3 relating to Sugar Beet Acreage in Nebraska.

A letter was read regarding a meeting and luncheon of the Townsend National Recovery Plan, Inc., at the Hotel Lincoln, Sunday, February 16, 1941 at 2 p. m.

NOTICE OF COMMITTEE HEARINGS

Public Health and Miscellaneous Subjects

L. B. No. 92, Friday, February 14, 1941, 2:00 p. m.

L. B. No. 96, Friday, February 14, 1941, 2:00 p. m.

Judiciary

L. B. No. 17, Wednesday, February 26, 1941, 2:00 p. m.

(Continued)

Agriculture

L. B. No. 323, Tuesday, February 18, 1941, 2:00 p. m.

L. B. No. 157, Tuesday, February 18, 1941, 2:00 p. m.

L. B. No. 273, Tuesday, February 18, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Public Works

LEGISLATIVE BILL NO 39. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 39:

1. Amend the bill, page 2, section 1, line 12 by striking therefrom the word "six" and by inserting in lieu thereof the word "eight".

2. Amend the bill, page 2, section 1, line 20 by striking therefrom the word "fifty" and by inserting in lieu thereof the words "seventy per cent of the".

3. Amend the bill, page 2, section 1, line 18 by inserting after the word "village" therein the following:

"in aid of all works of internal improvements herein set forth except highway improvements,".

4. Amend the bill, page 3, section 1, line 35 by striking therefrom the word "sixty" and by inserting in lieu thereof the word **"seventy".**

5. Amend the bill, page 3, section 1, line 40 by striking therefrom the words "may be" and by inserting in lieu thereof the word **"is".**

6. Amend the bill, page 3, section 1, line 43 by striking therefrom the word "sixty" and by inserting in lieu thereof the word **"seventy".**

7. Amend the printed bill only, page 3, section 1, line 54 by striking therefrom the word **"providing"** and inserting in lieu thereof the word **"provided".**

8. Amend the bill, page 1, title, line 5 by inserting after the word and punctuation "purposes;" the following:

"to prescribe the requisite percentage of votes cast to carry proposals for internal improvement bonds when submitted to the electors;".

LEGISLATIVE BILL NO. 113. Placed on General File.

(Signed) Mischke, Chairman

Banking, Commerce & Insurance

LEGISLATIVE BILL NO. 13. Indefinitely postponed.

LEGISLATIVE BILL NO. 49. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 49:

1. Amend the bill, page 2, section 1, by striking all of said section commencing with the punctuation and word **",and"** in line 18 therein down to and including the word **"association"** in line 25 therein.

2. Amend the bill, page 2, section 1, line 30 by striking therefrom the words **"one hundred"** therein and also striking the preposition **"of"** therein and insert in lieu thereof the preposition **"above".**

3. Amend the bill, page 1, title, by striking that part of said title commencing with the words "to provide" in line 8 therein down to and including the word and punctuation "contracts;" in line 14 therein.

4. Amend the bill, page 1, title, line 18, by striking therefrom the words "one hundred"; and in line 19 of said title strike the preposition "of" therein and by inserting in lieu thereof the preposition "above".

LEGISLATIVE BILL NO. 53. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 53:

1. Amend the bill, page 2, section 1, line 13 by inserting after the word "insurance" and before the word "thereon" therein the words "or annuities".

2. Amend the bill, page 2, section 1, line 31 by inserting after the word "insurance" therein and before the preposition "upon" the words "or annuities".

3. Amend the bill, page 3, section 1, by restoring all stricken matter in said section commencing with the word "Subject" therein down to and including the word "policy" therein, save and except in line 44 strike the word "ten" and insert in lieu thereof the word **"fourteen".**

4. Amend the bill, page 3, section 1, by striking that part of said section commencing with the word **"Subdivision"** in line 50 therein down to and including the word and punctuation **"property."** in line 60 therein.

5. Amend the bill, pages 3 and 4, by striking all of section 2 thereon.

6. Amend the bill, page 4, section 3, by striking all of said section commencing with the punctuation and word "; and" in line 2 therein down to and including the word "repealed" therein.

7. Amend the bill, title, page 1 by striking that part of said title commencing with the conjunction "and" in line 2 therein down to the first punctuation "," in line 3 therein.

8. Amend the bill, title, page 1, line 6 by inserting after the word and punctuation "minor;" therein and before the preposition "to" therein the following:

"to authorize and regulate the purchase of annuities for minors;".

9. Amend the bill, page 1, title, line 8 by inserting after the word "insurance" therein the words "or annuities".

10. Amend the bill, title, page 1, by striking that portion of said title commencing with the preposition "to" in line 8 therein

down to and including the word and punctuaton "formed;" in line 10 therein; and in line 11 of said title strike commencing with the preposition "to" down to and including the word and punctuation "subsection;".

11. Amend the printed bill only, page 2, section 1, line 7 by striking therefrom the words "of her".

LEGISLATIVE BILL NO. 82. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 82:

1. Amend the bill, page 1, title, lines 5 and 6 by striking therefrom the words "for poles, aerial wires and aerial cables".

(Signed) Thornton, Chairman

Agriculture

LEGISLATIVE BILL NO. 63. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 63:

1. Amend the bill, pages 2, 3 and 4 by striking all of Sections 1 to 8 inclusive, thereon and by inserting in lieu thereof the following:

"Section 1. For the purpose of this act: (1) The term **'commercial hatchery'** means a place where chicks are hatched for the purpose of resale or where chicks are hatched for hire. (2) The term **'commercial chicks'** means any domestic fowl produced in a commercial hatchery, under the age of six weeks or not to exceed one pound in weight, and which are offered for resale by the hatchery or owner of chicks.

Sec. 2. When commercial chicks are offered for sale or sold at public auction, each box, crate, coop or other container, shall be labeled with the sworn statement of the owner offering such chicks for sale at public auction, designating the number of live chicks in each such container, breed and variety, the date on which such chicks were hatched, and the name and location of the commercial hatchery where hatched, whether such chicks were sexed or unsexed, and if sexed such sworn statement shall designate whether the contents are cockerel chicks or pullet chicks, and any other representation made at or prior to the time of the sale relative to the breed and variety and such tests as shall have been made on the parent stock for pullorum disease.

Sec. 3. The owner of commercial chicks desiring to sell them at public auction shall furnish to the person who conducts the sale a duplicate of the sworn statement required by section 2 of this act, which shall be retained by the person conducting the sale. When such copy of the sworn statement has been furnished to him, the person conducting the sale shall be relieved from any responsibility or liability concerning incorrect or false statements made in regard to such commercial chicks.

Sec. 4. Any person, firm, copartnership or corporation who shall violate any of the provisions of this act shall be deemed guilty of misdemeanor, and, upon conviction thereof, shall be fined in a sum not to exceed twenty five dollars for the first offense and not to exceed fifty dollars for the second and any subsequent offense, and, in default of payment thereof shall be adjudged to stand committed to the county jail until such fine and costs be paid, served or otherwise discharged according to law.

Sec. 5. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

2. Amend the bill, page 1, title, by striking all of said title after the word "ACT" in line 2 and by inserting in lieu thereof the following:

"relating to domestic fowls; to regulate the sale of commercial chicks at public auction; to define terms used in this act; to require that there be placed on all containers of commercial chicks, offered for sale at public auction, a sworn statement describing the chicks contained therein; to provide that the auctioneer shall be relieved of liability when sworn statement is made; to provide penalty for violation thereof; and to declare an emergency."

(Signed) Neubauer, Chairman

Government

LEGISLATIVE BILL NO. 94. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 94:

1. Amend page 3, section 1, line 59, by adding thereto "In all counties, where no regular office is maintained in the county court house for the county surveyor of that county, the county clerk shall be custodian of the official record of surveys and all other permanent records pertaining to the office of county surveyor."

2. Amend the title by inserting the following after the ";" in line 11, "to provide that in all counties where no regular office is maintained in the county court house for the county surveyor, the county clerk shall be custodian of the official record of surveys and all other permanent records pertaining to the office of county surveyor.

LEGISLATIVE BILL NO. 93. Indefinitely postponed.

(Signed) Sorrell, Chairman

Judiciary

LEGISLATIVE BILL NO. 60. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 60:

1. Amend the bill, page 2, section 1, line 4, by adding a comma after the word "property" and before the word "is" and the words "except motor vehicles,".

2. Amend the bill, page 2, section 1, line 9, by adding the words "said contract or" before the word "a" and after the word "and".

3. Amend the bill, page 2, section 1, line 11, by adding the words "contract or" after the word "said" and before the word "copy".

4. Amend the bill, page 2, section 1, line 12, by striking therefrom all of said line.

5. Amend the bill, page 2, section 1, line 13, by striking therefrom the words "or his agent or attorney, which shall".

6. Amend the bill, page 2, section 1, line 22, by inserting the words "said contract or" after the word "file" and before the word "a", and striking therefrom the comma after the word "thereof", and striking therefrom the words "verified as".

7. Amend the bill, page 2, section 1, line 23, by striking therefrom the first word "aforesaid" and the comma following the word "aforesaid" and striking therefrom the word "the" after the word "and" and before the word "said".

8. Amend the bill, page 2, section 1, line 26, by striking therefrom the words "of such copy" after the word "aforesaid" and inserting in lieu thereof the words "a copy of said contract".

9. Amend the title, line 7, by striking therefrom the word "chattel" before the word "mortgagees".

10. Amend the title, line 8, by adding a comma after the word "contract" and the words "or a copy thereof".

(Signed) Gantz, Chairman

Public Health & Miscellaneous Subjects

LEGISLATIVE BILL NO. 52. Indefinitely postponed.

LEGISLATIVE BILL NO. 4. Placed on General File.

LEGISLATIVE BILL NO. 86. Placed on General File.

(Signed) Ray Thomas, Chairman

Enrollment and Review

Correctly Engrossed

LEGISLATIVE BILL NO. 8. **LEGISLATIVE BILL NO. 6.**

LEGISLATIVE BILL NO. 5. **LEGISLATIVE BILL NO. 40.**

Correctly Enrolled

LEGISLATIVE BILL NO. 1. **LEGISLATIVE BILL NO. 2.**

(Signed) Crosby, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

LEGISLATIVE BILL NO. 1. **LEGISLATIVE BILL NO. 2.**

L. B. No. 461 Re-referred

The President announced that L. B. No. 461, formerly referred to Committee on Judiciary had been re-referred to Committe on Banking, Commerce & Insurance.

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 6. Nebraska License Plates.

Resolution Concerning Design of Nebraska License Plates

Introduced by Harry E. Gantz of Box Butte.

Whereas, the use of the State Capitol outline on the present license plates makes same difficult to read, and the members of the Legislature have received requests to change the same so that they may be more easily read: NOW THEREFORE,

BE IT RESOLVED BY THE LEGISLATURE OF NEBRASKA IN FIFTY-FIFTH REGULAR SESSION ASSEMBLED:

That the members of this Legislature authorize the Department of Roads and Irrigation to remove the State Capitol outline and insert a dot or dash in lieu thereof, beginning in 1942.

SELECT FILE

Speaker Howard presiding

LEGISLATIVE BILL NO. 45. Passed over.

LEGISLATIVE BILL NO. 34. E and R amendments found in the Legislative Journal for the Twenty-third Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 37. E and R amendments, found in the Legislative Journal for the Twenty-third Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 47. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 48. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 55. E and R amendments, found in the Legislative Journal for the Twenty-third Day were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL NO. 79. Laid over. Retains place on File.

LEGISLATIVE BILL NO. 27. Laid over. Retains place on File.

LEGISLATIVE BILL NO. 32. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-second Day were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 51. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Twenty-second Day were adopted.

Mr. Neubauer moved that the Legislature reconsider its action on Standing Committee amendment No. 4.

The motion prevailed with 36 ayes, no nays, 7 not voting.

Standing Committee amendment No. 4 was withdrawn.

Mr. Matzke offered the following amendments, which were adopted:

Amend page 5, Section 2, line 92 by striking the colon after the word "situated" and inserting in lieu thereof a comma; strike the remainder of line 92 and all of lines 93, 94, 95 and 96.

In line 99 strike all after the colon; strike all of line 100 and all of line 101 to the semicolon and insert in lieu thereof "which description shall not be required to be given by legal subdivisions, but shall be sufficient if generally accurate".

Mr. Raecke offered the following amendment, which was adopted.

That the figure 51 be inserted in line 56, Sec. 5, page 12 after the word "No."

Mr. Weborg offered the following amendment:

1. Amend the bill, page 8, section 2, line 190 by inserting after the word and punctuation "taken." therein the following:

"(i) Provisions for including additional territory within an existing district may be accomplished by filing with the county clerk a petition or petitions signed by at least fifty-one percent of the resident landowners or persons owning sixty per cent of the land in

the additional territory sought to be included, and the proceedings herein provided for in paragraphs (a) to (e) of this section in the case of petitions to organize an original district shall be observed in the case of petitions for such inclusion. The county board shall determine and make a written finding and order as to inclusion of such additional territory in the district or as to the denial of such petition: Provided, if the finding and order shall be favorable to the inclusion of such additional territory, then and thereafter the additional territory so included shall be, for all purposes, considered a part of the original district; and provided further, the county clerk shall file in his office a copy of the order of said board as to the inclusion of such additional territory and shall also furnish the secretary of state with a certified copy of said order, as provided in paragraph (g) of this section."

No action was taken on this amendment.

Laid over. Retains place on File.

REQUEST—To Withdraw Name as Co-introducer

Mr. Lambert requested unanimous consent to withdraw his name as a co-introducer of L. B. No. 479.

No objection was raised and the Speaker so ordered.

Mr. Sullivan requested unanimous consent to withdraw his name as a co-introducer of L. B. No. 21.

No objection was raised and the Speaker so ordered.

Adjournment

At 11:55 a. m. on motion by Mr. Mueller the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

TWENTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, February 11, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Norman and Mr. Peterson, who were excused.

The Journal for the Twenty-fourth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Gantz, one, opposing L. B. No. 123 and L. B. No. 87; Mr. Garber, six, favoring a tax exemption on gasoline used in farm motors; Mr. Weborg, one, opposing L. B. No. 101; Ray Thomas, one, opposing L. B. No. 87 and L. B. No. 123; Mr. Kotouc, two, opposing L. B. No. 87 and L. B. No. 123; Mr.Greenamyre, two, opposing L. B. No. 83 and L. B. No. 105, one, opposing L. B. 87, L. B. No. 123 and L. B. No. 195; all members, one, opposing L. B. No. 87.

The following petitions were received through the Governor's office: one, opposing L. B. No. 85; one, regarding the collection of personal taxes; one, favoring a tax on bill-board advertising; one regarding old age assistance; one regarding the school system in Tilden; one regarding qualifications for driver's license.

NOTICE OF COMMITTEE HEARINGS

Judiciary

L. B. No. 257, Monday, February 17, 1941, 2:00 p. m.

L. B. No. 258, Monday, February 17, 1941, 2:00 p. m.

L. B. No. 203, Wednesday, February 26, 1941, 2:00 p. m.

L. B. No. 216, Wednesday, February 26, 1941, 2:00 p. m.

L. B. No. 234, Wednesday, February 19, 1941, 2:00 p. m.

L. B. No. 237, Friday, February 28, 1941, 2:00 p. m.

L. B. No. 240, Friday, February 28, 1941, 2:00 p. m.

L. B. No. 250, Friday, February 28, 1941, 2:00 p. m.

Education

L. B. No. 244, Monday, February 17, 1941, 2:00 p. m.

L. B. No. 245, Monday, February 17, 1941, 2:00 p. m.

L. B. No. 262, Monday, February 17, 1941, 2:00 p. m.

Agriculture

L. B. No. 275, Thursday, February 20, 1941, 2:00 p. m.

L. B. No. 277, Thursday, February 20, 1941, 2:00 p. m.

L. B. No. 278, Thursday, February 20, 1941, 2:00 p. m.

L. B. No. 443, Thursday, February 20, 1941, 2:00 p. m.

L. B. No. 447, Thursday, February 20, 1941, 2:00 p. m.

L. B. No. 180, Tuesday, February 25, 1941, 2:00 p. m.

L. B. No. 218, Tuesday, February 25, 1941, 2:00 p. m.

L. B. No. 276, Tuesday, February 25, 1941, 2:00 p. m.

L. B. No. 383, Tuesday, February 25, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Enrollment & Review

Presented to Governor for Approval

Monday, February 10, 1941 at 3:55 p. m.

L. B. No. 1 L. B. No. 2

(Signed) Crosby, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 6. Mr. Gantz moved that the resolution be adopted.

The motion prevailed.

LEGISLATIVE RESOLUTION NO. 7. Corn for Drouth-stricken Areas.

Memorializing the Secretary of Agriculture of the United States to take such steps as are necessary to provide corn for drouth stricken farmers in the interests of Nebraska well-being and American defense.

Introduced by Mueller of Buffalo, Van Diest of Loup, Asimus of Holt, Mischke of Knox, Carlson of Phelps, Knezacek of Valley, Neubauer of Harlan, Garber of Webster, Murphy of Scotts Bluff.

Preamble

WHEREAS, National Defense is now the main objective of every American, and

WHEREAS, Nebraska is the most nearly one hundred percent agricultural state in the Union and accordingly its contribution to national defense must be made through the production of food, grain and meat products, and

WHEREAS, the ravages of several successive years of drouth have placed our farmers in a desperate plight, forcing them to dispose of their cattle and hogs in ever increasing numbers because of the lack of corn and other feedstuffs to care for them, thus bringing loss to them, their families, the business communities which depend upon them, and to the nation at large, and

WHEREAS, there exists in the stocks of the Ever-Normal Granary sufficient supplies of corn to relieve the feed situation in Nebraska, and permit our farmers to become self-sustaining and to make their contribution by producing meat animals in the quantity necessary for national defense, NOW THEREFORE,

BE IT RESOLVED BY THE LEGISLATURE OF NEBRASKA IN FIFTY-FIFTH REGULAR SESSION ASSEMBLED:

1. That this legislature respectfully petitions, memorializes and urges the secretary of agriculture of the United States to take such measures as are necessary to release from the stocks of the Ever-Normal Granary such supplies of corn as may be necessary to relieve adequately the feed shortage in Nebraska and to keep the pledge made by the department of agriculture in its N.C.R. leaflet 401, dated

November, 1939, entitled "Here's Our Farm Program for 1940" in which it stated:

> "Farmers can look upon the record corn carryover in 1939 as an accomplishment in building an Ever-Normal Granary. If foreign demand requires larger supplies or if crop failure comes, the Ever-Normal Granary will meet the situation."

2. That this resolution be spread at large upon the journal of the legislature; and that the clerk of this legislature is hereby ordered and directed forthwith to forward a copy of this resolution, properly authenticated and engrossed, to the secretary of agriculture of the United States, and to each of the United States senators and Congressmen representing the state of Nebraska in the congress to the end that representatives in the government and in the congress of the United States may be advised that this legislature considers as imperative to the national defense and to the well-being of the farmers of Nebraska the release to Nebraska farmers of adequate amounts of the stocks of corn now held in the Ever-Normal Granary.

MOTION—Mailing Copies of L. B. No. 250

Because of the length of L. B. No. 250, Mr. Tvrdik moved that copies thereof be not sent out on the general mailing list, but only upon special request; and that the title be printed, with a brief statement of the bill, and sent on the regular mailing list in lieu of the printed bill.

The motion prevailed.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 232. With emergency clause.

A bill for an Act relating to national and state defense; to provide for the establishment of the Nebraska advisory defense committee and of other committees of defense; to prescribe the powers and duties thereof; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams, E. A.	Crosby	Lambert	Rakow
Adams, J., Jr.	Gantz	Matzke	Reed
Asimus	Garber	Mekota	Sorrell
Bevins	Greenamyre	Metzger	Thomas, Amos
Blome	Hanna	Mischke	Thomas, Ray
Bowman	Howard	Mueller	Thornton
Brodahl	Jeppesen	Murphy	Tvrdik
Callan	Johnson	Neubauer	Van Diest
Carlson	Knezacek	Price	Weborg
Carmody	Kotouc	Raecke	

Voting in the negative, 0.

Not voting, 4:

Crossland	Norman	Peterson	Sullivan

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

SELECT FILE

LEGISLATIVE BILL NO. 45. Passed over.

GENERAL FILE

LEGISLATIVE BILL NO. 79. Passed over. Retains place on File.

LEGISLATIVE BILL NO. 27. Passed over. Retains place on File.

LEGISLATIVE BILL NO. 51. Passed over. Retains place on File.

LEGISLATIVE BILL NO. 14. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-second Day were adopted.

Mr. Howard offered the following amendment, which was adopted:

That the emergency clause be added to L. B. No. 14 and be numbered Sec. 3, and the title be amended to conform thereto.

Referred to E and R for review.

LEGISLATIVE BILL NO. 21. Passed over.

LEGISLATIVE BILL NO. 129. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 132. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 58. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Twenty-third Day were adopted.

Mr. Sorrell offered the following amendment, which was adopted:

Page 4, Sec. 2, line 7, strike the comma after the word "person".

Mr. Sorrell moved to refer to E and R for review.

Mr. Van Diest moved to indefinitely postpone.

Mr. Kotouc moved to re-refer the bill to the committee for further consideration.

The motion to re-refer prevailed with 21 ayes, 16 nays, 6 not voting.

LEGISLATIVE BILL NO. 79. Mr. Mischke offered the following amendment, which was adopted:

1. Amend the bill, page 2, section 1, by striking that part of said section after the word and punctuation "ballot." in line 7 therein down to and including the word and punctuation **"further,"** in line 23 therein and by inserting in lieu thereof the following:

"No person shall be eligible to **have his name appear on the ballot as a nominee for** the office of county superintendent ~~who does not hold~~ **at any primary election, to have his name appear on the ballot as a candidate for the office of county superintendent at any general election or to have an election certificate issued to him if he is the successful candidate for the office of county superintendent, unless, at each occasion mentioned above he holds** at least a Nebraska ~~Initial Administrative and Supervisory Certificate~~ **initial administrative and supervisory certificate** issued in this state and in force ~~at the time of his election~~ **on each such occasion,** except as **otherwise** provided for in this ~~Act~~ **act.** It shall be the duty of the county clerk to notify the ~~State Superintendent of Public Instruction~~ **state superintendent of public instruction** of the election of the county superintendent at the time the ~~election is ascertained.~~ **results of the primary and general election are ascertained: Provided,** that ~~this law shall~~

~~not apply to~~ in counties having less than two thousand inhabitants; **, it is required that each nominee, each candidate and each recipient of an election certificate for the office of county superintendent shall hold a valid Nebraska teacher's certificate, if his name is to appear on the ballot or if he is to receive his election certificate, as the case is; and provided further, if any county superintendent shall have qualified, as herein required, for a first term, he shall be qualiled for a second or successive terms, even if his certificate has expired by operation of law during his first term; and provided further,".**

Mr. Raecke offered the following amendment, which was adopted:

That the title to L. B. No. 79 be amended by striking therefrom the words "in counties having a population of less than two thousand inhabitants".

Referred to E and R for review.

MOTION—To Send Flowers

Mr. President: I move that the Legislative Administration committee be instructed to send flowers to Senator Norman who is sick at his home. (Signed) Mueller

The motion prevailed.

Members Excused

Messrs. Crosby, Gantz and Blome were excused from the session on February 12, 1941 and Mr. Norman for a week.

Invitation

Secretary Miille of the State Fair Board announces that all members of the Senate and their wives are invited to attend all wrestling matches this winter at the Fair Grounds.

Adjournment

At 11:54 a. m. on motion by Mr. Howard the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

TWENTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, February 12, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. Speaker Howard presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Blome, Gantz and Norman, who were excused.

The Journal for the Twenty-fifth day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Greenamyre, one, favoring a tax exemption on gasoline used in farm motors, one, favoring Mr. Sorrell's amendment to L. B. No. 56; Mr. Raecke, one, opposing L. B. No. 178; all Douglas County members, one, favoring L. B. No. 83 and L. B. No. 105.

The following petitions were received through the Governor's office: three, regarding old age assistance, one, regarding deficiency judgments, one, regarding liens for assistance, one, regarding the state real estate division, one, regarding the school system in Nebraska.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce & Insurance

L. B. No. 75, Tuesday, February 18, 1941, 2:00 p. m. (Continued)

L. B. No. 270, Tuesday, February 18, 1941, 2:00 p. m.

L. B. No. 208, Tuesday, February 18, 1941, 2:00 p. m.

L. B. No. 298, Tuesday, February 18, 1941, 2:00 p. m.

Public Health & Miscellaneous Subjects

L. B. No. 101, Wednesday, February 19, 1941, 2:00 p. m.

L. B. No. 322, Wednesday, February 19, 1941, 2:00 p. m.

L. B. No. 99, Friday, February 28, 1941, 2:00 p. m.

Government

L. B. No. 191, Wednesday, February 26, 1941, 2:00 p. m.

L. B. No. 199, Friday, February 28, 1941, 2:00 p. m.

L. B. No. 211, Friday, February 28, 1941, 2:00 p. m.

L. B. No. 231, Friday, February 28, 1941, 2:00 p. m.

L. B. No. 354, Friday, February 28, 1941, 2:00 p. m.

Revenue

L. B. No. 200, Tuesday, February 18, 1941, 2:00 p. m.

L. B. No. 474, Tuesday, March 4, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Banking, Commerce & Insurance

LEGISLATIVE BILL NO. 78. Placed on General File.

LEGISLATIVE BILL NO. 81. Placed on General File.

(Signed) Thornton, Chairman

Agriculture

LEGISLATIVE BILL NO. 87. Indefinitely postponed.

LEGISLATIVE BILL NO. 123. Indefinitely postponed.

LEGISLATIVE BILL NO. 195. Indefinitely postponed.

(Signed) Neubauer, Chairman

Enrollment & Review

LEGISLATIVE BILL NO. 20. Placed on Select File.

LEGISLATIVE BILL NO. 109. Placed on Select File with amendments.

E and R amendments to L. B. No. 109:

1. Amend the printed bill, page 3, section 1, line 50 by striking therefrom the figure "4" and by inserting in lieu thereof the figure "$\frac{4}{4}$"; and in line 51, section 1, page 3 of said section strike the mixed number "4½" and insert in lieu thereof the mixed number "$4\frac{1}{72}$".

2. Amend the bill, page 5, section 1, line 107 by inserting the punctuation "," after the word **"further"** and before the word "no".

LEGISLATIVE BILL NO. 15. Placed on Select File with amendments.

E and R amendments to L. B. No. 15:

1. Amend the bill, page 2, section 1, line 15 by striking the word "health" therein and by inserting in lieu thereof the word **"health"**.

2. Amend the bill, page 3, section 1, line 36, by inserting after the word "term" the words **"; Provided, any such officers may be removed by the governor pursuant to Article IV of the Constitution of Nebraska"**.

Correctly Engrossed

L. B. No. 55 L. B. No. 37 L. B. No. 48

Correctly Enrolled

Legislative Bill No. 232

(Signed) Crosby, Chairman

Speaker Signs

While the Legislature was in session and capable of transacting business, the Speaker signed:

Legislative Bill No. 232.

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 7. Corn for Drouth-stricken Areas.

Mr. Mueller moved that the resolution be adopted.

The motion prevailed.

MOTION—Procedure for Review of Bills

Mr. President: I move (1) That the following rules govern language used in the body and text of bill sections (a) use words transcribed in lower case except capitalize only proper names and (b) numbers in excess of eight are in figures, numbers eight or less are in words, when words are used figures are omitted and vice versa.

2. That the rules, announced in paragraph 1 of this motion, are presumed as included in every enrollment and review committee report hereafter filed, are not to be recited in the committee reports but, without further order of the legislature, govern the committee in editing, phrasing, engrossing and enrolling all bills coming before them. (Signed) Crosby, Chairman

The motion prevailed.

STANDING COMMITTEE REPORTS

Legislative Administration

Mr. President: Your committee on Legislative Administration wish to report that they have considered and decided not to employ Mr. Gregg as parliamentarian for the Legislature.

(Signed) Tvrdik, Chairman

Legislative Administration

Mr. President: Your committee on Legislative Administration wishes to report that the printing of the legislative bills was awarded to the Capitol Printing Company, the low bidder; and the printing of the legislative journals and separates was awarded to the Cornhusker Printing Company, the low bidder. (Signed) Tvrdik, Chairman

MOTION—To Adopt Reports

Mr. Tvrdik moved that the reports be adopted.

The motion prevailed.

GENERAL FILE

LEGISLATIVE BILL NO. 27. Laid over. Retains place on file until last of week.

LEGISLATIVE BILL NO. 51.

Mr. Weborg's amendment, found in the Legislative Journal for the Twenty-fourth Day was adopted.

Mr. Weborg offered the following amendment, which was adopted:

Amend L. B. No. 51, page 15, lines 6 and 16 by adding the figure "51" after the abbreviation "No."; and page 18, line 69, by adding the figure "51" after the abbreviation "No.".

Mr. Matzke offered the following amendment, which was adopted with 24 ayes, 5 nays, 14 not voting.

Amend the bill, page 8, section 2, by adding the following:

(i) Any owner, or joint owners, of one section or more of land commonly known as grazing land, if said land is not infested with noxious weeds as herein defined, which has been included in a district, may file with the county board a petition praying that such land, or any portion thereof included in the district may be excluded and taken from the district. The county board, upon the filing of the petition, may amend the plat describing the district boundaries as justice and equity may require and shall order the lands mentioned in the petition, or any defined portion thereof, be excluded from the district.

Referred to E and R for review.

LEGISLATIVE BILL NO. 19. Read and considered.

Mr. Amos Thomas offered the following amendment, which was adopted:

Amend by adding the emergency clause and amending the title to conform therewith.

Referred to E and R for review.

LEGISLATIVE BILL NO. 39. Laid over. Retains place on File.

LEGISLATIVE BILL NO. 113. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 49. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Twenty-fourth Day were adopted.

Mr. Peterson offered the following amendment, which was adopted:

Amend Section 1, line 35 by changing the word "hereof" to "hereafter".

Referred to E and R for review.

LEGISLATIVE BILL NO. 53. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Twenty-fourth Day were adopted.

Mr. Kotouc offered the following amendment, which was adopted:

That the comma, after the word "thereon" in line 13, page 2, be stricken and a period be inserted in its stead.

Referred to E and R for review.

LINCOLN MEMORIAL PROGRAM

John Adams, Jr. presiding

At 10:30 a. m. the following program, arranged by the Chaplain, was rendered:

LEGISLATIVE RESOLUTION NO. 8. Abraham Lincoln

Introduced by John Adams, Jr. of Douglas

Preamble

WHEREAS, today is the one hundred and thirty-third anniversary of the birth of Abraham Lincoln, and

WHEREAS, it is fitting and proper that at this time of grave threat to the peace and security of the United States of America we are reminded again of the man who brought our nation through one of the gravest periods in its history, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-FIFTH REGULAR SESSION ASSEMBLED:

1. That we pause for a moment in our deliberations and renew our faith and resolution in our great country and listen again to our nation's creed as simply and eternally expressed by Abraham Lincoln in his inaugural address on March 4, 1865:

"Fondly do we hope, fervently do we pray, that this

mighty scourge of war may soon pass away. Yet, if God wills that it continue until the wealth piled by the bondsman's two hundred fifty years of unrequited toil shall be sunk, and until every drop of blood drawn by the lash shall be paid by another drawn with the sword, as was said three thousand years ago, so still it must be said, that 'the judgments of the Lord are true and righteous altogether.'

"With malice towards none, with charity for all, with firmness in the right, as God gives us to see the right, let us finish the work we are in, to bind up the nation's wounds, to care for him who shall have borne the battle, and for his widow and orphans, to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations."

Mr. Howard moved that the resolution be adopted.

The motion prevailed.

At the request of the Reverend Chambers the Legislature paused for one minute in silent prayer.

SOLO: God Bless America
Mrs. Harvey Walker, Lincoln, Nebraska

ADDRESS: Abraham Lincoln
Mrs. Thelma L. Hancock, Omaha, Nebraska

GENERAL FILE (continued)

Speaker Howard presiding

LEGISLATIVE BILL NO. 82. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Twenty-fourth Day were adopted.

Referred to E and R for review.

Mr. Mischke presiding

LEGISLATIVE BILL NO. 63. Passed over.

LEGISLATIVE BILL NO. 94. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-fourth Day were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 60. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-fourth Day were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 4. Read and considered.

Laid over. Retains place on File.

LEGISLATIVE BILL NO. 86. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 21. Laid over.

MOTION—Program Washington's Birthday

Mr. President: I move that we set 10.30 a. m. February 21, 1941 as an order of the day for a program in honor of George Washington the Father of our Country; and that the Chaplain be instructed to prepare a program. (Signed) Ray Thomas

The motion prevailed.

SELECT FILE

LEGISLATIVE BILL NO. 45. Mr. Neubauer moved to refer to E and R for engrossment.

Mr. Howard moved that the bill be passed over.

No action was taken.

Adjournment

At 11:45 a. m. on motion by Mr. Weborg the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

TWENTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, February 13, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. Speaker Howard presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Norman, who was excused.

The Journal for the Twenty-sixth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Carmody, one, regarding allocation of the gasoline tax fund; Mr. Greenamyre, one, opposing L. B. No. 83.

Communications

A letter was read from John P. Robertson, secretary to Senator Norris, acknowledging receipt of L. R. No. 3 regarding Beet Acreage Allotments in Nebraska; also a letter from Congressman Harry B. Coffee acknowledging receipt of L. R. No. 3.

NOTICE OF PUBLIC HEARINGS

Public Health & Miscellaneous Subjects

L. B. No. 141, Wednesday, February 26, 1941, 2:00 p. m.

Public Works

L. B. No. 74, Wednesday, February 19, 1941, 2:00 p. m

L. B. No. 213, Wednesday, February 19, 1941, 2:00 p. m.

L. B. No. 267, Wednesday, February 19, 1941, 2:00 p. m.

L. B. No. 272, Friday, February 21, 1941, 2:00 p. m.

L. B. No. 279, Friday, February 21, 1941, 2:00 p. m.

Education

L. B. No. 284, Monday, February 24, 1941, 2:00 p. m.

L. B. No. 376, Monday, February 24, 1941, 2:00 p. m.

L. B. No. 377, Monday, February 24, 1941, 2:00 p. m.

L. B. No. 381, Monday, February 24, 1941, 2:00 p. m.

L. B. No. 483, Monday, February 24, 1941, 2:00 p. m.

L. B. No. 332, Monday, March 3, 1941, 2:00 p. m.

L. B. No. 379, Monday, March 3, 1941, 2:00 p. m.

L. B. No. 428, Monday, March 10, 1941, 2:00 p. m.

L. B. No 463, Monday, March 10, 1941, 2:00 p. m.

L. B. No. 478, Monday, March 10, 1941, 2:00 p. m.

MOTION—Appreciation Lincoln Program

Mr. President: I move that the Clerk be instructed to express the appreciation of this Legislature to those who participated in the Lincoln Memorial program. (Signed) Crosby

The motion prevailed.

MOTION—Skeleton Staff on Holidays

Mr. President: I move that the Clerk of the Legislature be instructed to ask the different state departments to have a skeleton staff in the office on Saturdays and holidays during the legislative session. (Signed) Lambert.

The motion prevailed.

SELECT COMMITTEE REPORT

Intergovernmental Cooperation

Report of Delegates of the Nebraska Legislature in the
Assembly of the Council of State Governments
Held in the Mayflower Hotel, Washington, D. C.
January 21, 22, and 23, 1941

Your delegates, Garber and Metzger, beg leave to submit the following report of this most illuminating and interesting convention:

The assembly of the Council of State Governments is a voluntary governmental agency serving the states for the purposes of advertising and protecting their mutual interest. This assembly or convention is the medium through which many federal, state, and inter-state problems have been resolved and is the forum for the consideration of the increasing number of problems which overlap state boundaries; questions of national defense, water supplies and pollution, highway safety, interstate truck regulations, conflicting taxes, inter-state trade barriers, liquor control, relief, social security and the pursuit of criminals.

This 1941 Assembly considered the topics of relief, taxes, law enforcement, trade barriers, purely in the light of total war preparation and total home defense. Governor Stassen of Minnesota, Governor Lehman of New York City, Atty. General Jackson, Governor O'Connor of Maryland, William S. Knudsen, Sidney Hillman, Paul McNutt, Sec. of Navy Frank Knox, and Congresswoman Jeannette Rankin of Montana were the most prominent speakers of the program which lasted for three days and two evenings.

War preparation and national security were discussed in terms of cantonments, aviation fields, expanded manufacturing plants and new units, and schools to develop skilled labor. War preparation was the fundamental theme, the argument and the findings of this convention. The future will gradually unfold a colossal program which will steadily and rapidly engulf the entire United States. The not far distant future will see every unit of government operating on a war basis with attendant war restrictions and regulations.

Momentous political, economic and social disturbances unparalleled in all the history of the world engulf the United States as also all other nations. The most tremendous issues of all history are rapidly rising through the foam of swiftly changing historical events. Civilization is not only challenged but threatened and imperiled. The most pertinent and obstinate question confronting America is "On what basis will peaceful pursuits be resumed when this war cloud passes?"

This report would be very incomplete not to state that Governor and Mrs. R. L. Cochran were registered at the Mayflower Hotel. Governor Cochran is one of the original promoters of the Assembly of the Council of State of State Governments and is at this date a prominent and influential member. He extended every courtesy and consideration to the Nebraska Delegates. Governor Cochran generously and graciously made them beneficiaries of his acquaintance and placed your Delegation in most favorable position at this convention.

THE FIFTH GENERAL ASSEMBLY
of
THE COUNCIL OF STATE GOVERNMENTS

Mayflower Hotel
Washington, D. C.
January 21-23, 1941

A BRIEF REVIEW

Tuesday Morning Session

Convening of Assembly. Hon. Edgar A. Brown, member of the South Carolina Senate and Chairman of the Board of the Council of State Governments presided. Roll call showed that 308 delegates from 46 states were in attendance, also about 20 State Governors.

The importance of all levels of government participating in the defense program was the keynote of this Fifth General Assembly. All of the speakers urged a maximum participation of state and local governments in the advancement of the total defense program, and particularly the handling by the states and local governments of the governmental and service problems growing out of the industrial and military concentration incident to the defense program. Those present agreed with Mr. William S. Knudsen when he said: "If we are willing to spend a litttle sweat for a year or so, then we may save a little blood later on."

Governor Harold E. Stassen, Governor of Minnesota and President of the Council of State Governments, delivered the President's address, in which he pointed out three responsibilities of those representing the governments of the States:

"First, and foremost as States of the Union, we must give united support regardless of geographical location or partisanship to the established foreign policy of the Federal Government.

"Second, we must make every possible cooperative contribution to the effective and rapid building and production of the means of national defense.

"Third, we must maintain strong and efficient State governments as one of the safeguards of the future liberty of our people in face of the inevitable great concentration of Federal executive power necessitated by the emergency."

He emphasized the part played by the Council of State Governments in forwarding the national defense program. In conclusion, he stressed the fact that all steps that maintain the standing and respect of State governments will not only contribute to the strength of the Union, but will also constitute added safeguards to the liberty of the individual citizens of the Union.

Governor Herbert H. Lehman of New York in his address on "The States and the Present Emergency," asserted that our security both in a military and economic sense was threatened more than at any time in the past and that the big job facing us today is to make certain that all the industrial and labor resources of the respective states are made available to the Federal Government.

The States and localities are anxious to cooperate in the development of any plans necessary for protection of the civilian population Governor Lehman said, but expressed it as his view that they cannot act effectively without direction from Federal authorities in such matters as construction of air raid shelters, the devising of methods of fire fighting and evacuation. On the other hand, certain precautionary measures for civilian populations can and should be taken by the States and cities on their own initiative; for example, State guards can be organized and plans for emergency mobilization of police units can be adopted.

In his address entitled "Program for the Future," Hon. Ellwood J. Turner, member of the Pennsylvania General Assembly and retiring Chairman of the Board of Managers of the Council of State Governments, described the specific accomplishments of the Council of State Governments, and its cooperation commissions during the past year, such as the work that has been done to forward the National Defense Program, to bring about the removal of interstate trade barriers, and to develop a more practical program of relief. Other points covered in Mr. Turner's address are listed on the statement, entitled "Program of the Council of State Governments for the Coming Year, 1940-1941." In the course of his address he said:

"The great need of the moment, our obligation as individuals and as representatives of the 48 state governments, is to do our share

—and more than our share—in expediting interstate and federal-state cooperation for purposes of national defense. Your Commissions on Interstate Cooperation and their parent agency, the Council of State Governments, can render no greater service to the states and to the nation than to assist in the organization and administration of a 'total defense' program."

During the course of the morning session the Chairman appointed the standing committees naming Garber on credentials committee.

Tuesday Afternoon Session

General Session on Relief and Taxation. The General Assembly reconvened at 2:00 P. M., with Hon. Leverett Saltonstall, Governor of Massachusetts, presiding. The statement of the Special Committee on Relief was presented by Hon. Arthur I. Burgess, Member of the Massachusetts General Court. Recommendations made in his statement were incorporated in the final report of the Committee on Relief and adopted at the closing session of the General Assembly. A copy of this report is attached.

After Mr. Burgess described the establishment of the Committee, the work which it has been doing, and its general recommendations, the General Assembly heard the specific sections of the report discussed by Eager of New Hampshire; Hill of Minnesota; Russell of Pennsylvania; Wadsworth of New York; Biddinger of Indiana; Lanier of Georgia; Alsup of Texas, and Hoehler of the American Public Welfare Association.

At the conclusion of the session on Relief, Mr. Simeon E. Leland, Director of the Federal Reserve Bank of Chicago, and former Chairman of the Illinois Tax Commission, read the statement of the Special Committee on Taxation. In his report he outlined the work which the Council of State Governments and previous General Assemblies had carried on in this field. He said:

"If I correctly read the record of the Council of State Governments, I think I see in it a desire to coordinate the fiscal systems of national, state and local governments, and to harmonize the policies of the state and local units with those of the Federal government, rather than to divorce them.

* * * *

"The Tax Committee, it seems to me, is on the right course. What is called for is a national inquiry of wide scope to develop plans and procedures, supplemented by conferences between Federal,

State and Local financial offices, so that the need and the means for integrating practices can be more fully realized. The Council and all of its committees are ready to carry their share of the burden, and more."

A resolution implementing the Tax Committee's suggestions is included in this report.

At the conclusion of Mr. Leland's address, the following participated in the discussion: Edmonds of Pennsylvania, Jones of Ohio, Long of Massachusetts, and Lepawsky of the Federation of Tax Administrators.

Tuesday Evening Dinner Session

Hon. Burnet R. Maybank, Governor of South Carolina presiding. Governor Maybank introduced Governor Herbert R. O'Connor of Maryland who spoke on the subject of "Law Enforcement Problems of National Defense." During the course of his address he described in detail the work of the conference which was held on this subject in Washington last August. The Governor then stated:

"I have attended a great many conferences, both official and otherwise, and it is no exaggeration to say that those in attendance at this Federal-State Conference last August exhibited an earnestness and singleness of purpose unsurpassed by the membership of any other conference within my experience. The unanimous adoption of the various section reports furnished conclusive evidence of the determination of the States and the Federal Government to coordinate their respective functions in regard to National Defense, and to present to all the enemies of America, within or without, a solid and, I believe, unbreakable front.

* * * * *

"The Drafting Committee of the Conference prepared and recommended for passage to the forty-eight-odd states whose legislatures are meeting this year, model acts dealing with organization of state guards, the control of explosives, interstate protection of public property, and the prevention of sabotage, and these acts have been forwarded to the various states for such action as their respective legislatures may deem proper."

At the conclusion of Governor O'Connor's address, the Chairman introduced Solicitor-General Francis Biddle who read Attorney General Jackson's address. The Attorney General described what the Department of Justice is doing to combat both military and economic "fifth columns" in this country, and outlined the work of the De-

partment of Justice in preventing sabotage and in controlling foreign propaganda here. He said in conclusion:

"Freedom of speech, freedom of press, freedom of assembly—these are the democratic weapons. Danger for democracy lies not so much into totalitarian propaganda as in our failure to answer it. Already that answer is being made. It fills the columns of our free press, it thunders from our free radio. It is not the synthetic product of a central propaganda bureau, but the strong spontaneous expression of free Americans in all walks of life. It is an answer that will pervade all America because it springs from America."

Wednesday Morning Session

General Session on Defense. Hon. Frank M. Dixon, Governor of Alabama, presided and introduced Hon. William S. Knudsen, Chief, Production Division, Advisory Commission to the Council of National Defense. Mr. Knudsen described the organization of the Advisory Commission of the Council of National Defense and the manner in which the national defense program was put under way. He emphasized the enormous coordination of effort that must go into production of all defense items after a contract is let. Real work starts after the contract is out, and the first requisite in the defense program was to get tools—not only machine tools—but fixtures and dies which must go into machine tools in order to produce armament on a mass production basis. He pointed out that we are still in that stage to a great extent, and described preliminary speeding up by the Defense Commission by the use of letters of intent, which protect the manufacturer in expenditures he may be called upon to make, up until the time of the signing of the actual contract. He stated that the tooling process has gone forward rapidly and that in another three months or so mass production will be under way on many lines.

Mr. Knudsen emphasized to the delegates the Defense Commission's hope to spread the work around the country by subcontracts to the greatest possible extent and the necessity for classifying and tabulating equipment found all over the country, in order that these facilities may be offered to prime contractors when the Defense Commission has a contract to offer. He stated:

"There is where you gentlement come in. * * * In your particular case, there are surveys of tools needed, and the point is that these surveys, through your mediation and help, be made available to the prime contractors. * * * The goal that I hope to reach is for each prime manufacturer to be concerned with a percentage of subcontracts on his job; the larger that percentage gets, the more the program is going to spread and the more pieces we are going to get in

the end. We are not going to get it in the next six months, but we are going to get it next year."

Governor Dixon then introduced Mr. Isador Lubin, Special Counsel to Mr. Hillman in the office of Production Management, who discussed "Labor supply and Training in Defense." Mr. Lubin described the function of the Division of Labor of the Advisory Commission as the job of seeing to it that the seventeen billion dollars worth of goods needed in the defense program are produced as effectively and efficiently as labor can possibly do it. He pointed out that the combined outstanding order for airplanes, airplane engines, parts and accessories, necessitated the employment of 230,000 people and that to keep up with commitments the industry must step up its labor supply to 450,000 before August of this year. Every shipyard in the nation is booked full to capacity, and every way is being used on orders either from the Navy or from the Maritime Commission.

He pointed out the effective work which the Conciliation Service of the Defense Commission had done in warding off threatened strikes and drew the parellel between 1916-17 and the present time, stating that "at no time in American history has labor been more cooperative when the country was in peril than at this time."

Stressing the part to be played by the states, Mr. Lubin said:

"I feel very definitely that one of the key pins of the defense program, at least as far as labor is concerned, is the U. S. Employment Service and the state employment services. I think one of the most vital contributions that the states can make to the defense program is to see to it that these employment services in your states are kept at the highest pitch of efficiency, that they operate twenty-four hours a day if the occasion demands, and that their personnel are continuously keyed up to the importance of the part that they are playing in the program."

The third speaker on the morning session was Hon. Paul V. McNutt, Federal Security Administrator. He discussed the questions having to do with health, welfare, and total defense. He pointed out the tremendous problems of public health involved in serving both civilians and the expanding military forces of the country, as well as the need of increased scientific knowledge of medical problems relating to defense, both military and industrial. He pointed out how much better prepared the government was to deal with community problems arising from military and industrial concentrations needed in defense than it was in 1916. Concluding his address he stated:

"In the three-way partnership which makes up our American system of government, our local, State, and Federal units stand to-

gether and work together for this common end. Our present effort to integrate health, welfare, and defense is important not only for the great contribution it can and must make to individual strength and national unity. It is equally important as a demonstration that our kind of government—cooperative democracy—can meet and master its own necessities. We are all partners in this joint enterprise—the great enterprise of serving a united people as a single integrated Nation, as a union of sovereign States, and as a vast network of local communities, of factories and farms, of families and human lives."

Wednesday Afternoon Session

General Session on Defense. Senator Henry Parkman, Jr., Member of the Massachusetts Commission on Interstate Cooperation, presided. First speaker in the afternoon was Hon. Charles E. Merriam, member of the National Resources Planning Board, who discussed, "Planning for Defense of Democracy." He stressed particularly the necessity for mobilization for national morale. Dr. Merriam ridiculed complaints that democracies could not act with decisiveness, and pointed out that decisionism in any government, be it of democratic or autocratic form, rests not on arbitrariness but on cooperation soundly organized for action.

In discussing America's role in the present world crisis, he said:

"America will work out a program, built upon national unity, which will raise the volume of national production and at the same time raise the standards of living in accordance with the principles of social justice. Our vast national resources, our dynamic energy, our inventiveness and resourcefulness, our organizing ability, our huge economy, with its rich powers of expansion, make this a possibility. America will maintain its free society, industrial and political, streamlined to meet the changing conditions of modern life."

Following Dr. Merriam, Hon. Daniel W. Hoan, Associate Director, Division of State and Local Cooperation of the Advisory Commission to the Council of National Defense, discussed "The Part of the States and Cities in the Defense Program." He emphasized that preparation for our national defense requires cooperative effort with unity of purpose throughout the country. He reviewed the work of the Division of State and Local Cooperation, and characterized its method of operation as the essence of the democratic way:

"The Division gives no orders; the people themselves, through their representatives in the State capitol or the town hall, solve their own problems, using the Division's personnel as a channel for information concerning Federal plans and policies and for technical advice in various fields."

Among the delegates taking part in the discussion of Dr. Merriam's and Mr. Hoan's addresses were:

Carey of California

George of Maryland

Kiser of Washington

Sengle of Connecticut

Wallerstein of Virginia

Wednesday Evening Dinner Session

Governor Harold E. Stassen, President of the Council of State Governments, presided at the state dinner and read a letter from President Roosevelt, in which the Chief Executive pointed out that "now as never before the utmost cooperation of all levels of government is necessary to provide the nation with total defense."

Governor Stassen introduced Hon. Frank Knox, Secretary of the Navy, who was speaker of the evening. Secretary Knox declared that the preservation of liberty and the future of our form of government are now at stake. He said in part:

"In this task of supporting President Roosevelt in this crucial hour, there should be and there must be a spirit of national unity which sweeps aside all vestige of personal feelings, of partisan differences, of sectional hatreds and of class distinctions. If we, as a nation united, embrace the high aims and purposes of the hour, we shall all succeed together. Likewise, if we fail, we shall all go down together. We must not fail."

Secretary Knox concluded his address as follows:

"Almost literally, America stands at the crossroads. Whether we like it or not, the preservation of the sacred fire of liberty has become our responsibility. We can discharge this responsibility right now by an all-out program for production of supplies and munitions for the use of those who are actually fighting the battles for human liberty in Europe and Asia, and for our own defense. Or, we can shilly-shally and talk and debate and conjure up idle forces that have no basis in fact until those who are fighting are overwhelmed and then, we must take up the burden and fight ourselves, lest the sacred fires of liberty entrusted to our care shall go out. Or, we can adopt still a third choice and fail to help now and refuse to fight later, and then, spend everything we have and that we can produce to build a wall around the United States and live within that wall,

armed to the teeth, completely surrounded by totalitarian powers intent upon our final subjugation.

"These are the three roads, and the only three roads, that converge at the point where we stand tonight. In such an hour, if we are worthy of what we have, if we are wise as the trustees of the institutions we have inherited, and finally, if we are merely shrewd and give way only to selfish considerations, we will implement, without delay, President Roosevelt's noble declaration: 'In the face of great perils never before encountered, our strong purpose is to protect and to perpetuate the integrity of democracy. We do not retreat. We are not content to stand still. As Americans, we go forward, in the service of our country, by the will of God.' "

Thursday Morning Session

General Session on Trade Barriers. Hon. Edgar A. Brown, Chairman of the Board of Managers of the Council of State Governments, presiding. Senator Robert C. Hendrickson, of New Jersey vigorously attacked the growing Balkanization of this country through the erection of barriers to interstate trade by the states themselves, and pointed out that the campaign which the Council of State Governments has waged on them during the past biennium has already had beneficial results. He pointed out that much remains to be done, and said, in conclusion:

"If we are to move from plurality toward unity from **ex uno plura to epluribus unum** we must continue, to the end, in the destruction of these legal-economic frontiers within America.

"If we are to maintain a common defense on the home front in this crucial hour when 'National Defense' is the key note of every public utterance, and preserve free government for posterity, all interstate trade barriers of every nature and description, must yield to that 'more perfect union.' "

In a statement which he was unable to deliver because of illness, Congressman Hatton W. Sumners warned the delegates that:

"It must be borne in mind, as a practical matter, that there is a natural law, universal in its operation, which will not permit power to do a thing to remain where that power is not properly exercised. There is no more important task for the state governments, from the standpoint of their self preservation as the responsible agencies of democratic government—and the only ones which we have or can have in our system for general governmental purposes—than to demonstrate their ability, acting individually and in cooperation with each other to remove the abuses arising from what are known as Interstate Trade Barriers."

Vigorous discussion of the situation in regard to trade barriers took place. Among the discussants were Brown of Pennsylvania, Ostertag of New York, Van der Vries of Illinois, Bolens of Wisconsin, York of Texas, and Rankin of North Carolina.

This Assembly of the Council of State Governments is endowed with potential possibilities of unlimited merit in this great field of interstate mutual interest if operated and administered by the Representatives of the States as a deliberate body.

Respectfully Submitted

Daniel Garber
Wm. A. Metzger

MOTION—To Adopt Report

Mr. Garber moved that the report be adopted.

Substitute Motion

Mr. President: I move that the Legislature hereby express its sincere appreciation to Senator Garber and Senator Metzger for their full and comprehensive report of the meeting of the Council of State Governments, and that the report be printed in the Journal so that it may be more fully studied by the members and the citizens of the state. (Signed) Matzke

The substitute motion prevailed.

MOTION—Appreciation to Ak-Sar-Ben

Mr. President: I move that the Ak-Sar-Ben at Omaha be extended a vote of appreciation for affording the members of this body, the state officers and their wives the opportunity to see the fine Ice Review of Sonja Henie last Friday night, and that the clerk of the Legislature write the Ak-Sar-Ben accordingly. (Signed) Gantz

The motion prevailed.

STANDING COMMITTEE REPORTS

Revenue

LEGISLATIVE BILL NO. 68. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 68:

1. Amend the bill, page 2, section 1, by striking that part of said section commencing with the conjunction **"and"** in line 13 therein down to and including the word and punctuation **"dollars;"** in lines 16 and 17 therein.

2. Amend the bill, page 2, section 1, line 20, by inserting after the word **"improvements"** and before the punctuation ",," therein the words **"and school moneys".**

3. Amend the bill, page 2, section 1, by striking that part of said section commencing with the word "On" in line 30 down to and including the word and punctuation "cent." in line 31 therein.

4. Amend the printed bill, page 1, title, line 6, by inserting after the word "improvements" the following:

"and school moneys".

LEGISLATIVE BILL NO. 71. Indefinitely postponed.

LEGISLATIVE BILL NO. 85. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 85:

1. Amend the bill, page 2, section 1 by striking that portion of said section commencing with the word "Until" in line 3 therein down to an including the word and punctuation, **"Provided,"** in line 13 therein and by inserting in lieu thereof the following:

"All inheritance tax moneys received or collected by each county, pursuant to resolution of the county board, under the provisions of this article, shall be credited to either the county general fund, for the relief of worthy, incapacitated or indigent persons or for the purpose of the improvement of county roads to be built without the corporate limits of any city or village or for county general fund purposes: Provided, the county treasurer of each county shall keep all such moneys collected under the provisions of this article either in the county general fund for general fund purposes or for relief purposes or in a special fund to be expended under the direction of the county board of each county for the sole purpose of the improvement of the county roads, described above; and provided further, if such resolution shall require the expediture of inheritance tax moneys for the improvement of county roads,"

2. Amend the bill, page 1, title, by striking all of said title after the word "ACT" in line 2 therein and by inserting in lieu thereof the following:

"to amend Sec. 77-2218, C. S. Supp., 1939, relating to revenue; to provide that moneys arising from inheritance tax may, by resolution of the county board, be credited to and expended from the county general fund either for county general fund purposes or for the relief of worthy, incapacitated or indigent persons or from a special fund to be expended under the direction of the county board for the sole purpose of the improvement of the county roads to be built without the corporate limits of any city or village; to repeal said original section; and to declare an emergency."

3. Amend the bill, page 1, by adding the name "R. M. Howard of McPherson" to the list of introducers.

(Signed) Murphy, Chairman

Appropriations

LEGISLATIVE BILL NO. 148. Placed on General File.

(Signed) Callan, Chairman

Enrollment & Review

LEGISLATIVE BILL NO. 47. Replaced on Select File with amendments.

E and R amendments to L. B. No. 47:

1. Amend the bill, page 2, section 1, by striking that part of said section commencing with the word **"amended"** in line 8 therein down to and including the figures **"1941"** therein, and by inserting in lieu thereof the following:

"now existing or as hereafter amended"

Correctly Engrossed

Legislative Bill No. 34.

Presented to Governor for Approval

Thursday, February 13, 1941 at 8:30 a. m.

Legislative Bill No. 232

(Signed) Crosby, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 5. Bryan Memorial

Mr. Gantz moved to strike the words "on the capitol grounds" from the resolution.

The motion prevailed.

Mr. Callan moved that the resolution as amended be adopted.

The motion prevailed.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage.

LEGISLATIVE BILL NO. 8. With emergency clause.

A bill for an Act to repeal Article 18, Chapter 83, C. S. Supp., 1939, relating to the State Planning Board; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 19:

Adams, E. A.	Callan	Mischke	Raecke
Adams, J., Jr.	Carlson	Mueller	Reed
Asimus	Jeppesen	Neubauer	Thomas, Ray
Bevins	Knezacek	Peterson	Weborg
Blome	Kotouc	Price	

Voting in the negative, 2:

Metzger	Van Diest

Not voting, 22:

Bowman	Garber	Lambert	Sorrell
Brodahl	Greenamyre	Matzke	Sullivan
Carmody	Hanna	Mekota	Thomas, Amos
Crosby	Howard	Murphy	Thornton
Crossland	Johnson	Norman	Tvrdik
Gantz		Rakow	

A constitutional two-thirds majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause.

Vote on L. B. No. 8 With Emergency Clause Stricken:

Voting in the affirmative, 38:

Adams, E. A.	Crosby	Kotouc	Raecke
Adams, J., Jr.	Crossland	Matzke	Rakow
Asimus	Gantz	Metzger	Reed
Bevins	Garber	Mischke	Sorrell
Blome	Greenamyre	Mueller	Sullivan
Bowman	Howard	Murphy	Thomas, Amos
Brodahl	Jeppesen	Neubauer	Thornton
Callan	Johnson	Peterson	Tvrdik
Carlson	Knezacek	Price	Van Diest
Carmody			Weborg

Voting in the negative, 0.

Not voting, 5:

Hanna	Mekota	Norman	Thomas, Ray
Lambert			

A constitutional majority having voted in the affirmative, the bill was declared passed with the emergency clause stricken.

Statement

Mr. President: Had I been present when L. B. No. 8 was voted on I would have voted aye.

(Signed) Tom Lambert

LEGISLATIVE BILL NO. 5. With emergency clause.

A bill for an Act relating to revenue; to authorize county boards and the governing bodies of municipalities to levy during each of the years 1941 and 1942, an annual tax of not to exceed one mill upon all the taxable property within their corporate limits for the relief of unemployed and indigent persons under certain conditions; to provide for the expenditure of moneys collected under the Emergency Act of 1939 and 1940; to limit the cost of administration of all activities thereunder in all counties having a population of less than one hundred and fifty thousand inhabitants to an amount not exceeding five per cent of the moneys arising under this act; to limit the cost of administration of all activities conducted thereunder in all counties having a population of more than one hundred and fifty thousand inhabitants to an amount not exceeding ten per cent of the moneys arising under this act; to repeal Secs. 77-1826, 77-1827 and 77-1828, C. S. Supp., 1939; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Adams, E. A.	Crosby	Lambert	Raecke
Adams, J., Jr.	Gantz	Matzke	Rakow
Asimus	Garber	Mekota	Reed
Bevins	Greenamyre	Metzger	Sorrell
Blome	Hanna	Mischke	Sullivan
Bowman	Howard	Mueller	Thomas, Amos
Brodahl	Jeppesen	Murphy	Thomas, Ray
Callan	Johnson	Neubauer	Thornton
Carlson	Knezacek	Peterson	Tvrdik
Carmody	Kotouc	Price	Van Diest
			Weborg

Voting in the negative, 0.

Not voting, 2:

Crossland	Norman

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 6.

A bill for an Act to amend Section 28-1023, Compiled Statutes of Nebraska, 1929, relating to tobacco and cigarettes; to prohibit any wholesaler of tobacco and cigarettes from selling and delivering any cigars, tobacco, cigarettes or cigarette material to any retail dealer who is not, at the time of said sale or delivery, the recipient of a valid tobacco license for the current year to retail the same; to prohibit any person, partnership or corporation from purchasing or receiving any cigars, tobacco, cigarettes or cigarette material for purposes of resale who is not the recipient of a valid tobacco license to retail the same at the time he purhases or receives tobacco products; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 32:

Adams, J., Jr.	Greenamyre	Mekota	Rakow
Asimus	Hanna	Metzger	Reed

Blome	Howard	Mueller	Sorrell
Bowman	Jeppesen	Murphy	Thomas, Amos
Brodahl	Knezacek	Neubauer	Thomas, Ray
Carmody	Kotouc	Peterson	Thornton
Crosby	Lambert	Price	Van Diest
Gantz	Matzke	Raecke	Weborg

Voting in the negative, 5:

Adams, E. A.	Garber	Johnson	Mischke
Callan			

Not voting, 6:

Bevins	Crossland	Sullivan	Tvrdik
Carlson	Norman		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 40. With emergency clause.

A bill for an Act to validate the sale by the board of regents of the university of Nebraska of the west one-half of the southeast quarter of section 22, township 22 north, range 55 west of the 6th principal meridian, county of Scotts Bluff, state of Nebraska; to confirm title thereto in Charles B. Redus and his heirs; to provide for the execution of a deed of confirmation; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached? ' "

Voting in the affirmative, 38:

Adams, E. A.	Crosby	Kotouc	Peterson
Adams, J., Jr.	Gantz	Lambert	Price
Asimus	Garber	Matzke	Raecke
Bevins	Greenamyre	Mekota	Sullivan
Blome	Hanna	Metzger	Thomas, Amos
Bowman	Howard	Mischke	Thomas, Ray
Brodahl	Jeppesen	Mueller	Thornton
Callan	Johnson	Murphy	Tvrdik
Carlson	Knezacek	Neubauer	Van Diest
Carmody			Weborg

Voting in the negative, 0.

Not voting, 5:

Crossland Rakow Reed Sorrell
Norman

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Statement

Mr. President: Had I been present I would have voted aye on L. B. No. 40.

(Signed) William A. Crossland.

SELECT FILE

LEGISLATIVE BILL NO. 45. Passed over.

LEGISLATIVE BILL NO. 20. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 109. E and R amendments, found in the Legislative Journal for the Twenty-sixth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 15. E and R amendments, found in the Legislative Journal for the Twenty-sixth Day were adopted.

Referred to E and R for engrossment.

GENERAL FILE

Mr. Metzger presiding

LEGISLATIVE BILL NO. 27. Passed over. Retains place on file.

LEGISLATIVE BILL NO. 39. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-fourth Day were adopted.

Mr. Gantz offered the following amendment, which was adopted:

Amend the bill by adding after Sec. 2 the following:

"Sec. 3. Whereas, an emergency exists, this act shall be in full force and take effect from and after its passage and approval according to law."

Amend the title by striking the punctuation "." after the word "section" in line 6 of the title and insertng the punctuation ";" in lieu thereof and by adding the words "to declare an emergency".

Mr. Gantz asked for unanimous consent to lay the bill over.

No objection was raised. So ordered.

LEGISLATIVE BILL NO. 4. Laid over. Retains place on File.

LEGISLATIVE BILL NO. 78. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 81. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 63. Read and considered.

Mr. Ray Thomas offered the following amendment to the Standing Committee amendments, found in the Legislative Journal for the Twenty-fourth Day.

1. Amend the standing committee amendments to legislative bill No. 63, mimeographed, by inserting a new section after Sec. 3. as follows:

"Sec. 4. The provisions of this act shall not apply to baby chicks in the custody of a common carrier upon which the freight has been prepaid, and which must be sold at public auction because delivery thereof cannot be effected beyond the control of such common carrier."

2. Amend the standing committee amendments to legislative bill No. 63, mimeographed, by renumbering sections 4 and 5 as Sec. 5. and Sec. 6. respectively.

3. Amend the standing committee amendments to legislative bill No. 63, mimeographed, page 2, title, line 9, after the word and punctuation "therein;" by inserting the following:

"to provide exceptions;".

Mr. Thomas' amendment was adopted.

Mr. Neubauer moved that the Standing Committee amendments, as amended, be adopted as Legislative Bill No. 63.

The motion prevailed.

Referred to E and R for review.

LEGISLATIVE BILL NO. 21. Laid over. Retains place on File.

Adjournment

At 11:45 a. m. Mr. Mueller moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Friday, February 14, 1941.

The motion prevailed with 35 ayes, 1 nay, 7 not voting.

Hugo F. Srb,
Clerk of the Legislature.

TWENTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, February 14, 1941.

Pursuant to adjournment, the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Peterson and Norman who were excused.

The Journal for the Twenty-seventh Day was approved as corrected.

Members Excused

Mr. Blome and Mr. Mischke were excused for the remainder of the day. Mr. Mueller was excused after 10:00 a. m.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Gantz, one, opposing L. B. No. 36; Mr. Raecke, one, favoring L. B. No. 83 and L. B. No. 105; Mr. Greenamyre, one, opposing L. B. No. 184.

A petition was received through the Governor's office regarding old age assistance.

Communications

A letter was read from Congressman Oren S. Copeland, acknowledging receipt of Legislative Resolution No. 3 regarding Beet Acreage Allotments in Nebrsaka; also a letter from Paul Hawkins, assistant secretary to Senator Hugh Butler, acknowledging receipt of Legislative Resolution No. 3.

NOTICE OF COMMITTEE HEARINGS

Appropriations

L. B. No. 161, Wednesday, February 19, 1941, 2:00 p. m.

L. B. No. 168, Wednesday, February 19, 1941, 2:00 p. m.

L. B. No. 192, Wednesday, February 19, 1941, 2:00 p. m.

L. B. No. 221, Wednesday, February 19, 1941, 2:00 p. m.

Revenue

L. B. No. 459, Thursday, March 6, 1941, 2:00 p. m.

L. B. No. 470, Thursday, March 6, 1941, 2:00 p. m.

Public Works

L. B. No. 289, Wednesday, February 19, 1941, 2:00 p. m.

L. B. No. 285, Friday, February 21, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL NO. 88. Referred to the Legislature with the recommendation that it be re-referred to Committee on Revenue.

(Signed) Neubauer, Chairman

The President so ordered.

Education

LEGISLATIVE BILL NO. 134. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 134:

1. Amend the bill, page 2, section 1, line 18 by inserting after the word **"road"** and before the "," the words **"actually traveled".**

2. Amend the bill, page 2, section 1, by striking that part of said section commencing with the word **"and"** in line 28 therein down to and including the word and punctuation **"thereof;"** in line 34 therein.

LEGISLATIVE BILL NO. 114. Placed on General File.
(Signed) Matzke, Chairman

Government

LEGISLATIVE BILL NO. 26. Indefinitely postponed.

LEGISLATIVE BILL NO. 77. Placed on General File with amendment.

Standing Committee amendment to L. B. No. 77:

1. Amend page 3, section 1, line 39, by striking the words "per day".

(Signed) Sorrell, Chairman

Judiciary

LEGISLATIVE BILL NO. 22. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 22:

1. Amend the bill, page 2, by striking all of Sections 1, 2, 3, 4 and 5 therein and by inserting in lieu thereof the following:

"Section 1. As used in this act: (a) **"director"** means the director of health for the department of health, state of Nebraska; (b) **"department"** means the department of health, state of Nebraska; (c) **"delayed birth registration"** means registration at or after age four; (d) **"independent"** designates records which apparently have not been made to serve the same immediate purpose, and records in which the same type of error is not likely to have occurred; (e) **"class A evidence"** means recorded certificates of baptisms performed under age four or a suitable copy thereof, insurance policies, census records, military service records, sworn statements which the attending physician has taken from his records, family bible records where proved beyond doubt that the records were made before the child was age four, or other evidence on file in the bureau of vital statistics of the department from previous or other births; (f) **"class B evidence"** means other acceptable records at least five years old, such as physicians' certificates or affidavits not taken from the record, hospital, nursing or clinic records, affidavits from parents or long-time acquaintances, printed notices of birth, records from birthday or baby books, school records, church records and all affidavits of personal recollection.

Sec. 2. **Subdivision 1.** The ordinary procedure of birth registration required by the laws of the state of Nebraska applies for ages under four. **Subdivision 2.** After age four where there is no birth registration on file in the department, requirements of this act for delayed birth registration become effective. Any applicant for delayed birth registration or any informed person in behalf of applicant who claims his or her birth occurred in the state of Nebraska, may file a verified petition in the county court of the county in the state of Nebraska in which the birth is alleged to have occurred or in the county court of any county in the state, and, in such petition shall pray for an adjudication of the name at birth, birth date, birthplace and parentage of applicant for delayed birth registration. All proceedings in the county court that pertain to each petition for a decree upon which the issuance of a delayed birth registration certificate by the director is based, shall be recorded in a book which is kept for that purpose by the county judge and which shall be known as the **"delayed birth registration docket"**. The county judge shall charge and collect a fee of two dollars, and no more, for the entire proceedings had on each delayed birth registration matter filed.

Sec. 3. The petition for adjudication of the items of name at birth, birth date, birthplace and parentage of applicant shall allege all facts required by the delayed birth certificate which director issues, as set forth in section 4 of this act, and, at the time of hearing each item shall be established by at least the following amount of evidence: (a) Two independent supporting records if one be class A evidence; or (b) three independent supporting records of class B evidence.

Sec. 4. Upon filing of the petition the court shall fix a time for hearing the same, at which time the court shall examine the petition and take testimony. If, upon the hearing, the court finds that the allegations in the petition are true, he shall enter a decree to that effect: **Provided,** that each decree so entered shall contain a certificate which shall be made substantially in the following form:

'NEBRASKA STATE DEPARTMENT OF HEALTH
Bureau of Vital Statistics, Lincoln, Nebraska
CERTIFICATE OF DELAYED BIRTH REGISTRATION

Name at birth..... Date of birth.....

Sex.....Birthplace (city or town).....

County.....State of.....

Attendant at birth.....Address.....

FATHER	MOTHER
Full name.....	Full maiden name.....
Color or race.....Birth year.....	Color or race.....Birth year.....
Birthplace.....	Birthplace .....

ABSTRACT OF EVIDENCE

Dated..... ....., 19.....

(SEAL)

.....
County Judge

I certify that a search has revealed no prior birth certificate in this bureau for the above named person; that the evidence described in the above abstract was examined by me or by a designated agent; and that to the best of my knowledge and belief, such evidence complies with the legal requirements of the state of Nebraska for delayed registration of births.

Date filed.....

.....
Chief, Bureau of Vital Statistics'

The county judge shall prepare a carefully worded abstract of the evidence and shall enter the abstract and other facts required on the form of certificate which is a part of the decree.

Sec. 5. The order of the court for the delayed registration of the birth shall be entered by the county judge on the form of delayed birth certificate set forth in section 4 of this act. A copy of such certificate dated, signed and sealed by the county judge shall be filed with the department not later than ten days after the end of the month in which the order was made.

Sec. 6. The department shall charge and collect a fee of one dollar for each delayed birth certificate issued. All fees so collected shall be paid into the state treasury and, by the state treasurer, shall be credited to the **"department of health, bureau of vital statistics fund"**, which fund shall be used for the purpose of administering the delayed

birth certificate law and other laws concerned with vital statistics, if and when appropriated by the legislature for that purpose.

Sec. 7. **Subdivision 1.** The director for the department is hereby empowered to adopt and enforce regulations governing (a) the registration of births at ages four and over and (b) cases under age four where a birth certificate is not obtainable from a prior attendant at birth. **Subdivision 2.** Any person violating any regulation so adopted shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not exceeding twenty-five dollars for each offense.

Sec. 8. This act may be cited as the **"delayed birth registration law".**

Sec. 9. That Section 71-2402, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

71-2402. The department shall appoint **municipal or county clerks** as local registrars who shall have such territorial jurisdiction as may be conferred upon them by the department.

Sec. 10. That Section 71-2416, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

71-2416. The department shall preserve permanently and index all certificates received. The state registrar shall supply to any applicant for any proper purpose a certified copy of the record of any birth, death, marriage, or divorce registered. For which copy, said state **The** department shall be entitled to **charge and collect in advance,** a fee of fifty cents to be paid by the applicant **for each certified copy supplied to applicant or for any search made at applicant's request for any such record whether or not the record is found on file with the department.** The department shall furnish two free copies to be issued for soldiers' welfare or the interests of their families. The department shall, upon request of any parent or guardian who shall require the information for school purposes or securing employment, supply without charge a certificate limited to a statement of parentage and of the date of birth. The United States census bureau may obtain, without expense to the state, transcripts or certified copies of certificates without the payment of any charge. A strict account shall be kept of all funds received by the department, and the same turned over . **Such funds shall be paid** to the State Treasurer **state treasurer** to be kept **who shall keep such payments** in a separate fund **the department of health, bureau of vital statistics fund** for Vital Statistics **which shall be used for the purposes of administering the laws relating to vital statistics, if and when appropriated by the legislature.**

Sec. 11. That said original Sections 71-2402 and 71-2416, Compiled Statutes of Nebraska, 1929, are hereby repealed.

Sec. 12. If any division, section, subsection, sentence, clause, phrase or requirement of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions thereof. The legislature hereby declared that it would have passed this act, and each division, section, subsection, sentence, clause, phrase, or requirement thereof irrespective of the fact that any one or more divisions, sections, subsections, sentences, clauses, phrases or requirements be declared unconstitutional.

Sec. 13. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

2. Amend the bill, page 1, title by striking all of said title after the word "ACT" in line 2 therein and by inserting in lieu thereof the following:

"relating to vital statistics; to define terms; to provide for the registration of delayed birth certificates by the director of health for the department of health after the name at birth, birth date, birthplace and parentage of applicants for delayed birth certificates are adjudicated, under procedure provided therein, by county courts and an abstract of the evidence upon which the adjudication is based, are certified to the director on standard certificates of delayed birth registration; to fix the fee that county courts may charge and collect in delayed birth registration proceedings; to fix fees that department may charge and collect for issuing delayed birth certificates and for searching for or supplying certified copies of miscellaneous records of vital statistics; to empower the director to adopt regulations for the enforcement of this act; to provide penalties for the violation of such regulations; to amend Sections 71-2402 and 71-2416, Compiled Statutes of Nebraska, 1929; to provide for the selection of local registrars; to prescribe that the fees arising under this act shall be credited to the department of health, bureau of vital statistics fund for the purposes of administering laws concerning vital statistics, if and when appropriated by the legislature; to state a validity clause; to designate a short title; to repeal said original sections; and to declare an emergency."

(Signed) Gantz, Chairman

Public Health & Miscellaneous Subjects

LEGISLATIVE BILL NO. 43. Placed on General File.

LEGISLATIVE BILL NO. 44. Placed on General File.

(Signed) Ray Thomas, Chairman

Enrollment and Review

LEGISLATIVE BILL NO. 80. Placed on Select File with amendments.

E and R amendments to L. B. No. 80:

1. Amend the bill, page 3, section 1, line 52 by striking the punctuation "," therein and by inserting in lieu thereof the punctuation ";" and on page 3, section 1, line 53, strike the preposition **"to"** therein and by inserting in lieu thereof the word **"shall"**.

2. Amend the printed bill, page 5, section 1, line 110, by striking therefrom the word "No" therein and by inserting in lieu thereof the following:

"no No"

3. Amend the title, page 1, line 9, by inserting after the word "shall" the following: ", if possible,".

4. Amend the title, page 1, line 11, by striking the word "owner", and inserting in lieu thereof the words "owners or their authorized agents or representatives".

LEGISLATIVE BILL NO. 32. Placed on Select File with amendments.

E and R amendments to L. B. No. 32:

1. Amend the bill, page 2, section 1, line 9, strike the period after the word "years" and insert the following: **": Provided in each county having a population of one hundred fifty thousand or more, the county clerk shall be elected at the times hereinafter specifically provided."**

2. Amend the title, page 1, line 5, after the word "inhabitants" and before the punctuation ";" insert the following **"in the year 1936 and every four years thereafter"**.

3. Amend the bill, page 2, section 1, line 10, by striking the word **"one"** and insert in lieu thereof the article **"a"**.

(Signed) Crosby, Chairman

SELECT FILE

LEGISLATIVE BILL NO. 45. Passed over.

LEGISLATIVE BILL NO. 47. E and R amendment, found in the Legislative Journal for the Twenty-seventh Day was adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL NO. 27. Laid over. Retains place on File.

LEGISLATIVE BILL NO. 39. Mr. Gantz offered the following amendment, which was adopted:

Amend L. B. No. 39 Section 1, line 20 as amended by striking the words "seventy per cent of the" and inserting the word "fifty" in lieu thereof.

Mr. Raecke and Mr. Gantz offered the following amendment, which was adopted:

That L. B. No. 39 be amended page 2, Sec. 1, line 21, by inserting after the punctuation comma after the word "village" and before the word "shall" the following: "provided, that if there are less than one hundred freeholders therein a petition signed by fifty per cent of such freeholders,".

Mr. Gantz moved to refer to E and R for review.

No action was taken thereon.

LEGISLATIVE BILL NO. 4. Passed over.

LEGISLATIVE BILL NO. 21. Laid over. Retains place on File.

LEGISLATIVE BILL NO. 68. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-seventh Day were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 148. Read and considered.

Mr. Callan offered the following amendments, which were adopted:

1. Amend the bill, page 6, by inserting after Sec. 10, line 11 thereon, a new section as follows:

"Sec. 11. There is hereby appropriated out of the general fund of the state of Nebraska, not otherwise appropriated, the sum of Thirty-two Thousand Dollars to carry out the purposes of this act. The sum herein appropriated shall be immediately available from and after the effective date of this act. The sum herein appropriated shall be held and kept by the state treasurer in the **"trade school cash fund"** hereinbefore established. Against said fund so established, the auditor of public accounts is hereby authorized and directed to draw warrants upon the state treasurer for the purposes of this act upon proper vouchers approved by the director of the department of vocational education; and the state treasurer shall pay the same out of any moneys to the credit of the amount credited to said fund."

2. Amend the bill, page 6 by renumbering Secs. 11 and 12 thereon to correspond with the preceding amendment.

3. Amend the bill, title page 1a, line 47, by inserting after the word and punctuation "appropriations;" therein the following:

"Specifically to appropriate the sum of Thirty-two Thousand Dollars for the uses and purposes of the **'trade school cash fund;'** ".

Laid over. Retains place on File.

Members Excused

Mr. Garber was excused for the remainder of the day.

Mr. Amos Thomas was excused for a couple of weeks to report to Camp Robinson.

LEGISLATIVE BILL NO. 85. Considered.

Laid over. Retains place on File.

Adjournment

At 11:58 a. m. Mr. Greenamyre moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Monday, February 17, 1941.

The motion prevailed with 30 ayes, no nays, 13 not voting.

Hugo F. Srb,
Clerk of the Legislature.

TWENTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, February 17, 1941.

Pursuant to adjournment, the Legislature met at 10:00 a. m. Speaker Howard presiding.

Prayer was offered by Dr. Howard P. Buxton of Trinity Methodist Church of Lincoln, Nebraska.

The roll was called and all members were present except Mr. Mueller, and except Messrs. Norman and Amos Thomas, who were excused.

The Journal for the Twenty-eighth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Gantz, one, opposing L. B. No. 119; Mr. Reed, one, favoring L. B. No. 83, and one favoring L. B. No. 105; Mr. Greenamyre, one, opposing L. B. No. 83 and L. B. No. 105; Mr. Weborg, one, opposing L. B. No. 184; Mr. Mischke, one, opposing L. B. No. 83, two, opposing L. B. No. 184, one, opposing L. B. No. 105; Mr. Lambert, one, favoring L. B. No. 110; all members, one, favoring a transaction tax, one, favoring L. B. No. 83 and L. B. No. 105; one, favoring the following numbered bills: 9, 10, 23, 41, 65, 70, 89, 103, 140, 141, 142, 148, 162, 163, 181, 184, 189, 190, 206, 248, 253, 270, 317, 321, 330, 335, 360 and opposing the following numbered bills: 25, 26, 166, 178, 204, 208, 272, 304, 319.

The following petitions were received through the Governor's office: two, opposing L. B. No. 83 and L. B. No. 105; two, favoring L. B. No. 110; one, opposing L. B. No. 135; one, favoring L. B. No. 89; one, regarding old age assistance; one, opposing any refund of money derived from tax on aeroplane gasoline.

NOTICE OF COMMITTEE HEARINGS

Appropriations

L. B. No. 164, Monday, February 24, 1941, at 2:00 p. m.

L. B. No. 181, Monday, February 24, 1941, at 2:00 p. m.

L. B. No. 252, Monday, February 24, 1941, at 2:00 p. m.

L. B. No. 336, Monday, February 24, 1941, at 2:00 p. m.

L. B. No. 360, Monday, February 24, 1941, at 2:00 p. m.

L. B. No. 361, Thursday, February 27, 1941, at 2:00 p. m.

L. B. No. 418, Thursday, February 27, 1941, at 2:00 p. m.

L. B. No. 422, Thursday, February 27, 1941, at 2:00 p. m.

L. B. No. 425, Thursday, February 27, 1941, at 2:00 p. m.

L. B. No. 451, Monday, February 24, 1941, at 2:00 p. m.

L. B. No. 456, Thursday, February 27, 1941, at 2:00 p. m.

Revenue

L. B. No. 72, Thursday, February 20, 1941, 7:00 p. m.

(Continued)

Approved by the Governor

February 15, 1941

To the President and Members of the Legislature
Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. No. 1 L. B. No. 2 L. B. No 232

Respectfully submitted,

(Signed) Val Peterson
Secretary to the Governor

MOTION—Funeral of Mrs. Hugh Butler

Mr. President: I move that a committee of four consisting of the Speaker and three others be appointed to attend the funeral of Mrs. Hugh Butler, being held this afternoon in Omaha. (Signed) Murphy

The motion prevailed and the Speaker appointed the following members to serve, with the Speaker, on said Committee.

Murphy Kotouc Callan

STANDING COMMITTEE REPORTS

Enrollment & Review

Correctly enrolled

L. B. No. 5 L. B. No. 8

L. B. No. 6 L B. No. 40

(Signed) Rakow, Vice Chairman

Speaker Signs

While the Legislature was in session and capable of transacting business, the Speaker signed:

L. B. No. 5 L. B. No. 8

L. B. No. 6 L B. No. 40

STANDING COMMITTEE REPORTS (Continued)

Enrollment & Review

LEGISLATIVE BILL NO. 132. Placed on Select File.

Correctly engrossed

L. B. No. 47 L. B. No. 109

(Signed) Rakow, Vice Chairman

Government

LEGISLATIVE BILL NO. 12. Placed on General File.

LEGISLATIVE BILL NO. 64. Placed on General File.

LEGISLATIVE BILL NO. 108. Placed on General File.

(Signed) Sorrell, Chairman

Banking, Commerce & Insurance

LEGISLATIVE BILL NO. 46. Placed on General File with amendment.

Standing Committee amendment to L. B. No. 46:

Amend the bill, page 6, section 7, line 14 by inserting after the word and punctuation "court." therein the following: "(1) where merchandise is sold by manufacturers or processors.".

(Signed) Thornton, Chairman

Revenue

LEGISLATIVE BILL NO. 73. Indefinitely postponed.

LEGISLATIVE BILL NO. 91. Indefinitely postponed.

(Signed) Murphy, Chairman

Judiciary

LEGISLATIVE BILL NO. 112. Indefinitely postponed.

LEGISLATIVE BILL NO. 28. Indefinitely postponed.

(Signed) Gantz, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 9. John Cowles, Invitation

Extending Invitation to John Cowles, Des Moines, Iowa, to address Fifty-fifth Session, Nebraska State Legislature, 1941

Preamble

WHEREAS, John Cowles is a distinguished citizen and resident of Des Moines, Iowa, publisher of newspapers in Des Moines, Iowa and Minneapolis, Minnesota and a close student of foreign affairs, and

WHEREAS, John Cowles occupies the unique distinction of having accompanied Wendell L. Willkie on his recent trip abroad to gain first-hand knowledge of war conditions in Great Britain, and, has that knowledge and is ready to impart it to those interested, and

WHEREAS, upon invitation extended, John Cowles has accepted invitations to address Iowa, Minnesota and other legislatures, now in session since his return to Des Moines, Iowa, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-FIFTH SESSION ASSEMBLED:

1. That this legislature hereby extends to John Cowles, Des Moines, Iowa, an invitation, at his early convenience, to come to Lincoln, Nebraska, and to address the Nebraska state legislature with the end in view that we may receive the benefit of his reactions and impressions as to war conditions in Great Britain as he observed them.

2. That a copy of this resolution, properly authenticated and suitably engrossed be forthwith prepared by the clerk of the legislature, who is further directed to forward the same to John Cowles, Des Moines, Iowa.

MOTION—To Adopt L. R. No. 9

Mr. President: I move the adoption of L. R. No. 9 by unanimous consent. (Signed) Lambert

No objection was raised and the resolution was adopted by unanimous consent.

MOTION—To Introduce a Bill

Mr. Tvrdik moved that the rules be suspended and that he be permitted to introduce a bill to grant permission to sue the state of Nebraska for a loss sustained when an automobile struck a bridge on a state highway.

The motion was lost with 9 ayes, 5 nays, 29 not voting.

MOTION—To Submit to Claims Committee

Mr. Tvrdik moved that the rules be suspended and that the above matter be submitted to the Claims Committee.

The motion prevailed with 34 ayes, no nays, 9 not voting.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 48. With emergency clause.

A bill for an Act to amend Section 44-410, Compiled Statutes of Nebraska, 1929, relating to insurance; to provide that no domestic mutual insurance company shall begin to transact insurance business until: (a) it shall issue simultaneously policies upon two hundred or more risks each with the maximum single risk provided for by Sec. 44-411, C. S. Supp., 1939, as now existing or as hereafter amended; (b) it shall hold a fund in cash or invested as provided by law of at least fifty thousand dollars, or equal to ten times the maximum single risk to be assumed, whichever is greater, for each class of insurance specified under Sec. 44-401, C. S. Supp., 1939, as now existing or as hereafter amended, which such mutual company is licensed to write; to provide that said fund shall be used for the payment of losses only and cannot be repaid except as provided in Section 44-407, Compiled Statutes of Nebraska, 1929, as now existing or as hereafter amended; (c) it shall have received in cash one annual premium upon each risk outstanding; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 33:

Adams, E. A.	Carlson	Kotouc	Price
Adams, J. Jr.	Carmody	Matzke	Raecke
Asimus	Crossland	Mekota	Reed
Bevins	Gantz	Metzger	Sorrell
Blome	Hanna	Mischke	Thomas, Ray
Bowman	Howard	Murphy	Thornton
Brodahl	Johnson	Neubauer	Tvrdik
Callan	Knezacek	Peterson	Van Diest
			Weborg

Voting in the negative, 2:

Greenamyre	Jeppesen

Not voting, 8:

Crosby	Lambert	Norman	Sullivan
Garber	Mueller	Rakow	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 37. With emergency clause.

A bill for an Act to amend Sec. 51-401, C. S. Supp., 1939, relating to county and regional libraries; to provide for the establishment of county libraries by a majority vote of the electors residing outside cities, villages or townships at that time maintaining a public library by public tax; and to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 36:

Adams, E. A.	Crossland	Lambert	Rakow
Adams, J. Jr.	Gantz	Matzke	Reed
Asimus	Garber	Mekota	Sorrell
Bevins	Greenamyre	Metzger	Sullivan
Blome	Howard	Murphy	Thomas, Ray
Bowman	Jeppesen	Neubauer	Thornton
Brodahl	Johnson	Peterson	Tvrdik
Callan	Knezacek	Price	Van Diest
Crosby	Kotouc	Raecke	Weborg

Voting in the negative, 2:

Carmody	Mischke

Not voting, 5:

Carlson	Mueller	Norman	Thomas, Amos
Hanna			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 55. With emergency clause.

A bill for an Act to amend Sec. 44-1107, C. S. Supp., 1939, relating to insurance; to provide that group insurance may be issued to a group of not less than twenty-five members; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Adams, E. A.	Crosby	Kotouc	Raecke
Adams, J. Jr.	Crossland	Lambert	Rakow
Asimus	Gantz	Matzke	Reed
Bevins	Garber	Mekota	Sorrell
Blome	Greenamyre	Metzger	Sullivan
Bowman	Hanna	Mischke	Thomas, Ray
Brodahl	Howard	Murphy	Thornton
Callan	Jeppesen	Neubauer	Tvrdik
Carlson	Johnson	Peterson	Van Diest
Carmody	Knezacek	Price	Weborg

Voting in the negative, 0.

Not voting, 3:

Mueller	Norman	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

SELECT FILE

LEGISLATIVE BILL NO. 45. Passed over.

LEGISLATIVE BILL NO. 80. Mr. Mischke moved that the bill be rereferred to General File for the following Specific Amendments:

1. Amend the bill, page 3, section 1, line 35 by inserting after the word and punctuation "duty," the following:

"within fifteen days from the receipt of the notice of transfer unless it be recalled at the request of the parent or guardian of such children in the meantime,".

2. Strike all standing committee amendments to the bill; then strike initial enrollment and review amendment No. 1 to the bill; and then amend the bill, page 3, section 1, line 49 by inserting after the word **"owner"** and before the preposition **"in"** therein the following:

"or owners or the authorized agent or representative of the owner

or owners"; and in line 48, on page 3, section 1 of the bill insert after the word **"shall"** the following:

", if possible,";

and in line 52, page 3, section 1 of the bill strike the punctuation , after the word **"transfer"** therein and insert in lieu thereof the following:

"; and provided further,";

and in line 53, page 3, section 1 of the bill, strike the preposition **"to"** therein and insert in lieu thereof the word **"shall".**

3. Amend the bill, page 4, section 1, line 69 by inserting after the word and punctuation "levy," and before the preposition "under" the following:

"within fifteen days after the receipt of the certificate of transfer unless it be recalled at the request of the parent or guardian of such children in the meantime".

4. Amend the bill, Page 3, Section 1, by striking that part of said section commencing with the preposition **"at"** in Line 46 therein down to and including the word **"transfer"** in Line 48 therein and by inserting in lieu thereof the following:

"that, upon receipt of the notice of transfer".

5. Amend the printed bill, title, by striking that part of said title after the word and punctuation "transfer," in line 11 therein down to and including the second word "is" in line 16, and by inserting in lieu thereof the following:

"also notify if possible, the fee simple owner or owners or the authorized agent or representative of the owner or owners of the real estate involved in such transfer; to provide that the county clerk who receives the notice or certificate of the fact of such transfer shall, within fifteen days from the receipt thereof, unless the notice or certificate be recalled by the parent or guardian of such children in the meantime, place school taxes of the parent or guardian and of the real estate upon which they reside in the district to which transfer is made instead of the district of their residence;".

The motion prevailed.

LEGISLATIVE BILL NO. 32. E and R amendments, found in the Legislative Journal for the Twenty-eighth Day were adopted.

Referred to E and R for engrossment.

GENERAL FILE

Mr. Johnson asked and unanimous consent was granted to consider L. B. No. 22 first on General File.

Mr. Mekota presiding.

LEGISLATIVE BILL NO. 22. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-eighth Day were adopted.

Mr. Gantz offered the following amendment, which was adopted:

Amend L. B. No. 22 Standing Committee amendments, Section 1, line 18 by striking the punctuation "," after the word "record" and before the word "hospital" and inserting in lieu thereof the following; "; or".

Referred to E and R for review.

LEGISLATIVE BILL NO. 80. Mr. Mischke moved to adopt the Specific amendments found in this day's Journal.

The motion prevailed.

Referred to E and R for review.

LEGISLATIVE BILL NO. 27. Laid over. Retains place on file.

LEGISLATIVE BILL NO. 39. Mr. Gantz offered the following amendments, which were adopted:

Amend the standing committee amendment, amendment No. 3 by striking the punctuation "," after the word **"improvements"** in line 4 of said amendment.

Amend General File amendment No. 2 (mimeographed) line 3, by inserting the conjunction "and" immediately preceding the preposition "to" therein; and in line 4 of said amendment insert the punctuation "." after the word "emergency" therein.

Amend the printed bill, page 1, title, line 5, by inserting immediately after the word and punctuation "purposes;" therein, the following:

"to prescribe the requisite percentage of votes cast to carry

propositions of internal improvement bonds when submitted to the electors;".

Referred to E and R for review.

Member Excused

Mr. Raecke was excused for the session on Tuesday February 18, 1941.

Adjournment

At 12:15 p. m. on motion by Mr. Greenamyre the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

THIRTIETH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, February 18, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. Speaker Howard presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Mueller, Norman, Raecke and Amos Thomas, who were excused.

The Journal for the Twenty-ninth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Van Diest, one, opposing L. B. No. 83 and L. B. No. 105; Mr. Greenamyre, one, favoring L. B. No. 83 and L. B. No. 105, one, opposing L. B. No. 184; Mr. Carmody, one, opposing L. B. No. 83 and L. B. No. 105; Mr. Johnson, one, favoring L. B. No. 86; all members, one, regarding allocation of the gasoline tax fund and other tax funds; all members, one, favoring cooperative land companies; all members, one, regarding a federal law for retirement income for those who already have reached retirement age.

NOTICE OF COMMITTEE HEARINGS

Judiciary

L. B. No. 210, Monday, March 3, 1941, 2:00 p. m.

L. B. No. 224, Monday, March 3, 1941, 2:00 p. m.

L. B. No. 225, Monday, March 3, 1941, 2:00 p. m.

L. B. No. 226, Monday, March 3, 1941, 2:00 p. m.

L. B. No. 249, Monday, March 3, 1941, 2:00 p. m.

L. B. No. 251, Friday, February 28, 1941, 2:00 p. m.

L. B. No. 147, Wednesday, March 5, 1941, 2.00 p. m.

L. B. No. 212, Wednesday, March 5, 1941, 2:00 p. m.

L. B. No. 327, Wednesday, March 5, 1941, 2:00 p. m.

L. B. No. 331, Wednesday, March 5, 1941, 2:00 p. m.

L. B. No. 441, Wednesday, March 5, 1941, 2:00 p. m.

L. B. No. 452, Wednesday, March 5, 1941, 2:00 p. m.

L. B. No. 454, Wednesday, March 5, 1941, 2:00 p. m.

L. B. No. 233, Friday, March 7, 1941, 2:00 p. m.

L. B. No. 241, Friday, March 7, 1941, 2:00 p. m.

L. B. No. 256, Friday, March 7, 1941, 2:00 p. m.

L. B. No. 260, Friday, March 7, 1941, 2:00 p. m.

L. B. No. 263, Friday, March 7, 1941, 2:00 p. m.

L. B. No. 264, Friday, March 7, 1941, 2:00 p. m.

L. B. No. 265, Friday, March 7, 1941, 2:00 p. m.

L. B. No. 457, Friday, March 7, 1941, 2:00 p. m.

L. B. No. 246, Monday, March 10, 1941, 2:00 p. m.

L. B. No. 268, Monday, March 10, 1941, 2:00 p. m.

L. B. No. 288, Monday, March 10, 1941, 2:00 p. m.

L. B. No. 348, Monday, March 10, 1941, 2:00 p. m.

L. B. No. 214, Wednesday, March 12, 1941, 2:00 p. m.

L. B. No. 324, Wednesday, March 12, 1941, 2:00 p. m.

L. B. No. 370, Wednesday, March 12, 1941, 2:00 p. m.

L. B. No. 431, Wednesday, March 12, 1941, 2:00 p. m.

L. B. No. 299, Monday, March 17, 1941, 2:00 p. m.

L. B. No. 300, Monday, March 17, 1941, 2:00 p. m.

L. B. No. 308, Monday, March 17, 1941, 2:00 p. m.

L. B. No. 477, Monday, March 17, 1941, 2:00 p. m.

L. B. No. 479, Monday, March 17, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Education

LEGISLATIVE BILL NO. 262. Placed on General File.

LEGISLATIVE BILL NO. 245. Indefinitely postponed.

(Signed) Matzke, Chairman

Enrollment and Review

Presented to Governor for Approval

Monday, February 17, 1941, at 4:55 p. m.

L. B. No. 8 L. B. No. 40

L. B. No. 5 L. B. No. 6

(Signed) Crosby, Chairman

Agriculture

LEGISLATIVE BILL NO. 154. Placed on General File.

(Signed) Neubauer, Chairman

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 34. With emergency clause.

A bill for an Act to amend Sec. 54-1404, C. S. Supp., 1939, relating to live stock; to provide that bond executed to the state of Nebraska shall not be required of sales rings that are located at stockyards which are posted as stockyards by the director of Agriculture of the United States; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams, E. A.	Crossland	Kotouc	Price
Asimus	Gantz	Lambert	Rakow
Bevins	Garber	Matzke	Reed
Blome	Greenamyre	Mekota	Sorrell
Bowman	Hanna	Metzger	Sullivan
Brodahl	Howard	Mischke	Thomas, Ray
Callan	Jeppesen	Murphy	Tvrdik
Carlson	Johnson	Neubauer	Van Diest
Carmody	Knezacek	Peterson	Weborg
Crosby			

Voting in the negative, 0.

Not voting, 6:

Adams, J. Jr.	Norman	Thomas, Amos
Mueller	Raecke	Thornton

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

SELECT FILE

LEGISLATIVE BILL NO. 45. Passed over.

LEGISLATIVE BILL NO. 132. Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL NO. 27. Passed over. Retains place on File.

LEGISLATIVE BILL NO. 21. Read and considered.

Standing Committee amendments numbered 1 and 2, found in the Legislative Journal for the Nineteenth Day were adopted with 7 ayes, no nays, 36 not voting.

Standing Committee amendments numbered 3 and 4 found in the Legislative Journal for the Nineteenth Day were adopted.

Mr. Sullivan offered the following amendments:

1. Amend the bill, page 2, section 1, line 32, by inserting after the word "district" therein the following:

", except officers, executives, attorneys or members of the board of directors,".

2. Amend the bill page 2, section 1, line 34, by inserting after the word "expedient" therein, the following:

".Such employees may be retired between the ages of fifty-five and sixty-five if they have served as employees for a period of not less than twenty years. Equal contributions shall in the future be made by the district and the employees, and in such amounts as actuarial facts warrant. No employee shall receive a retirement income greater than one hundred dollars per month".

Mr. Blome presiding

Mr. Peterson offered the following amendment to Mr. Sullivan's amendment:

After the word "warrant" in Mr. Sullivan's amendment No. 2, add the following: "Employees who have served for not less than twenty years before a contributory plan becomes effective shall nevertheless be eligible to retirement income within the limits herein specified."

Mr. Sullivan agreed to the amendment.

Mr. Sullivan's amendment, as amended by Mr. Peterson, was adopted.

Laid over. Retains place on File.

LEGISLATIVE BILL NO. 148. Mr. Matzke offered the following amendments, which were adopted:

Section 6, page 3. Strike lines 2 and 3, and insert in lieu thereof "shall, in addition to learning period, be three years of recent full time and reasonably continuous practical wage earning experience as a tradesman or craftsman in the trade", in line six, after the word "employment," insert the word "trade", and in line 10 change "." to a "," and add "provided: said minimum qualifications may be waived for the employment of temporary or substitute instructors."

Referred to E and R for review.

Mr. Metzger presiding

LEGISLATIVE BILL NO. 85. Read and considered.

Mr. Gantz offered the following amendment, which was adopted:

Amend L. B. No. 85, standing committee amendments, Sec. 1, line 3, by adding after the word "credited" and before the word "to" the following: "in whole or in part". Amend the title accordingly.

The Standing Committee amendments, found in the Legislative Journal for the Twenty-seventh Day, were adopted as amended.

Mr. Mischke presiding

Referred to E and R for review.

LEGISLATIVE BILL NO. 134. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Twenty-eighth Day were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 114. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 77. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Twenty-eighth Day were adopted.

Referred to E and R for review with 11 ayes, 10 nays, 22 not voting.

LEGISLATIVE BILL NO. 43. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 44. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 4. Mr. Greenamyre offered the following amendment, which was adopted:

Amend L. B. No. 4, Section 1, page 2, by striking the words "The contents of" at the end of line 11, and by striking lines 12, 13, 14, 15, and line 16 down to and including the word "children".

Referred to E and R for review.

LEGISLATIVE BILL NO. 12. Laid over. Retains place on File.

LEGISLATIVE BILL NO. 64. Read and considered.

Laid over. Retains place on File.

LEGISLATIVE BILL NO. 108. Read and considered.

Referred to E and R for review.

Approved by the Governor

February 18, 1941

To the President and Members of the Legislature

Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. No. 5	L. B. No. 8
L. B. No. 6	L. B. No. 40

Respectfully submitted,

(Signed) Val Peterson
Secretary to the Governor

Adjournment

At 11:55 a. m. Mr. Reed moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Wednesday, February 19, 1941.

The motion prevailed with 31 ayes, no nays, 12 not voting.

Hugo F. Srb,
Clerk of the Legislature.

THIRTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, February 19, 1941.

Pursuant to adjournment, the Legislature met at 10:00 a. m. Speaker Howard presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Mueller, Norman and Amos Thomas, who were excused.

The Journal for the Thirtieth Day was approved as corrected.

Member Excused

Mr. Mueller was excused for the remainder of the week.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Asimus, one, opposing L. B. No. 83 and L. B. No. 105; Mr. Van Diest, one, asking that Highway No. 158 be taken over and maintained by the Department of Roads and Irrigation; Mr. Mekota, one, opposing sale of the property of the Iowa-Nebraska Light & Power Company; Mr. Crossland, one, opposing L. B. No. 118.

A petition was received through the Governor's office opposing L. B. No. 140.

Communications

Letters were read from Congressmen Charles F. McLaughlin and Karl Stefan acknowledging receipt of Legislative Resolution No. 7, regarding corn for drouth stricken areas.

Invitation

An invitation was extended to the members of the Legislature to be guests of the Lincoln Airplane & Flying School at luncheon Wednesday, February 19, 1941.

NOTICE OF COMMITTEE HEARINGS

Revenue

L. B. N. 200, Tuesday, March 4, 1941, 2:00 p. m. (Continued)

L. B. No. 88, Thursday, March 6, 1941, 2:00 p. m.

Banking, Commerce & Insurance

L. B. No. 126, Tuesday, February 25, 1941, 2:00 p. m.

L. B. No. 67, Tuesday, February 25, 1941, 2:00 p. m.

L. B. No. 271, Tuesday, February 25, 1941, 2:00 p. m.

L. B. No. 208, Hearing deferred (will be set later)

Agriculture

L. B. No. 228, Tuesday, March 4, 1941, 2:00 p. m.

L. B. No. 283, Tuesday, March 4, 1941, 2:00 p. m.

L. B. No. 307, Tuesday, March 4, 1941, 2:00 p. m.

L. B. No. 338, Tuesday, March 4, 1941, 2:00 p. m.

L. B. No. 406, Thursday, March 6, 1941, 2:00 p. m.

L. B. No. 444, Thursday, March 6, 1941, 2:00 p. m.

L. B. No. 462, Thursday, March 6, 1941, 2:00 p. m.

L. B. No. 490, Thursday, March 6, 1941, 2:00 p. m.

L. B. No. 150, Thursday, February 27, 1941, 2:00 p. m.

L. B. No. 172, Thursday, February 27, 1941, 2:00 p. m.

L. B. No. 207, Thursday, February 27, 1941, 2:00 p. m.

Labor & Public Welfare

L. B. No. 163, Monday, February 24, 1941, 2:00 p. m.

L. B. No. 166, Monday, February 24, 1941, 2:00 p. m.

L. B. No. 178, Monday, February 24, 1941, 2:00 p. m.

L. B. No. 189, Monday, February 24, 1941, 2:00 p. m.

L. B. No. 190, Monday, February 24, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL NO. 323. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 323:

1. Amend the bill, page 2, section 1, line 8 by striking the words "five and one-half" and inserting in lieu thereof the word "four".

2. Amend the bill, page 5, section 4, line 2 by striking the words "or private" and in line 3, strike the words "or without".

(Signed) Neubauer, Chairman

Enrollment & Review

Correctly enrolled

L. B. No. 37 L. B. No. 55

L. B. No. 48 L. B. No. 34

Correctly engrossed

L. B. No. 32 L. B. No. 132

LEGISLATIVE BILL NO. 14. Placed on Select File with amendments.

E and R amendments to L. B. No. 14:

1. Amend the bill, page 3, section 1, line 59, by striking the word "corporations" therein and by inserting in lieu thereof the following: "corporation corporations".

2. Amend the standing committee amendments, amendments 1 & 2, by underscoring all subject matter in quotation marks.

3. Strike committee amendment 3 and insert in lieu thereof the following:

"3. Amend the bill, page 1, title, line 3, by inserting after the word "railroads", the following:

'to provide for bringing the exceptions set out in this act in agreement with and in conformity to the federal transportation act of 1940;' ".

4. Strike the general file amendment, Howard, and insert in lieu thereof the following:

"Amend the bill, page 3, by inserting immediately after Sec. 2. thereon a new section as follows:

'Sec. 3. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.' ".

5. Amend the bill, page 1, title, by striking all of said title after the word "railroads" in line 4 therein and by inserting in lieu thereof the following: "to repeal said original section; and to declare an emergency.".

LEGISLATIVE BILL NO. 86. Placed on Select File with amendments.

E and R amendments to L. B. No. 86:

1. Amend the printed bill, page 1, caption, "Introduced by" by inserting after the words and punctuation "John Adams," therein the following: "Jr.,".

2. Amend the bill, page 2, section 1, line 4, by striking the punctuation ":" after the word "Day" and inserting in lieu thereof the punctuation ";".

LEGISLATIVE BILL NO. 19. Placed on Select File with amendments.

E and R amendments to L. B. No. 19:

1. Strike the standing committee amendments, Thomas, and insert in lieu thereof the following:

"A. Amend the bill, page 3, by inserting immediately after line 2, section 2, a new section as follows:

'Sec. 3. Whereas, an emergency exists, this act shall be in full

force and take effect, from and after its passage and approval, according to law.'

B. Amend the bill, page 1, title, line 13, by striking therefrom the word "and" therein; and after the word "section" in said line 13, insert the following:

'; and to declare an emergency' ".

2. Amend the bill, page 3, section 1, line 48, by inserting the word "Provided," after the punctuation "." and before the punctuation ";".

LEGISLATIVE BILL NO. 60. Placed on Select File with amendments.

E and R amendments to L. B. No. 60:

1. Amend the standing committee amendments, amendment 1, line 3, by underscoring the words "except motor vehicles,"; and in line 2, standing committee amendment 2, by underscoring "said contract or"; and in standing committee amendment 3, line 2, by underscoring the words "contract or"; and standing committee amendment 6, line 2, underscore the words "said contract or".

2. Amend the standing committee amendments by striking all of amendment 10, and by inserting in lieu thereof the following:

"10. Amend the bill, page 1, title, line 8, by inserting after the word "contract" therein the words "or a copy thereof".

3. Amend the standing committee amendments, amendment 8, by striking all of amendment 8, and by inserting in lieu thereof the following:

"8. Amend the bill, page 2, section 1, line 26, by striking therefrom the words "such copy" after the word "of" and inserting in lieu thereof the words **"a copy of said contract"**.

LEGISLATIVE BILL NO. 49. Placed on Select File with amendments.

E and R amendments to L. B. No. 49:

1. Amend the general file amendment, (Peterson) line 2, by underscoring the word "hereafter" therein.

2. Amend the bill, page 1, title, line 22, by inserting the punctuation ";" after the word "section" and before the conjunction "and" therein.

3. Amend the bill, page 3, section 3, line 2, by inserting the punctuation "," after the word "effect" and before the preposition "from" therein.

4. Amend the bill, page 2, section 1, line 3, by striking the word "All" and insert in lieu thereof **"Every"**; and by striking the word "associations" and insert in lieu thereof **"association"**.

LEGISLATIVE BILL NO. 63. Placed on Select File with amendments.

E and R amendments to L. B. No. 63:

1. Amend the standing committee amendments, Amendment 1, section 4, line 3, by inserting after the word "of" and before the word "misdemeanor" the word "a".

2. Amend the standing committee amendments, Amendment 1, section 4, line 5, by inserting the punctuation "-" between the words "twenty" and "five".

LEGISLATIVE BILL NO. 68. Placed on Select File.

LEGISLATIVE BILL NO. 78. Placed on Select File.

LEGISLATIVE BILL NO. 79. Placed on Select File.

LEGISLATIVE BILL NO. 81. Placed on Select File.

LEGISLATIVE BILL NO. 82. Placed on Select File.

LEGISLATIVE BILL NO. 94. Placed on Select File with amendments.

E and R amendments to L. B. No. 94:

1. Amend the standing committee report, amendment 1, by underscoring all subject matter in said amendment in quotation marks.

2. Amend the standing committee report, amendment 2, line 6, by inserting the punctuation ';"' after the word "surveyor" and before the punctuation "." therein.

LEGISLATIVE BILL NO. 113. Placed on Select File with amendments.

E and R amendments to L. B. No. 113:

1. Amend the bill, page 2, section 1, line 30, by striking the punctuation ":" before the word "and" and insert in lieu thereof the punctuation ";".

LEGISLATIVE BILL NO. 129. Placed on Select File.

LEGISLATIVE BILL NO. 20. Replaced on Select File with amendments:

E and R amendments to L. B. No. 20:

1. Amend the bill, page 1, title (line 18 of the original bill, line 15 of the printed bill) by striking therefrom the conjunction "and" after the word and punctuation "secured;" therein.

LEGISLATIVE BILL NO. 15. Replaced on Select File with amendments.

E and R amendments to L. B. No. 15:

1. Amend the bill, page 2, section 1, line 10 by striking the definite article "the" and by inserting in lieu thereof the word "The".

(Signed) Crosby, Chairman

SPECIAL ORDER OF THE DAY

Mr. Mischke requested that the time for reporting on L. B. No. 10, as mentioned in Ernest A. Adams' motion of February 6, 1941, be extended one day.

The request was granted.

SELECT FILE

LEGISLATIVE BILL NO. 45. Referred to E and R for engrossment.

GENERAL FILE

Mr. Van Diest presiding

LEGISLATIVE BILL NO. 27. Mr. Johnson offered the following amendments:

1. Amend the bill, page 8, section 6, line 3 by inserting after the section symbol and punctuation "72-201." the words "**Subdivision 1.**"

2. Amend the bill, page 8, section 6, by striking all of said section after the word and punctuation "month." in line 25 therein, and inserting in lieu thereof:

"**Subdivision 2. The board with the advice and consent of a majority of the members elected to the legislature, shall, within ten days after the effective date of this act appoint a conservator of the school funds of the state and on the first Thursday after the first Tuesday in January, 1943, and every two years thereafter, the board shall nominate with the advice and consent of a majority of the members elected to the legislature a conservator of school funds who shall also act as secretary for the board, whose term of office, unless sooner removed by board, shall be two years and until a successor shall be duly appointed and qualified. The compensation of the conservator shall not exceed four thousand dollars per annum, payable monthly, as fixed by the board at the time of his nomination as conservator. The conservator shall handle and manage all lands and funds under the control of the board in accordance with good business practices, and to that end, he shall, with the approval of the board take all actions necessary and do all things in keeping with the preservation of said funds and lands and the income arising therefrom. The conservator shall give a bond to the State of Nebraska in the sum of fifty thousand dollars for the faithful discharge of his duties.**

Subdivision 3. It shall be the duty of all officers having charge of the sale of bonds of indebtedness of the state of Nebraska or of any county, city, village or school district of the state of Nebraska, to send a certified copy of the transcription of the proceedings required by law preliminary to the issuance of such bonds, by registered mail to the conservator of the board of commissioners of educational lands and funds, and it shall be the duty of the board within ten days after receiving such transcription to notify such officers in writing whether or not the board desires to purchase the issue of bonds, or any part thereof, authorized by said transcription. If said board does not purchase such bonds the issue may be advertised in a legal newspaper by the issuing governmental subdivision and placed on sale for cash at not less than par and accrued interest, or such bonds may be sold by such local governing body at public sale as follows: officers having charge of the sale of such bonds shall publish a notice in a legal newspaper published in or having general circulation in the county where they are issued, and in a legal newspaper of general state-wide circulation in the state of Nebraska. Said publication shall be made not less than ten days before such sale. The notice of publication shall state the amount, date, maturity and rate of in-

terest of such bonds to be issued and the time and place where the bonds will be sold. Purchasers shall submit their bids in writing, sealed, for all or any part of such bonds and each bid shall be accompanied by a certified check for two per cent of the amount of such bid. In case any purchaser, whose bid is accepted, shall fail to carry out his contract, the certified check so deposited shall be forfeited to the governmental subdivision issuing such bonds. At the time and place specified, the bids for the bonds shall be opened and the bonds shall be sold to the highest and best bidder or bidders: Provided, bonds may be allotted among bidders; and provided further, that all bids may be rejected. No bonds shall be delivered to any purchaser until the amount of the bid is placed in the hands of the officer in charge of the sale.

Subdivision 4. The board shall employ such additional assistance as may be necessary to carry out the provisions of this act.

Mr. Murphy moved that the bill be re-referred to the Standing Committee for further consideration.

The motion prevailed and the bill was re-referred to Committee on Education.

MOTION—To Re-refer L. B. No. 109

Mr. President: I move that L. B. No. 109 be re-referred to Select File for the following specific amendments:

1. Amend the bill, page 2, section 1, line 3 by inserting immediately after the section symbol and punctuation "60-328." therein the following:

"Subdivision 1. The word "semi-trailer" as used in this article, means every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by the towing vehicle. The word "truck-tractor" as used in this article, means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load being drawn. Subdivision 2.".

2. Amend the bill, page 2, section 1, line 9 by inserting after the word "carry" therein the words **"in addition to the driver".**

3. Amend the bill, page 2, section 1, line 13 by inserting after the word "carry" and before the word "seven" the words **"more than".**

4. Amend the bill, page 2, section 1, line 16, by inserting after

the word "carry" therein the following words **"in addition to the driver".**

5. Amend the bill, page 3, section 1, line 39 by inserting after the word "trucks" and before the word "as" the words **"or truck-tractors".**

6. Amend the bill, page 3, section 1, line 40 by striking the word "with" therein and by inserting in lieu thereof the words **"or truck-tractor, each with".**

7. Amend the bill, page 3, section 1, line 42 by striking therefrom the word "with" and by inserting in lieu thereof the words **"or truck-tractor each with".**

8. Amend the bill, page 3, section 1, line 45 by inserting after the word "trucks" and before the word "shall" therein the words **"or truck-tractors".**

9. Amend the bill, page 3, section 1, lines 61 and 62 by striking therefrom the words "or semi-trailers".

10. Amend the bill, page 3, section 1, line 64 by striking therefrom the words "or semi-trailers" therein.

11. Amend the bill, page 3, section 1, line 69 by striking therefrom the section symbol "39-1036" and by inserting in lieu thereof the section symbol **"60-307".**

12. Amend the bill, page 4, section 1, lines 71, 72 and 73 by striking therefrom the words "and shall carry an extra plate bearing the letter "X", in addition to that herein provided".

13. Amend the bill, page 4, line 79 by striking therefrom the words "a truck" and by inserting in lieu thereof the words **"separate units, the registration fee of the tractor shall be the fee provided herein for trucks and truck-tractors, and each semi-trailer may be registered upon the payment of a fee of one dollar; and the department of roads and irrigation shall provide an appropriate license plate to identify such semi-trailers".**

14. Amend the bill, page 4, section 1, line 80 by inserting after the word "truck" and before the word "or" therein the punctuation and word **", truck-tractor".**

15. Amend the bill, page 5, section 1, line 108 by striking therefrom the punctuation and words **", trucks excepted".**

16. Amend the bill, page 1, title, line 6 by inserting immediately after the word and punctuation "school;" the following:

"to define the words **"semi-trailer"** and **"truck-tractor"**; to provide the amount of annual motor vehicle registration fees to be paid on semi-trailers or truck-tractors;".

17. Amend the bill, page 2, section 1, lines 13 and 14, by striking therefrom the words "or more"; and on page 5, section 1, line 112 of the bill insert after the word "purchased" and before the word "after" therein the words **"on or"**; and in line 113 of said section 1 strike "on or".

(Signed) Howard

The motion prevailed.

MOTION—To Re-refer L. B. No. 49

Mr. President: I move that L. B. No. 49 be re-referred to General File for the following Specific amendment:

Amend line 18 of the printed bill page 2 following the words "Five Hundred Dollars" to insert the following: "Provided, however, that certificates may be issued by such associations for payment of benefits upon any one life in excess of Five Hundred Dollars and not to exceed One Thousand Dollars ($1000), provided that said issuing association have a surplus of at least Five Thousand Dollars or shall reinsure the excess benefits payable over the amount of Five Hundred Dollars in a legal reserve life insurance company authorized to do business in the State of Nebraska."

(Signed) Bowman

The motion prevailed.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 21. Mr. Sullivan offered the following amendment, which was adopted:

1. Amend the general file amendment (Sullivan consent amendment, 2-18-1941) first by underscoring all matter in quotation marks therein and then further amend it by inserting after the word "specified" in line 5 therein the following: **": Provided, such employees last mentioned shall receive a sum of money not greater in amount than forty per cent of their present monthly salaries by way of retirement income, and, in no event, shall the amounts so received execed one hundred dollars per month".**

Mr. Peterson offered the following amendment, which was adopted:

Amend the amendment numbered 3, adopted February 18, by in-

serting after the word "effective" in line 2 the words "or who are retired by reason of disability before the end of 20 years service".

Laid over. Placed at foot of General File.

LEGISLATIVE BILL NO. 12. Laid over, Retains place on File until Friday.

LEGISLATIVE BILL NO. 64. Mr. Raecke moved that the bill be re-referred to the Committee on Government for further consideration.

The motion prevailed.

Speaker Howard presiding

Speaker signs

While the Legislature was in session and capable of transacting business, the Speaker signed:

L. B. No. 37	L. B. No. 48
L. B. No. 55	L. B. No. 34

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 154. Mr. Peterson moved that the bill be re-referred to the Committee on Agriculture for further consideration.

The motion prevailed with 23 ayes, 9 nays, 11 not voting.

MOTION—To Reconsider Action on L. B. No. 112

Mr. President: I move that the majority report of the Judiciary Committee on L. B. No. 112 be reconsidered and that L. B. No. 112 be placed on General File. (Signed) Matzke

No action was taken on the motion.

Adjournment

At 12:07 p. m. Mr. Gantz moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Thursday.

The motion was lost with 24 ayes, 11 nays, 8 not voting.

Mr. Hanna moved to adjourn.

The motion was lost with 11 ayes, 17 nays, 15 not voting.

MOTION—Thanks for Invitation

Mr. Tvrdik moved that the Legislature thank the Lincoln Airplane & Flying School for the luncheon invitation.

The motion prevailed.

Adjournment

At 12:12 p. m. Mr. Gantz moved that the rules be suspended and that the Legislature adjourn until 9:30 a. m. Thursday, February 20, 1941.

The motion prevailed with 31 ayes, 3 nays, 9 not voting.

Hugo F. Srb,
Clerk of the Legislature.

THIRTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, February 20, 1941.

Pursuant to adjournment, the Legislature met at 9:30 a. m. Speaker Howard presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Matzke, Mueller, Norman, Sorrell and Amos Thomas, who were excused.

The Journal for the Thirty-first Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Kotouc, one, favoring L. B. No. 140; all members, one, favoring L. B. No. 77, one, favoring L. B. No. 83 and L. B. No. 105 for certain counties.

A petition was received through the Governor's office favoring a bill to further curtail the sale of liquor.

Communications

A letter was read from Congressman Carl T. Curtis acknowledging receipt of Legislative Resolution No. 7 regarding corn for drouth stricken areas; also a letter from Paul Hawkins, Assistant Secretary to Senator Hugh Butler, acknowledging receipt of Legislative Resolution No. 7.

Invitation

A letter was read from the Lincoln Central Labor Union, extendin an invitation to the members and officers of the Legislature to attend a dinner, Thursday, February 20, 1941 at 7:00 p. m. at the Hotel Cornhusker.

NOTICE OF COMMITTEE HEARINGS

Public Works

L. B. No. 382, Wednesday, February 26, 1941, 2:00 p. m.

L. B. No. 390, Wednesday, February 26, 1941, 2:00 p. m.

L. B. No. 395, Wednesday, February 26, 1941, 2:00 p. m.

L. B. No. 414, Wednesday, February 26, 1941, 2:00 p. m.

L. B. No. 424, Wednesday, February 26, 1941, 2:00 p. m.

L. B. No. 305, Friday, February 28, 1941, 2:00 p. m.

L. B. No. 315, Friday, February 28, 1941, 2:00 p. m.

L. B. No. 429, Friday, February 28, 1941, 2:00 p. m.

L. B. No. 446, Friday, February 28, 1941, 2:00 p. m.

L. B. No. 289, Continued hearing, Friday, February 28, 1941, 2:00 p. m.

Public Health & Miscellaneous Subjects

L. B. No. 95, Wednesday, February 26, 1941, 2:00 p. m.

L. B. No. 125, Wednesday, February 26, 1941, 2:00 p. m.

L. B. No. 243, Wednesday, February 26, 1941, 2:00 p. m.

Government

L. B. No. 259, Wednesday, March 5, 1941, 2:00 p. m.

L. B. No. 261, Wednesday, March 5, 1941, 2:00 p. m.

L. B. No. 269, Wednesday, March 5, 1941, 2:00 p. m.

L. B. No. 291, Wednesday, March 5, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL NO. 234. Placed on General File.

LEGISLATIVE BILL NO. 120. Placed on General File.

LEGISLATIVE BILL NO. 137. Placed on General File.

(Signed) Gantz, Chairman

Public Works

LEGISLATIVE BILL NO. 198. Placed on General File.

LEGISLATIVE BILL NO. 10. Re-placed on General File with amendments.

Standing Committee amendments to L. B. No. 10:

1. Amend the bill, pages 2, 3, 4 and 5 by striking all of sections 1, 2, 3, 4, 5 and 6 thereon by inserting in lieu thereof the following:

"Section 1. That Sec. 20, Article IV, Constitution of Nebraska, be amended to read as follows:.

Sec. 20. There shall be a ~~State Railway~~ **Nebraska public utilities** ~~Commission~~ **commission,** consisting of three members, who shall ~~be first elected at the general election in 1906, whose terms of office, except those chosen at the first election under this provision, shall be six years, and whose compensation shall be fixed by the Legislature. Of the three commissioners first elected, the one receiving the highest number of votes, shall hold his office for six years, the next highest four years, and the lowest two years.~~ **be elected from and by districts as herein provided. Their salary shall be four thousand dollars per annum until the legislature shall otherwise provide by law.** The powers and duties of such commission shall include the regulation of rates, service and general control of common carriers as the ~~Legislature~~ **legislature** may provide by law. ~~But,~~ **: Provided,** in the absence of specific legislation, the commission shall exercise the powers and perform the duties enumerated in this provision. **The state is hereby divided into three compact districts, of approximately equal population, which shall be numbered from one to three, consecutive numbers to be given adjacent districts. Such district shall correspond in location and number with the supreme court judicial districts of the state as they now exist. Public utilities commission district number one shall consist of the first and second supreme court judicial districts; public utilities commission district number two shall consist of the third and fourth supreme court judicial districts; and public utilities commission district number three shall consist of the fifth and sixth supreme court judicial districts. Such districts shall not be changed except upon the concurrence of two-thirds of the members of the legislature, nor shall any change vacate the office of any commissioner. The members of the state railway commission elected before the adoption of this constitutional amendment shall serve out their respective terms as members of the Nebraska public utilities commission. At the general election in 1944, there**

shall be elected, from the third public utilities commission district one member of the Nebraska public utilities commission, to serve for a period of six years. At the general election in 1946 there shall be elected in the second public utilities commission district one member of the Nebraska public utilities commission to serve for a period of six years. At the general election in 1948 there shall be elected in the first public utilities commission district one member of the Nebraska public utilities commission to serve for a period of six years, and, as these terms expire one member of the commission shall be elected to serve for a term of six years. Members of the Nebraska public utilities commission, shall be nominated and elected on partisan political ballots as provided by laws of Nebraska governing such nominations and elections. The Nebraska public utilities commission shall be substituted for the Nebraska state railway commission. All existing statutory law, except as herein modified, shall apply to such substituted body with like effect as it applied to the original body and shall remain in full force and effect until changed by the legislature.

Sec. 2. That Sec. 3, Article XVII, Constitution of Nebraska, be amended to read as follows:

Sec. 3. Until otherwise provided by law the following salaries shall be paid: Chief Justice, Judges of the Supreme Court and Governor, each $7,500 per annum; Judges of the District Court, Secretary of State, Auditor of Public Accounts, ~~Commissioner of Public Lands and Buildings~~, Treasurer, Attorney General, **and** Superintendent of Public Instruction ~~and members of the State Railway Commission~~, each $5,000 per annum. The Lieutenant Governor shall receive twice the compensation of a State Senator.

Sec. 3. That Sec. 19, Article III, Constitution of Nebraska, be amended to read as follows:

Sec. 19. The ~~Legislature~~ **legislature** shall never grant any extra compensation to any public officer, agent or servant after the services have been rendered nor to any contractor after the contract has been entered into nor shall the compensation of any public officer, including any officer whose compensation is fixed by the ~~Legislature~~ **legislature** subsequent to the adoption hereof be increased or diminished during his term of office. **: Provided, members of the state railway commission serve out their respective terms of office as members of the Nebraska public utilities commissions at an annual salary of five thousand dollars per annum.**

Sec. 4. That at the general election in November, 1942 there shall be submitted to the electors of the state of Nebraska, for their approval or rejection the foregoing proposed amendment to the Constitution in substantially the following form:

"FOR amending the Constitution of the state of Nebraska to provide that the state railway commission shall cease to exist and creating the Nebraska public utilities commission to consist of three members whose salaries shall be four thousand dollars per year, to be elected from three districts which districts shall each correspond as nearly as practicable in number and location with two supreme court judicial districts", and

"AGAINST amending the Constitution of the state of Nebraska to provide that the state railway commission shall cease to exist and creating the Nebraska public utilities commission to consist of three members whose salaries shall be four thousand dollars a year, to be elected from three districts which districts shall each correspond as nearly as practicable in number and location with two supreme court judicial districts."

Sec. 5. In the event the within amendment shall be adopted by the electors, it shall be effective on the first Thursday after the first Tuesday in January, 1943.

Sec. 6. That said original Sec. 20, Article IV, that said original Sec. 3, Article XVII, and that said original Sec. 19, Article III, Constitution of Nebraska, in the event of the adoptions of the within amendment, are hereby repealed."

2. Strike all standing committee amendments and all general file amendments to the bill.

(Signed) Mischke, Chairman

Enrollment & Review

Presented to the Governor for approval

Tuesday, February 19, 1941 at 4:10 p. m.

L. B. No. 55	L. B. No. 34
L. B. No. 37	L. B. No. 48

(Signed) Crosby, Chairman

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL NO 495. Introduced by Committee on Government.

A bill for an Act relating to health, public welfare and public safety; to provide for the consolidation of cities, villages or counties or portions or combinations of them into state zoning districts under the general control of a state zoning agency composed of the state engineer for the department of roads and irrigation, the attorney general and the adjutant general if and when a federal fort, airport, manufacturing plant or assembly plant for the construction or assembly of military equipment for the manufacture of explosives, arms or munitions is or about to be located within or near the corporate limits of cities, villages or counties or portions or combinations of them; to find and declare that the establishment of state zoning districts embracing territory used or to be used for the activities described above is a matter of general state concern; to prescribe the duties of the state zoning agency; to enumerate its powers; to provide for the creation, management and support of the **"state zoning agency fund"**; to amend Sec. 26-105, C. S. Supp., 1939; to amend Section 19-901, Compiled Statutes of Nebraska, 1929; to provide that county boards shall be empowered to pass, adopt and publish zoning resolutions which shall have the force and effect of law; to empower the local governing bodies of cities, villages and counties to pay out of their general funds their proportionate share of the costs of technical and other services furnished them by the state zoning agency; to provide rules and regulations governing and controlling zoning of territory beyond the corporate limits of cities or villages by county boards under certain conditions; to repeal said original sections; to state a validity clause; and to declare an emergency.

MOTION—To Suspend Rules and Read Second Time

Mr. President: I move that the rules be suspended and that L. B. No. 495 be read the second time now. Metzger

The motion prevailed with 36 ayes, no nays, 7 not voting.

BILLS ON SECOND READING

The following bill was read the second time by title:

(For title see Bills on First Reading)

LEGISLATIVE BILL NO. 495.

MOTION—To Suspend Rules

Mr. President: I move the rules be suspended regarding five days notice of committee hearing on L. B. No. 495. (Signed) Metzger

The motion prevailed with 34 ayes, no nays, 9 not voting.

LEGISLATIVE BILL NO. 495. Placed on General File.

REQUEST—To Add Names as Co-introducers

Mr. Peterson asked unanimous consent to add the following names as co-introducers of L. B. No. 495: Metzger of Cass, Kotouc of Richardson, Gantz of Box Butte, Lambert of Platte, Ernest A. Adams of Douglas.

No objection was raised and the Speaker so ordered.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 47. With emergency clause.

A bill for an Act to amend Section 44-407, Compiled Statutes of Nebraska, 1929, relating to insurance; to prescribe conditions precedent to the borrowing of money by domestic insurance companies on surplus notes; to provide the maximum rate of interest to be paid on money so borrowed and the use to which the proceeds of such loans shall be put; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams, E. A.	Carmody	Johnson	Price
Adams, J. Jr.	Crosby	Knezacek	Raecke
Asimus	Crossland	Kotouc	Rakow
Bevins	Gantz	Lambert	Reed
Blome	Garber	Mekota	Sullivan
Bowman	Greenamyre	Metzger	Thomas, Ray
Brodahl	Hanna	Mischke	Thornton
Callan	Howard	Neubauer	Tvrdik
Carlson	Jeppesen	Peterson	Van Diest
			Weborg

Voting in the negative, 0.

Not voting, 6:

Matzke	Murphy	Sorrell	Thomas, Amos
Mueller	Norman		

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

SELECT FILE

LEGISLATIVE BILL NO. 14. E and R amendments, found in the Legislative Journal for the Thirty-first Day were adopted.

Mr. Lambert requested unanimous consent to amend the bill as follows:

Amend L. B. No. 14, mimeographed amendment, line 8 after the word "eleemosynary" by inserting "institutions and persons engaged exclusively in charitable and eleemosynary".

No objection was raised and the Speaker so ordered.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 129. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 79. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 19. E and R amendments, found in the Legislative Journal for the Thirty-first Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 113. E and R amendments, found in the Legislative Journal for the Thirty-first Day were adopted.

Mr. Raecke requested unanimous consent to amend the bill as follows:

Amend page 2, section 1, line 34 by inserting after the word "lands" and before the punctuation "," the words "if written permission is first obtained from the county board of commissioners or supervisors, and".

No objection was raised and the Speaker so ordered.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 82. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 94. E and R amendments, found in the Legislative Journal for the Thirty-first Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 60. E and R amendments, found in the Legislative Journal for the Thirty-first Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 86. E and R amendments, found in the Legislative Journal for the Thirty-first Day were adopted.

Mr. Garber moved that L. B. No. 86 be indefinitely postponed.

The motion was lost with 10 ayes, 24 nays, 9 not voting.

Mr. Sullivan moved that the bill be referred to General File for the following Specific amendments:

1. Section 1, page 2, line 18, strike the word "and", and after the word "eleventh" insert the following: "The seventeenth day of March." which is the anniversary of the Battle of Dorchester Heights.

2. Section 3, page 3, line 11, after the word "day," add "and the seventeenth day of March." which is the anniversary of the Battle of Dorchester Heights.

3. In the title, in line 5, after the word "Day;" add "To make March seventeenth a legal holiday."

The motion prevailed with 17 ayes, 14 nays, 12 not voting.

Placed on General File.

LEGISLATIVE BILL NO. 78. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 81. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 63. E and R amendments, found in the Legislative Journal for the Thirty-first Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 68. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 15. E and R amendments, found in the Legislative Journal for the Thirty-first Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 20. E and R amendments, found in the Legislative Journal for the Thirty-first Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 109. Passed over.

GENERAL FILE

Mr. Crossland presiding

LEGISLATIVE BILL NO. 49. Mr. Bowman's Specific amendment, found in the Legislative Journal for the Thirty-first Day was adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 12. Passed over until Friday.

LEGISLATIVE BILL NO. 46. Laid over. Retains place on File.

LEGISLATIVE BILL NO. 262. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 323. Laid over. Retains place on File.

LEGISLATIVE BILL NO. 21. Laid over.

MOTION—To Re-refer L. B. No. 361

Mr. Tvrdik moved that L. B. No. 361 be re-referred to the Committee on Judiciary.

John Adams, Jr. moved that Mr. Tvrdik's motion be amended to read "the Reference Committee".

Mr. Adams' amendment was lost.

Mr. Tvrdik's original motion was lost.

GENERAL FILE

LEGISLATIVE BILL NO. 323. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-first Day were adopted.

Mr. Peterson offered the following amendments:

Sec. 2, page 3, line 45, strike the words "paid admissions" and insert "gross receipts".

Sec. 3, page 5, line 7, strike the words "paid admissions" and insert "gross receipts".

Sec. 2, page 4, line 95, insert after line 95

(Form of interest coupon)

No.....

On the first day of (April, October) 19..... the Nebraska State Board of Agriculture will pay to bearer the sum of..... dollars. Being the interest due that date on the Nebraska State Board of Agriculture Grand Stand Refunding Bond dated April 1, 1941; providing that this bond has not been paid prior to date.

Bond No..... ....

Secretary Chairman

Sec. 2, page 3, line 31, omit the words "until all are paid".

Sec. 2, page 3, line 40, insert the word "paid" after "of".

No action was taken thereon.

Laid over. Retains place on File.

Adjournment

At 12:07 p. m. Mr. Hanna moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Friday, February 21, 1941.

The motion prevailed with 33 ayes, no nays, 10 not voting.

Hugo F. Srb,
Clerk of the Legislature.

THIRTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Friday, February 21, 1941.

Pursuant to adjournment, the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Mueller, Norman and Amos Thomas, who were excused.

The Journal for the Thirty-second Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Carmody, one, favoring a tax exemption on gasoline used in farm motors; Ray Thomas, one, opposing L. B. No. 460; Mr. Brodahl, one, opposing L. B. No. 460; Mr. Weborg, one, opposing L. B. No. 85; Mr. Raecke, one, favoring L. B. No. 92; all members, one, favoring L. B. No. 86.

A petition was received through the Governor's office opposing L. B. No. 140.

Communications

A letter was read from Mr. William J. Norman thanking the members for the flowers sent to him, and thanking the members and employees for the many expressions of interest and good will sent to him while ill at his home.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce & Insurance

L. B. No. 286, Thursday, February 27, 1941, 2:00 p. m.

L. B. No. 312, Thursday, February 27, 1941, 2:00 p. m.

L. B. No. 317, Thursday, February 27, 1941, 2:00 p. m.

L. B. No. 337, Thursday, February 27, 1941, 2:00 p. m.

L. B. No. 153, Thursday, February 27, 1941, 2:00 p. m.

Revenue

L. B. No. 350, Tuesday, March 11, 1941, 2:00 p. m.

L. B. No. 353, Tuesday, March 11, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL NO. 277. Indefinitely postponed.

LEGISLATIVE BILL NO. 443. Indefinitely postponed.

LEGISLATIVE BILL NO. 447. Indefinitely postponed.

(Signed) Neubauer, Chairman

Appropriations

LEGISLATIVE BILL NO. 59. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 59:

1. Amend the bill, page 2, by striking all of Sections 1, 2 and 3 thereon, and by inserting in lieu thereof the following:

"Section 1. There is hereby specifically appropriated out of Aud. Acct. No. 125, arising out of the administration of section 38, Chapter 133, laws of Nebraska, 1939, of the state of Nebraska, not otherwise appropriated, the sum of three thousand six hundred dollars, or so much thereof as may be necessary, to carry out the purposes of Secs. 81-1028 to 81-1033 inclusive, C. S. Supp., 1939, (chapter 127, laws of Nebraska, 1939) from the effective date of this act up to and including June 30, 1941, which amount, due to inadvertence and mistake, was omitted from the provisions of section 38, chapter 133, laws of Nebraska, 1939, for egg inspection during the current biennium.

Sec. 2. The sum herein appropriated shall be immediately available from and after the effective date of this act up to and including June 30, 1941. The sum herein appropriated shall be held and kept by the state treasurer in a fund to be known as **"department of agriculture and inspection, egg inspection fund"**, which fund is hereby created and established. Against the fund so established the auditor of public accounts is hereby authorized and directed to draw warrants upon the state treasurer for the purposes of this act upon presentation of proper vouchers approved by the director of the department of agiculture and inspection; and the state treasurer shall pay the same out of any moneys to the credit of but never in excess of the amount herein specifically appropriated.

Sec. 3. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

2. Amend the bill, page 1, title, by striking all of said title after the word "Act" in line 2 and by inserting in lieu thereof the following:

"specifically to reappropriate the sum of three thousand six hundred dollars for the uses and purposes of the **"department of agriculture and inspection, egg inspection fund"** from moneys arising under

Secs. 81-1028 to 81-1033, inclusive, C. S. Supp., 1939, Aud. Acct. No. 125 from the effective date of this act to and including June 30, 1941; to provide that the moneys so appropriated shall be immediately available; to provide for the administration of the moneys so appropriated; and to declare an emergency.".

(Signed) Callan, Chairman

Government

LEGISLATIVE BILL NO. 110. Placed on General File.

LEGISLATIVE BILL NO. 9. Indefinitely postponed.

LEGISLATIVE BILL NO. 25. Indefinitely postponed.

LEGISLATIVE BILL NO. 69. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 69:

1. Amend the bill page 2, section 1, line 1, by striking "of the first class, cities".

2. Amend the title of the bill line 3, by inserting after the word "cities" the words "of the second class".

(Signed) Sorrell, Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL NO. 75. Placed on General File.

(Signed) Thornton, Chairman

Enrollment & Review

Correctly enrolled

LEGISLATIVE BILL NO. 47.

Correctly engrossed

LEGISLATIVE BILL NO. 45.

LEGISLATIVE BILL NO. 22. Placed on Select File with amendments.

E and R amendments to L. B. No. 22:

1. Amend the General File amendment, Gantz, 2-17-1941 by underscoring the punctuation and word "; or" in line 4 therein.

2. Amend the Standing Committee Amendments, Amendment 1, section 4, page 4, by striking the words and punctuation "Chief, Bureau of Vital Statistics" between lines 40 and 41, and by inserting in lieu thereof the words **"Director of Health and Division of Vital Statistics"**.

LEGISLATIVE BILL NO. 80. Placed on Select File with amendments.

E and R amendments to L. B. No. 80:

1. Amend the General File amendments, February 17, 1941, amendment 5, line 14, last line by striking the punctuation ";" thereon.

2. Amend the printed bill only, page 5, section 1, line 110 by striking therefrom the word "No" therein and by inserting in lieu thereof the words "no **No**".

LEGISLATIVE BILL NO. 4. Placed on Select File with amendments.

E and R amendments to L. B. No.. 4:

1. Amend the General File Amendment, line 4, by striking the following: "children". and by inserting in lieu thereof the following: "children.".

LEGISLATIVE BILL NO. 108. Placed on Select File with amendments.

E and R amendments to L. B. No. 108:

1. Amend the bill, page 2, section 1, lines 6, 7, and 29, by striking the word "draughtsman" therein and by inserting in lieu thereof the word **"draftsman"**.

2. Amend the bill, page 2, line 15, section 1, by striking the word **"their"** and inserting in lieu thereof the word **"its"**; and in line 37, page 3, section 1, by striking the word **"them"** and inserting in lieu thereof the word **"it"**.

LEGISLATIVE BILL NO. 51. Placed on Select File with amendments.

E and R amendments to L. B. No. 51:

1. Amend the bill, standing committee report, amendment 1, line 3, by underscoring the word "Tribulus" therein; and in amendment 2, line 3, underscore the word "peppergrass" therein; and in amendment 5, line 3, underscore the word "one"; and in amendment 6, line 2, underscore the words "date of"; and in amendment 7, line 2, underscore the figures "51"; and in amendment 8, line 2, underscore the figures "51"; and in amendment 11, line 5, insert the punctuation "." after the word "law" therein.

2. Amend the bill, standing committee report, amendment 12, line 1, by striking therefrom the figures "11" and insert in lieu thereof the figures "12".

3. Amend the bill, page 1, title, line 11, by striking the conjunction "and" therefrom.

4. Amend the bill, general file amendment, Matzke, 2/12/41, line 1, by striking therefrom the paragraph designation "(i)" therein, and by inserting in lieu thereof paragraph designation "(j)", and by underscoring all of the Matzke amendment; and in the first general file amendment 2/12/41, underscore the figures "51" wherever the same appear; and amend the general file amendments, page 2, paragraph 2, lines 3 and 4, by underscoring all matter in quotes therein

and amend the general file amendments, amendment 1, page 2, line 2 by underscoring the word "situated"; and in line 99, section 2, page 5 of the bill, strike the punctuation ":" therein; and in general file amendment page 2, paragraph 3, line 1, underscore the figures "51" therein.

5. Amend the bill, page 13, section 6, line 16, by inserting the punctuation "," after the word "included" and before the conjunction "and".

6. Amend the bill, page 15, section 7, line 35, by underscoring the word "Chairman" therein.

7. Amend the standing committee amendments, amendment 4, by inserting the punctuation"." after the word "accurate" in line 6, and before the punctuation ' " '.

8. Amend the bill, page 6, section 2, line 122, by inserting after the word "thereof" the words "at a place designated by the county clerk".

9. Amend the bill, page 8, section 2, lines 176 and 177, by inserting the word "the" before the word "state".

10. Amend the general file amendment No. 1 by striking the figure "15" and insert "16", line 1.

(Signed) Crosby, Chairman

Revenue

LEGISLATIVE BILL NO. 70. Placed on General File.

LEGISLATIVE BILL NO. 29. Placed on General File.

LEGISLATIVE BILL NO. 83. Indefinitely postponed.

LEGISLATIVE BILL NO. 105. Indefinitely postponed.

LEGISLATIVE BILL NO. 115. Indefinitely postponed.

LEGISLATIVE BILL NO. 116. Indefinitely postponed.

LEGISLATIVE BILL NO. 118. Indefinitely postponed.

LEGISLATIVE BILL NO. 119. Indefinitely postponed.

(Signed) Murphy, Chairman

President signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill No. 47.

Approved by the Governor

Februray 20, 1941

To the President and Members of the Legislature

Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. No. 48 L. B. No. 34

L. B. No. 55

Respectfully submitted,

(Signed) Val Peterson

Secretary to the Governor.

February 21, 1941

To the President and Members of the Legislature

Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has approved the following bill:

L. B. No. 37

Respectfully submitted,

(Signed) Val Peterson
Secretary to the Governor.

MOTION—To Amend Rules

Mr. President: I move that the rules of this legislature be amended by striking all of Section 8, of rule XIII, and all subdivisions of said section 8, and by inserting in lieu thereof the following:

8. Consideration a second time by the legislature, in review, on select file wherein any of the following motions shall be in order:

a. A motion to approve or reject any or all of the changes recommended by the committee on enrollment and review.

b. A motion to adopt a unanimous consent amendment, to which no objection shall be offered.

c. A motion to recommit to the proper standing committee.

d. A motion to recommit to the general file for one or more specific amendments. If such motion is adopted, the bill shall be transferred forthwith to the head of general file, where consideration of the specific amendment shall be the first order of business on that file. After disposition of the specific amendment, the bill may be readvanced to the committee on enrollment and review for review, amended further, indefinitely postponed, or recommitted to the proper standing committee. If the bill is readvanced, it shall be given prior consideration by the committee on enrollment and review, and returned to the select file as soon as possible, and placed at the head of that file: Provided, that if the bill is not amended, indefinitely postponed, or recommitted, it may be advanced to the committee on enrollment and review for engrossment.

e. A motion to indefinitely postpone.

f. Provided, no bill shall be considered initially on select file until three legislative days after its reference from the general file to the committee on enrollment and review.

(Signed) Mekota

Referred to Committee on Rules.

Washington Memorial Program

Mr. Matzke presiding

At 10:30 a. m. the following program, arranged by the Chaplain, was rendered.

LEGISLATIVE RESOLUTION NO. 10. George Washington

Introduced by Elmer C. Rakow of Antelope

Preamble

WHEREAS, the United States of America is today celebrating the two hundred and ninth anniversary of the birthday of that exalted patriot, Christian statesman, and true American, George Washington, and

WHEREAS, we owe to him the finest example of courage, devotion and service to his country, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF NEBRASKA IN FIFTY-FIFTH REGULAR SESSION ASSEMBLED:

That this legislature pay tribute to the memory of the Father of our Country in the immortal words of Oliver Wendell Holmes:

"Welcome to the day returning,
Dearer still as ages flow,
While the torch of Faith is burning,
Long as Freedom's altars glow!
See the hero whom it gave us
Slumbering on a mother's breast;
For the arm he stretched to save us
Be its morn forever blest!

Vain is empire's mad temptation!
Not for him an earthly crown!
He whose sword has freed a nation
Strike the offered scepter down.
See the throneless conqueror seated,
Ruler by a people's choice;
See the patriot's task completed;
Hear the Father's dying voice:

'By the name that you inherit,
By the sufferings you recall,
Cherish the fraternal spirit;
Love your country first of all!
Listen not to idle questions
If its bands may be untied;
Doubt a patriot whose suggestions
Strive a nation to divide.

Father! we, whose ears have tingled
With the discord notes of shame;
We, whose sires their blood have mingled
In the battle's thunder-flame,—
Gathering, while this holy morning
Lights the land from sea to sea,
Hear thy counsel, heed thy warning;
Trust us while we honor thee.' "

Mr. Rakow moved that the resolution be adopted.

The motion prevailed.

The Legislature paused for a minute in silent prayer.

Girls Sextette.....America the Beautiful

From Nebraska Wesleyan University Conservatory
of Music under direction of Miss Graves

Address .....George Washington

Harry E. Gantz

Girls Sextette.....The Road Home

Mr. Garber discussed briefly his trip to Mt. Vernon and the points of interest in connection with his recent trip to Washington.

MOTION—To Record in Journal

Ray Thomas moved that the address of Mr. Gantz be made a matter of record in the Legislative Journal.

The motion prevailed.

George Washington's Birthday

We meet again on this day to pay homage to the memory of a great man, an American hero, George Washington. We are met to testify our regard for him whose name is intimately associated with whatever belongs most essentially to the prosperity, the liberty, the free institutions, and the renown of our country. I approach my task with humbleness. Well do I know that on this occasion, I can tell you nothing about George Washington that you do not already know. I can add nothing to the solemnity of this hour.

Our forefathers left the nations of the old world that they might have the right to think and speak their own thoughts, live their own lives, and worship God according to the dictates of their own conscience. In that fateful hour when the clock of destiny was striking twelve, when the gates of empires were lifted from their hinges, and the streams of history turned into new channels, there arose great leaders whose names stand out in the history of our life as a nation.

No name of that period is more revered or respected than is the name of George Washington—soldier, statesman—a rare unison. Out of the suffering and tears, out of the blood and sacrifice, a

new nation was born, to be distinguished forever by two outstanding ideals: LIBERTY, which was TRUE LIBERTY and EQUALITY which was not merely a sounding note of a political campaign; and those ideals were dedicated by that new nation to the proposition that all men are created equal. These principles were immortalized in those words sacred to all loyal Americans, "ALL MEN ARE CREATED EQUAL, AND HAVE THE RIGHT TO LIFE, LIBERTY, AND THE PURSUIT OF HAPPINESS."

George Washington's life was full and complete. There is nothing in it for which we need apologize, nothing which must be hidden. He was very human. We may well love his memory as a man, not alone the fiery general, nor the cold austere statesman, the stately social figure, but Washington, the fun-loving lad, the gay cavalier, the generous warmhearted friend, the planter and harvester of seeds.

Washington was a man of peace as well as a man of war. I like to think of the words he wrote and spoke, after that great conflict which made us a free and independent nation, words which show his underlying nature as a man of peace. Through this mirror of his thoughts we see a vivid picture, not only of the revered and stately leader, as president in a critical time in our nation's history, but the man who was content to be a home lover, a simple planter. Someone has well said "that his whole life was a succession of planting and sowing and reaping; planting effort; sowing ideas and reaping independence and good government.

Turning the pages of current events we have but to look across the sea and find that only in recent months has the tide of foreign affairs changed the history of the world—people of nation after nation have bowed their heads in forcible and bloody surrender of that great ideal and principle of Human Liberty. Our own nation is at this moment, as we meet in legislative deliberations, in the midst of warlike preparations, that that yoke of tyranny and subjection may not be placed around the necks of the American people, and the liberty which we enjoy, wrought at so great a price through the wise and courageous leadership of men like Washington, may not be torn from us. That heritage of free government, of liberty, equality before the law, is yours and mine. We should hold it most dear and not only protect it but respect it.

We talk a lot of Americanism. But that favorite term today is somewhat shallow in the application it makes to the popular mind. Naturalization papers do not make an American. The immigrant needs more than language study and a parrotlike knowledge of our constitution to make him a true American. Free birth does not make

an American. The homeborn needs more than the soft inheritance of the rights of free citizenship. Pledging allegiance to our flag does not make us Americans. If America is not to become a decayed and fallen nation of the forgotten past, as other nations have become, we must bring to the forefront in our everyday lives our undying faith in our nation's principles, and by a solidarity of action and united front, regardless of political expediency, meet the dangers of the moment and remove them for all time to come. If our nation remains the embodiment of civil liberty and democratic ideals nothing can destroy us as a nation. If we live up to the ideals of the fathers of our country, we need not fear for the future. That flag is something far more than a mere symbol; it expresses the will of a free people, and proclaims to all the world that they are supreme, and that they acknowledge no earthly sovereign other than themselves.

Recently on a trip to Mount Vernon I was impressed by an inscription there carved—a short history of Washington's life—and to my mind it is the greatest epitaph ever written to the memory of any man:

Washington, the brave, the wise, the good,
Supreme in war, in council, and in peace;

Valiant without ambition, discreet without fear,
Confident without presumption.
In disaster, calm; in success, moderate; in all himself.
The hero, the patriot, the Christian.
The father of nations, the friend of mankind,
Who, when he had won all, renounced all,
And sought in the bosom of his family and of nature, retirement;
And in the hope of religion, immortality.

The greatest tribute ever paid to the memory of George Washington was spoken by Abraham Lincoln, our martyred president, to whose memory we have also this month paid tribute. He said, simply:

"This is the 110th anniversary of the birth of Washington. We are met to celebrate this day. Washington is the mightiest name on earth—long since mightiest in the cause of civil liberty. On that name no eulogy is expected. It cannot be. To add brightness to the sun, or glory to the name of Washington, is alike impossible. Let none attempt it. In solemn awe, pronounce the name, and in its naked, deathless splendor, leave it shining on."

MESSAGE FROM THE GOVERNOR

Introduction of New Bills

February 21, 1941.

Hon. Frank Sorrell, Chairman,

Committee on Government,

Unicameral Legislature.

Dear Senator:

I am herewith transmitting to you two amendatory bills which have for their intent and purpose the amending of the original legislation which did not place the following two agencies of government under any one of the civic code offices:

(1) Engineers and Architects.

(2) Embalmers, Undertakers and Funeral Directors.

The bill relative to the Engineers and Architects is an amendatory bill which gives the Director of Health and the Governor the necessary control and jurisdiction over the profession involved. This seems necessary to make the administration of the profession fit in with the accepted precedent for the administration under the Civil Administrative Code.

At the present time, the law sets it up as a separate department, over which no administrative code or the Governor has any authority. The Attorney General has issued an opinion to this effect, and said that we had no authority to receive their monies or to sign the necessary vouchers for their expenses.

The bill involving the Embalmers, Undertakers and Funeral Directors has essentially the same idea in mind; that is, one of placing some necessary control and jurisdiction over the profession. Under the present law we do accept their monies and deposit them with the State Treasurer, but there is no provision for signing their vouchers nor is there any power under the law to have control or jurisdiction over this board either by the Department of Health or the Governor.

These bills are the suggestion of the Tax Commissioner, the Auditor of Public Accounts, the Department of Health, the Attorney General, and the Governor. The Attorney General has pointed out in his opinion that there is a grave question arises as to whether the Department of Health, the Auditor, or the Tax Commissioner, have proper authority in passing upon any vouchers from these two agencies.

It is my request that the Government Committee introduce these two bills, and I feel that they are necessary to correct the functioning of these two agencies so that they can be properly checked as provided by the Constitution.

Respectfully submitted,
(Signed) Dwight Griswold
Governor

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 496. By Committee on Government.

A bill for an Act to amend Secs. 71-3303, 71-3307 and 71-3308, C. S. Supp., 1939, relating to public health and welfare; to provide that the state board of examiners for professional engineers and architects shall function under the supervision of the director of health for the department of health; to define the powers and duties of the department and the director in connection therewith; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 497. By Committee on Government.

A bill for an Act relating to public health and welfare; to create and establish in the office of the state treasurer the **"embalmers' fund"**, department of health; to enumerate the sources and to limit the uses to which the **embalmers' fund** shall be put; to amend Secs. 71-3209, 71-3218, 71-3219, 71-3220, 71-3222 and 71-3226, C. S. Supp., 1939; to define the powers and duties of the department of health and the director thereof, in connection with the business of funeral directing and undertaking; to abolish the state funeral directors' fund; to repeal said original sections; and to declare an emergency.

REPORT—Rules Committee

Mr. President: Your Committee on Rules, to whom was referred the motion to amend Section 8 of Rule XIII, and subdivisions thereof, has considered the matter and recommends the adoption of the proposed amendments. (Signed) Mekota, Chairman

Mr. Mekota moved that the proposed amendments to the Rules be adopted.

The motion prevailed with 34 ayes, no nays, 9 not voting.

SELECT FILE

LEGISLATIVE BILL NO. 109. Mr. Howard's Specific amendments, found in the Legislative Journal for the Thirty-first Day, were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL NO. 86. Mr. Sullivan moved that his Specific amendment, found in the Legislative Journal for the Thirty-second Day, be adopted.

A call of the House was ordered.

The call was raised.

The motion was lost with 12 ayes, 19 nays, 12 not voting.

Ernest Adams moved to refer to E and R for review.

Mr. Garber moved to indefinitely postpone.

Vote was taken and the motion to indefinitely postpone was lost with 10 ayes, 24 nays, 9 not voting.

Mr. Adams' motion to refer to E and R for review prevailed.

Referred to E and R for review.

LEGISLATIVE BILL NO. 12. Laid over. Retains place on File.

LEGISLATIVE BILL NO. 46. Passed over.

LEGISLATIVE BILL NO. 323. By unanimous consent Mr. Peterson withdrew the first two General File amendments, found in the Legislative Journal for the Thirty-second Day.

The remainder of General File amendments were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 234. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 120. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 137. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 198. Read and considered.

Mr. Blome offered the following amendment, which was adopted:

"Sec. 3. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law." And amend the title to conform therewith.

Referred to E and R for review.

Member Excused

Mr. Bowman was excused from the session on Monday, February 24, 1941.

Adjournment

At 11:55 a. m. Mr. Sullivan moved that the rules be suspended and that the Legislature adjourn until Monday, February 24, 1941.

The motion prevailed with 33 ayes, 1 nay, 9 not voting.

Hugo F. Srb,
Clerk of the Legislature.

THIRTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, February 24, 1941.

Pursuant to adjournment, the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Bowman, Crossland and Amos Thomas, who were excused.

The Journal for the Thirty-third Day was approved.

Visitor

Mr. Weborg introduced Mr. E. M. Von Seggern, a former member of the Legislature, who spoke briefly to the members.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Ray Thomas, one, opposing L. B. No. 140, one, favoring L. B. No. 140; Mr. Carlson, one, favoring L. B. No. 7; Mr. Hanna, one, favoring L. B. No. 140.

The following petitions were received through the Governor's office: one, favoring L. B. No. 110, one, favoring L. B. No. 89; one, opposing L. B. No. 140.

Communications

Letters were read from Congressmen Oren S. Copeland and Harry B. Coffee, acknowledging receipt of Legislative Resolution No. 7 regarding corn for drouth stricken areas.

NOTICE OF COMMITTEE HEARINGS

Labor and Public Welfare

L. B. No. 328, Monday, March 3, 1941, 2:00 p. m.

L. B. No. 476, Monday, March 3, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Public Works

LEGISLATIVE BILL NO. 285. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 285:

1. Amend the bill, page 2, section 1, line 7, by inserting after the word "aqueduct" therein the following:

", or change a storage site".

2. Amend the bill, page 1, title, line 6, by inserting after the word "aqueduct" therein, the following:

", or change a storage site with the approval of the department of roads and irrigation".

(Signed) Mischke, Chairman.

Judiciary

LEGISLATIVE BILL NO. 159. Placed on General File.

LEGISLATIVE BILL NO. 146. Placed on General File.

LEGISLATIVE BILL NO. 144. Placed on General File.

(Signed) Gantz, Chairman

Enrollment and Review

Presented to Governor for approval

Friday, February 21, 1941 at 3:35 p. m.

Legislative Bill No. 47

Correctly Engrossed

L. B. No. 78	L. B. No. 20	L. B. No. 19
L. B. No. 94	L. B. No. 15	L. B. No. 68
L. B. No. 82	L. B. No. 60	L. B. No. 81
L. B. No. 129	L. B. No. 79	

(Signed) Crosby, Chairman

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L.B. No.	Introduced by	Committee Reference
496	Committee on Government	Government
497	Committee on Government	Government

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 32.

A bill for an Act to amend Sec. 32-209, C. S. Supp., 1939, relating to elections; to provide for the election of county clerks in counties having a population of more than one hundred fifty thousand inhabitants in the year 1936 and every four years thereafter; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 37:

Adams, E. A.	Gantz	Lambert	Price
Adams, J. Jr.	Garber	Matzke	Raecke
Asimus	Greenamyre	Mckota	Rakow
Bevins	Hanna	Metzger	Reed

Blome	Howard	Mischke	Sorrell
Brodahl	Jeppesen	Murphy	Thomas, Ray
Carlson	Johnson	Neubauer	Thornton
Carmody	Knezacek	Norman	Tvrdik
Crosby	Kotouc	Peterson	Van Diest
			Weborg

Voting in the negative, 0.

Not voting, 6:

Bowman	Crossland	Sullivan
Callan	Mueller	Thomas, Amos

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 132. With emergency clause.

A bill for an Act specifically to appropriate the sum of ten thousand fifty-eight dollars and ten cents, or so much thereof as may be necessary out of the general fund of the state of Nebraska to pay the premiums on the official bonds of state treasurer and deputy state treasurer of the state for the term commencing January 9, 1941; to pay premiums on bonds for burglary and robbery insurance and on messenger robbery insurance in connection with the office of the state treasurer for a period ending January 13, 1943; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams, E. A.	Gantz	Matzke	Rakow
Adams, J. Jr.	Garber	Mekota	Reed
Asimus	Greenamyre	Metzger	Sorrell
Bevins	Hanna	Mischke	Sullivan
Blome	Howard	Murphy	Thomas, Ray
Brodahl	Jeppesen	Neubauer	Thornton
Callan	Johnson	Norman	Tvrdik
Carlson	Knezacek	Peterson	Van Diest
Carmody	Kotouc	Price	Weborg
Crosby	Lambert	Raecke	

Voting in the negative, 0.

Not voting, 4:

Bowman	Mueller
Crossland	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Member Excused

Mr. Brodahl was excused for the remainder of the day.

SELECT FILE

Mr. Raecke presiding

LEGISLATIVE BILL NO. 51. E and R amendments, found in the Legislative Journal for the Thirty-third Day, were adopted.

Mr. Matzke moved that the bill be re-referred to General File for the following Specific amendments:

1. First strike the Matzke General File amendment (Journal page 330) and then insert the following:

"A. Amend the bill, page 6, section 2, line 105 by inserting after the word and punctuation "**plat.**" therein the following:

'If a petition signed by one or more of the resident landowners or persons owning one section or more of grazing land in a proposed district and objecting to the inclusion of such grazing land in the proposed district and alleging that such grazing land should be excluded from such district because it is not infested with noxious weeds as herein defined and further alleging that such grazing land will become inequitably subject to assessments for the cost arising out of the formation of such district without any benefit derived to such grazing land, shall be filed with the county clerk on or before the time fixed for hearing upon the original petition that seeks to form such district, the county board shall hear and consider the petition opposing the inclusion of such grazing land in the district at the same time and place that the original petition seeking to form the district is heard: Provided, that the county board may amend the plat describing the district boundaries as justice and equity may require, if upon evidence adduced at the hearing the board shall find that the land sought to be excluded from the district is in fact grazing land, that it is not infested with noxious weeds and that it will not be benefited by the eradication of noxious weeds thereon.'

2. Amend the bill, page 2, section 1, line 31, by inserting

after the word and punctuation "clerk." therein a new subsection as follows:

"(g) **The words "grazing land" mean land outside the corporate limits of any city or village which has been used solely for pasturing domestic animals and has not been tilled for raising any crop or has not been in any manner used for producing any crop except grass for more than ten years prior to the filing of any petition to exclude said land from the limits of any district as defined in subsection (d) herein."**

The motion prevailed.

Re-referred to General File for Specific amendments.

LEGISLATIVE BILL NO. 22. E and R amendments, found in the Legislative Journal for the Thirty-third Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 80. E and R amendments, found in the Legislative Journal for the Thirty-third Day, were adopted.

Mr. Rakow moved that the bill be re-referred to General File for the following Specific amendments:

1. Amend the bill, page 2, section 1, lines 6 and 7 therein by striking therefrom the words "at least one-half of a mile".

2. Amend the bill, page 2, section 1, line 14 by striking therefrom the word "June" therein and by inserting in lieu thereof the word "July".

3. Amend the bill, page 2, section 1, line 18 by striking therefrom the words "to and approved".

4. Amend the bill, page 2, section 1, lines 18 and 19 by striking the words "two legal voters and taxpayers" therein and by inserting in lieu thereof the words **"one legal voter and taxpayer".**

5. Amend the bill, page 2, section 1 by striking that part of said section commencing with the word "verify" in line 24 therein down to and including the word "thereupon" in line 26 therein.

6. Amend the bill, page 4, section 1, line 78 by striking therefrom the words "within thirty days from its receipt".

7. Amend the bill, page 4, section 1, line 87 by striking therefrom the words "to which the transfer was made".

The motion prevailed.

Re-referred to General File for Specific amendments.

LEGISLATIVE BILL NO. 4. E and R amendments, found in the Legislative Journal for the Thirty-third Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 108. E and R amendments, found in the Legislative Journal for the Thirty-third Day, were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL NO. 51. Mr. Matzke moved that his Specific amendments, found in this day's Legislative Journal, be adopted.

The motion prevailed with 18 ayes, 12 nays, 13 not voting.

Referred to E and R for review.

Visitor

Mr. Carl H. Peterson, a former member of the Legislature was introduced and addressed the Legislature briefly.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 80. Mr. Rakow moved that his Specific amendments, found in this day's Legislative Journal, be adopted.

The motion prevailed.

Referred to E and R for review.

LEGISLATIVE BILL NO. 12. Laid over. Retains place on File.

LEGISLATIVE BILL NO. 10. Standing Committee amendments, found in the Legislative Journal for the Thirty-second Day, were read and adopted.

Mr. Lambert offered the following amendments, which were adopted:

That the Standing Committee amendments be amended by the following: Line 35, after the word "before", the following words shall be inserted "or at the time of". Line 47, strike the word "these" and insert the word "each" after the word "as". Strike the letter "s" on the word "terms" and insert the letter "s" on the word "expire". Line 48, after the word "elected" insert the words "from that district".

Referred to E and R for review.

Adjournment

At 12:08 p. m. Mr. Murphy moved that the rules be suspended and the Legislature adjourn until Tuesday, February 25, 1941 at 10:00 a. m.

The motion prevailed with 30 ayes, no nays, 13 not voting.

Hugo F. Srb,
Clerk of the Legislature.

THIRTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebrsaka

Tuesday, February 25, 1941.

Pursuant to adjournment, the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Amos Thomas, who was excused.

The Journal for the Thirty-fourth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Ray Thomas, one, favoring L. B. No. 140; Mr. Mueller, one, favoring L. B. No. 140; Mr. Carlson, one, favoring L. B. No. 7; Mr. Garber, one, favoring tax exemption for gasoline used in farm motors.

Communications

A letter was read from John Cowles, acknowledging receipt of Legislative Resolution No. 9, advising that it is impossible for him to accept the invitation before the latter part of March and that he would advise in regard to the matter at a later date.

NOTICE OF COMMITTEE HEARINGS

Public Health & Miscellaneous Subjects

L. B. No. 341, Wednesday, March 5, 1941, 2:00 p. m.

L. B. No. 176, Wednesday, March 5, 1941, 2:00 p. m.

L. B. No. 187, Wednesday, March 5, 1941, 2:00 p. m.

MOTION—Not to Concur with Committee

Mr. President: I move that the Legislature do not concur with the action of the Government Committee in indefinitely postponing L. B. No. 9 and that same be placed on General File for consideration by the Legislature. (Signed) Lambert

The motion was lost with 16 ayes, 23 nays, 4 not voting.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL NO. 194. Placed on General File.

LEGISLATIVE BILL NO. 173. Placed on General File.

LEGISLATIVE BILL NO. 167. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 167:

1. Amend the bill, page 2, section 1, line 20, by inserting the following after the word and punctuation "legalized;"

"and provided further that all newspapers which have, on account of flood, fire or other unavoidable accident, suspended publication or been printed in an office outside of the county for not to exceed ten weeks in any year are hereby legalized."

2. Amend the bill by adding at the end thereof the following:

"Sec. 3. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

3. Amend the bill, page 1, title, line 5, after the word and punctuation "publications;" by inserting the following:

"to legalize certain newspapers;".

4. Amend the bill, page 1, title, line 6, by striking the punctution "period" at the end thereof, and inserting in lieu thereof the punctuation "semi-colon", and by adding thereafter the following:

"and to declare an emergency."

LEGISLATIVE BILL NO. 182. Placed on General File with amendment.

Standing Committee amendment to L. B. No. 182:

Amend the bill, page 3, Section 1, line 47, by adding the following:

"Nothing herein contained shall prevent any person from giving supersedeas bond in the district court in the time and manner provided in Section 20-1912, Compiled Statutes of Nebraska, 1929."

LEGISLATIVE BILL NO. 196. Placed on General File with amendment.

Standing Committee amendment to L. B. No. 196:

1. Amend the bill, page 2, Section 1, by striking therefrom all of section 1, and inserting in lieu thereof the following:

"Section 1. That Sec. 39-1037, C. S. Supp., 1939, be amended to read as follows:

39-1037. Any person, firm, association, copartnership or corporation who shall violate any of the provisions of this ~~Act~~ act or any of the provisions of Article 3, Chapter 80, Compiled Statutes of Nebraska, 1929, as amended, **or any person, firm, association, copartnership, corporation or agent thereof who shall drive or move, cause or knowingly permit to be moved on any highway any vehicle or vehicles which exceed the limitations as to width, length, height or weight, as provided in this act or as provided in Chapter 39, Article 10, Compiled Statutes of Nebraska, 1929, or Chapter 39, Article 10, C. S. Supp., 1939,** for which penalty is not elsewhere provided, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not less than ten dollars nor more than one hundred dollars for each offense; and if the offender so violating be an individual, he may be punished by imprisonment in the county jail not exceeding thirty days, or both such fine and imprisonment; and it shall be the duty of the sheriffs of the several counties to enforce the provisions of this ~~Act~~ act."

(Signed) Gantz, Chairman

Public Health & Miscellaneous Subjects

LEGISLATIVE BILL NO. 31. Placed on General File.

LEGISLATIVE BILL NO. 101. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 101:

1. Amend the bill, page 11, section 13, line 3 by inserting immediately before the word "compounds" therein the word "poisonous".

2. Amend the bill, page 11, section 13, line 5 by inserting after the second conjunction "and" therein and before the word "compounds" therein the word "poisonous".

3. Amend the bill, page 11, section 13, line 10 by inserting immediately preceding the word "compounds" the word "poisonous".

4. Amend the bill, page 12, section 13, line 17 by inserting after the adjective "their" and before the word "chemical" the word "poisonous".

5. Amend the bill, page 12, section 13, line 27 by striking therefrom the second conjunction "or" and by inserting in lieu thereof the punctuation ","; and after the word "insecticides" in said line 27 insert the following new matter:

", concentrated lye, fungicides, rodent destroyers and other preparations of whatever ingredients, preservative or otherwise, for animal or poultry use only and not for human use".

6. Amend the bill, page 12, section 13, line 30 by inserting after the word "act" therein the following:

"or the federal food, drug and cosmetic act or the federal insecticide act".

7. Amend the bill, page 12, section 13, line 36 by inserting after the last word "weeds" therein the following:

": **Provided,** that this act shall not apply to the sale of patent or proprietory medicines in the original package of the manufacturer, when labeled in conformity with the provisions of this act".

8. Amend the bill, page 12, section 14, line 9 by inserting after the word "seller" therein the following: ", manufacturer, packer or distributor".

9. Amend the bill, page 14, section 14, line 73 by inserting after the word "poisons" therein the following:

"except as otherwise provided in section 13 of this act".

10. Amend the bill, page 13, section 14, line 38 by inserting after the word "dentistry" therein the following:

", osteopathy".

11. Amend the bill, page 14, section 14, line 85 by inserting after the word "dentistry" therein the following:

"or of osteopathy".

12. Amend the bill, page 15, section 14, line 97 by inserting after the word and punctuation "dentistry," the following: "osteopathy,".

13. Amend the bill, page 15, section 14, line 103 by striking therefrom the words "industry or manufacturing" and by inserting in lieu thereof the following:

"or for industrial, manufacturing or agricultural purposes".

LEGISLATIVE BILL NO. 96. Indefinitely postponed.

LEGISLATIVE BILL NO. 322. Indefinitely postponed.

(Signed) Ray Thomas, Chairman

Labor & Public Welfare

LEGISLATIVE BILL NO. 131. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 131:

1. Amend the bill, pages 2 and 3, by striking all of sections 1, 2, 3 and 4 thereon and by inserting in lieu thereof the following:

"Section 1. That Sec. 68-266, C. S. Supp., 1939, as amended by section 1, chapter 5, Session Laws of Nebraska, 1940, fifty-fourth (Extraordinary) session be amended to read as follows:

68-266. Upon the death of any person receiving old age assistance, such reasonable funeral and burial expenses shall be paid out of the treasury of the county in which he or she has legal settlement by the county board from money raised for the support of the poor, other than that received from the state assistance fund: **Provided,** that no more than fifty dollars shall be paid therefor; and provided further, that no funeral or burial expenses shall be paid when relatives or other persons liable therefor can pay the same, or when the estate of the deceased is sufficient therefor.

Sec. 2. That Sec. 68-410, C. S. Supp., 1939, as amended by section 2, chapter 5, Session Laws of Nebraska, 1940, fifty-fourth (Extraordinary) session be amended to read as follows:

68-410. Upon the death of any person receiving blind assistance, such reasonable funeral and burial expenses shall be paid out of the treasury of the county in which he or she has legal settlement by the county board from money raised for the support of the poor, other than than received from the state assistance fund: **Provided,** that no more than fifty dollars shall be paid therefor; and provided further, that no funeral or burial expenses shall be paid when relatives or other persons liable therefor can pay the same, or when the estate of the deceased is sufficient therefor.

Sec. 3. That Sec. 43-518, C. S. Supp., 1939, as amended by section 3, chapter 5, Session Laws of Nebraska, 1940, fifty-fourth (Extraordinary) session be amended to read as follows:

43-518. Upon the death of any dependent child with respect to which assistance hereunder is being paid, such reasonable funeral and burial expenses shall be paid out of the treasury of the county in which he or she has legal settlement by the county board from money raised for the support of the poor, other than that received from the state assistance fund: **Provided,** that no more than forty dollars shall be paid therefor; and provided further, that no funeral or burial expenses shall be paid when relatives or other persons liable therefor can pay the same, or when the estate of the deceased is sufficient therefor.

Sec. 4. That said original Secs. 68-266, 68-410 and 43-518, C. S. Supp., 1939, as amended by sections 1, 2 and 3, chapter 5, Session Laws of Nebraska, 1940, fifty-fourth (Extraordinary) session, are hereby repealed.".

(Signed) Bevins, Vice Chairman

Enrollment & Review

Correctly enrolled

L. B. No. 132 L. B. No. 32

(Signed) Crosby, Chairman

President signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 132 L. B. No. 32

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 11. Omaha Chamber of Commerce.

Thanking the Omaha Chamber of Commerce
for Entertainment

Introduced by Howard of McPherson, Garber
of Webster, Gantz of Box Butte

WHEREAS, the members of this legislature were entertained by the Omaha Chamber of Commerce on the 22nd and 23rd days of February, 1941, and

WHEREAS, every possible courtesy and kindness was extended by the Omaha Chamber of Commerce to the members of this legislature, NOW THEREFORE,

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-FIFTH REGULAR SESSION ASSEMBLED:

1. That the members of this legislature extend a vote of thanks to the Omaha Chamber of Commerce for their thoughtfulness and courtesy in providing entertainment and comfort during our recent visit and inspection tour.

2. That a copy of this resolution be spread at large upon the journal of this legislature and that the clerk of this legislature be directed to forward copies of this resolution, properly authenticated and suitably engrossed to the Omaha Chamber of Commerce at Omaha, Nebraska.

MOTION—To Adopt Resolution

Mr. Howard moved that the rules be suspended and that Legislative Resolution No. 11 be adopted.

The motion prevailed with 36 ayes, no nays, 7 not voting.

GENERAL FILE

LEGISLATIVE BILL NO. 12. Mr. Lambert moved that the bill be re-referred to the Committee on Government.

The motion prevailed.

Mr. Mischke presiding

LEGISLATIVE BILL NO. 495. Read and considered.

Mr. Raecke offered the following amendment, which was adopted:

Amend page 2, Section 2, line 5, by inserting after the word "subdivision" and before the word "whenever" the words "for zoning purposes".

Mr. Metzger offered the following amendments, which were adopted:

1. Amend the bill, page 2, section 1, by striking that part of said section commencing with the word "composed" in line 3 down to and including the word "general" in line 5 therein and by inserting in lieu thereof the following:

"an executive department of the state, functioning under the governor and composed of the **Nebraska advisory defense committee,** created by legislative bill No. 232, fifty-fifth session, Nebraska state legislature, 1941,".

2. Amend the bill, page 2, section 1, line 8 by striking therefrom the words "state officers constituting" and by inserting in lieu thereof the words "personnel of".

3. Amend the bill, page 4, section 6, lines 9 and 10 by striking therefrom the words "state engineer and approved by the adjutant general" and by inserting in lieu thereof the words "secretary or executive director of the agency and approved by the governor".

4. Amend the bill, page 7, section 7, line 75 and page 7, section 8, line 9 by inserting the figures **"495"** in the blank space in each of said lines respectively.

5. Amend the bill, page 1, title, by striking that part of said title commencing with the word "composed" in line 6 therein down to and including the 2nd word "general" in line 8 therein and by inserting in lieu thereof the following:

", an executive department of the state functioning under the governor, and composed of the **Nebraska advisory defense committee,** created by legislative bill No. 232, fifty-fifth session, Nebraska state legislature, 1941,".

6. Title, page 1, line 11, after the word "or" insert the word "is".

7. Page 2, Sec. 2, line 5 after the word "or" insert the word "is".

8. Page 3, Sec. 4, line 3, strike the word "regulate" and insert in lieu thereof "recommend regulations for".

9. Page 4, Sec. 5, line 20, strike "since" and place in lieu thereof the word "after".

10. Page 4, Sec. 6, line 9, strike starting with the word "state" down to and including the word "general" and insert in lieu thereof "agency".

11. Page 4, Sec. 6, line 10, strike the word "write" and insert in lieu thereof the word "draw".

12. Page 8, Sec. 9, line 22, strike the word "act" and insert in lieu thereof the word "section".

Referred to E and R for review.

Adjournment

At 12:23 p. m. on motion by Mr. Knezacek the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

THIRTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, February 26, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Amos Thomas, who was excused.

The Journal for the Thirty-fifth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Carlson, one, favoring L. B. No. 7; Mr. Knezacek, one, favoring L. B. No. 424; Mr. Blome, one favoring L. B. No. 140, one, favoring L. B. No. 470; Mr. Hanna, one, favoring L. B. No. 140; Mr. Bowman, one, favoring L. B. No. 92, two, favoring L. B. No. 379.

The following petitions were received through the Governor's office: One, regarding the liquor traffic; one, favoring L. B. No. 5; one, opposing L. B. No. 21; one, regarding interest rates charged by public utilities corporations.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce & Insurance

L. B. No. 102, Tuesday, March 4, 1941, 2:00 p. m.

L. B. No. 238, Tuesday, March 4, 1941, 2:00 p. m.

L. B. No. 239, Tuesday, March 4, 1941, 2:00 p. m.

L. B. No. 461, Tuesday, March 4, 1941, 2:00 p. m.

Government

L. B. No. 171, Friday, March 7, 1941, 2:00 p. m.

L. B. No. 177, Wednesday, March 12, 1941, 2:00 p. m.

L. B. No. 193, Wednesday, March 12, 1941, 2:00 p. m.

L. B. No. 217, Friday, March 7, 1941, 2:00 p. m.

L. B. No. 227, Wednesday, March 12, 1941, 2:00 p. m.

L. B. No. 242, Wednesday, March 12, 1941, 2:00 p. m.

L. B. No. 496, Friday, March 7, 1941, 2:00 p. m.

L. B. No. 497, Friday, March 7, 1941, 2:00 p. m.

Revenue

L. B. No. 186, Thursday, March 13, 1941, 2:00 p. m.

L. B. No. 296, Thursday, March 13, 1941, 2:00 p. m.

L. B. No. 405, Thursday, March 13, 1941, 2:00 p. m.

Public Works

L. B. No. 455, Wednesday, March 5, 1941, 2:00 p. m.

L. B. No. 466, Wednesday, March 5, 1941, 2:00 p. m.

L. B. No. 468, Wednesday, March 5, 1941, 2:00 p. m.

L. B. No. 482, Wednesday, March 5, 1941, 2:00 p. m.

L. B. No. 471, Friday, March 7, 1941, 2:00 p. m.

L. B. No. 475, Friday, March 7, 1941, 2:00 p. m.

L. B. No. 230, Friday, March 7, 1941, 2:00 p. m.

L. B. No. 202, Wednesday, March 12, 1941, 2:00 p. m.

L. B. No. 421, Wednesday, March 12, 1941, 2:00 p. m.

L. B. No. 448, Wednesday, March 12, 1941, 2:00 p. m.

L. B. No. 460, Friday, March 14, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL NO. 180. Placed on General File.

LEGISLATIVE BILL NO. 273. Placed on General File.

LEGISLATIVE BILL NO. 278. Placed on General File.

LEGISLATIVE BILL NO. 276. Indefinitely postponed.

LEGISLATIVE BILL NO. 383. Indefinitely postponed.

(Signed) Neubauer, Chairman

Enrollment and Review

LEGISLATIVE BILL NO. 49. Replaced on Select File with amendments.

E and R amendments to L. B. No. 49:

1. Strike specific amendment, 2-19-1941, and restate the same as follows:

a. Amend the bill, page 2, section 1, line 18 by inserting after the word **"dollars"** the following:

": Provided, that certificates may be issued by such associations for payment of benefits upon any one life in excess of five hundred dollars and not to exceed one thousand dollars, if the issuing associations have a surplus of at least five thousand dollars or shall reinsure the excess benefits payable over the amount of five hundred dollars in a legal reserve life insurance company authorized to do business in the state of Nebraska".

b. Amend the general file amendment, (Peterson) line 2, by underscoring the word "hereafter" therein.

c. Amend the bill, page 3, section 3, line 2, by inserting the punctuation "," after the word "effect" and before the preposition "from" therein.

d. Amend the bill, page 2, section 1, line 3, by striking the word "All" and insert in lieu thereof the word **"Every"**; and by striking the word "associations" and insert in lieu thereof **"association".**

e. Amend the bill, page 1, title, line 22, by inserting the punctuation ";" after the word "section" and before the conjunction "and" therein.

LEGISLATIVE BILL NO. 198. Placed on Select File with amendment.

E and R amendment to L. B. No. 198:

1. Amend the bill, page 1, title, line 5 by striking the conjunction "and" therein; and in line 6 of said title after the word "section" insert "; and to declare an emergency".

LEGISLATIVE BILL NO. 137. Placed on Select File with amendments.

E and R amendments to L. B. No. 137:

1. Amend the bill, page 2, section 1, line 29 by inserting after the word "personally" and before the conjunction "or" the punctuation ",".

2. Amend the bill, page 1, title, line 17 by striking the first conjunction "and" therein.

LEGISLATIVE BILL NO. 120. Placed on Select File.

LEGISLATIVE BILL NO. 77. Placed on Select File.

LEGISLATIVE BILL NO. 234. Placed on Select File with amendment.

E and R amendment to L. B. No. 234:

1. Amend the bill, page 2, section 3, line 1 by striking the word "soldiers" therein and by inserting in lieu thereof the word and punctuation "soldiers' ".

LEGISLATIVE BILL NO. 262. Placed on Select File with amendments.

E and R amendments to L. B. No. 262:

1. Amend the bill, page 2, section 1, by striking all of lines 3 and 4 therein and by inserting in lieu thereof, the following:

"85-402. The ~~Board of Regents~~ **board of regents** of the ~~University~~ **university** of Nebraska and the ~~Board of Education~~ **board of education** of ~~State Normal Schools~~ **state normal schools**".

2. Amend the bill, page 2, section 1, by striking all of lines 20 and 21 therein, and by inserting in lieu thereof the following:

"is the ~~Board of Regents~~ **board of regents** of the ~~University~~ **university** of Nebraska or the State ~~Board of Education~~ **board of education** of said ~~Normal Schools~~ **normal schools** authori-"

3. Amend the bill, page 2, section 1, line 22, by striking the word "state" therein and by inserting in lieu thereof the words:
"~~State~~ **state**".

LEGISLATIVE BILL NO. 44. Placed on Select File with amendments.

E and R amendments to L. B. No. 44:

1. Amend the bill, page 2, section 1, line 28, by striking the word "directly" and inserting in lieu thereof the word **"directed"**.

2. Amend the bill, page 4, section 3, line 1, insert the punctuation "," after the word "exists".

3. Amend the title, line 3, insert after the word and punctuation "legislature;" the words "to provide for its officers and certain employees and to prescribe their duties;".

LEGISLATIVE BILL NO. 85. Placed on Select File with amendment.

E and R amendment to L. B. No. 85:

1. Amend the General File amendment, Gantz, 2-18-1941, line 3 by underscoring the words "in whole or in part" when the same are inserted in line 3 of the bill.

LEGISLATIVE BILL NO. 39. Placed on Select File with amendments.

E and R amendments to L. B. No. 39:

1. Amend the General File amendment, Gantz, 2-13-1941, by inserting the punctuation "," after the word "effect" and before the preposition "from" in line 3 therein; also insert the punctuation "," after the word "approval" and before the word "according" in line 4 therein.

2. Strike the General File amendment, Raecke and Gantz, 2-14-1941 and insert in lieu thereof the following:

"Amend the bill, page 2, section 1, line 21, by inserting after the word and punctuation "village," therein the following:

'if there be more than one hundred freeholders therein or a petition signed by fifty per cent of the freeholders if there are one hundred freeholders or less therein,'.

3. Amend the bill, page 1, title, line 3 by striking the word "improvements" therein and by inserting in lieu thereof the word "improvement".

4. Amend the bill, title, line 5, by striking the word "and" before the preposition "to".

5. Amend the bill, page 2, section 1, line 18, by striking the punctuation "," after the word "village".

LEGISLATIVE BILL NO. 53. Placed on Select File with amendments.

E and R amendments to L. B. No. 53:

1. Strike the general file amendment, Kotouc, and insert in lieu thereof the following:

"Amend the bill, page 2, section 1, line 13, by striking therefrom the punctuation "," therein after the word "thereon".

2. Amend the standing committee amendments, amendments 1 and 2, by striking the words "or annuities" therein and by inserting the words **"or annuities"** wherever the same appear.

3. Amend the bill, page 2, section 1, line 3, by inserting immediately after the section symbol and punctuation "44-804." therein the following:

"Subdivision 1.".

4. Amend the bill, page 4, my renumbering sections 3 and 4 thereon as sections 2 and 3 to conform with previous amendments.

LEGISLATIVE BILL NO. 148. Placed on Select File with amendments.

E and R amendments to L. B. No. 148:

1. Amend the General File amendment, mimeographed, 2-18-1941, by striking all of said amendment after the conjunction "and" in line 5 therein and insert in lieu thereof the following:

on page 3, section 6, line 10 of the bill insert after the word "purpose" therein the following:

": Provided, that said minimum qualifications may be waived

for the employment of temporary or substitute instructors".

2. Amend the General File Amendments, typewritten, amendment 1, 2-14-41, line 16 by inserting after the second preposition "of" therein and before the definite article "the" the following:

"but never in excess of";

and in said line 16 strike the word "amount" therein and insert in lieu thereof the word "moneys".

3. Amend the bill, page 5, section 9, line 41, by inserting after the word "sufficient" and before the preposition "to" the words "money therein".

4. Amend the bill, page 2, line 6, section 1, by striking the words "in the first line of" and inserting in lieu thereof the words "as referred to in".

LEGISLATIVE BILL NO. 43. Placed on Select File.

LEGISLATIVE BILL NO. 63. Replaced on Select File with amendment.

E and R amendment to L. B. No. 63:

1. Amend the bill, standing committee amendments, amendment No. 1, page 2, section 4, line 9, by striking therefrom the word "served" and by inserting in lieu thereof the word "secured".

LEGISLATIVE BILL NO. 86. Replaced on Select File.

Correctly engrossed

L. B. No. 113 L. B. No. 108

L. B. No. 4 L. B. No. 14

L. B. No. 109 Correctly re-engrossed

Presented to Governor for Approval

Tuesday, February 25, 1941 at 4:15 p. m.

L. B. No. 32 L. B. No. 132

(Signed) Crosby, Chairman

Approved by the Governor

February 25, 1941.

To the President and Members of the Legislature

Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bill:

L. B. No. 47.

Respectfully submitted,

(Signed) Val Peterson
Secretary to the Governor.

STANDING COMMITTEE REPORTS (Continued)

Education

LEGISLATIVE BILL NO. 377. Placed on General File.

(Signed) Matzke, Chairman

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 45. With emergency clause.

A bill for an Act to authorize the sale or exchange of the state of Nebraska railroad fish car, "Waltonian" by the game, forestation and parks commission; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams, E. A.	Gantz	Matzke	Raecke
Adams, J. Jr.	Garber	Mekota	Rakow
Blome	Greenamyre	Metzger	Reed
Bowman	Hanna	Mischke	Sorrell
Brodahl	Howard	Mueller	Thomas, Ray

Callan	Jeppesen	Murphy	Thornton
Carlson	Johnson	Neubauer	Tvrdik
Carmody	Knezacek	Norman	Van Diest
Crosby	Kotouc	Peterson	Weborg
Crossland	Lambert	Price	

Voting in the negative, 0.

Not voting, 4:

Asimus	Bevins	Sullivan	Thomas, Amos

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

GENERAL FILE

Mr. Rakow presiding

LEGISLATIVE BILL NO. 21. Laid over. Placed at foot of General File.

LEGISLATIVE BILL NO. 59. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-third Day, were adopted.

Mr. Peterson offered the following amendment, which was adopted:

Amend the Standing Committee amendment to the title by striking the word "reappropriate" and substituting the word "appropriate".

Mr. Ray Thomas moved to refer to E and R for review.

The Chair announced the motion as carried.

Mr. Kotouc appealed from the decision of the Chair.

Vote was taken on the question "Shall the Chair be sustained"?

The Chair was sustained with 23 ayes, 3 nays, 17 not voting.

Referred to E and R for review.

LEGISLATIVE BILL NO. 110. Read and considered.

Mr. Bowman offered the following amendments, which were adopted:

1. Amend the bill, pages 2 and 3, by striking all of sections 1, 2 and 3 thereon and by inserting in lieu thereof the following:

"Section 1. That Sec. 32-209, C. S. Supp., 1939, as amended by section 1, legislative bill No. 32, fifty-fifth session, Nebraska state legislature, 1941, be amended to read as follows:

32-209. In each county there shall be elected in the year 1928 and every fourth year thereafter one county judge; in the year 1926 and every fourth year thereafter, one sheriff, one county treasurer, one county clerk, one county surveyor, one county attorney, and one county superintendent of public instruction, for the term of four years: **Provided,** in each county having a population of one hundred fifty thousand or more, the county clerk shall be elected at the times hereinafter specifically provided. At the general election in the year 1936 and every four years thereafter a register of deeds and a county clerk shall be elected in each county in the state having a population of one hundred fifty thousand or more, and at the general election in the year 1934 and every four years thereafter a register of deeds shall be elected in and for each county of the state having a population of sixteen thousand and less than one hundred fifty thousand inhabitants, to be ascertained by the census of 1930, and each state and national census thereafter, who shall give bond, with sufficient sureties thereon, to be approved by the county board, in the **following** penal ~~sum~~ **sums of respectively: Each register of deeds in counties having a population of not less than sixteen thousand inhabitants and not more than one hundred thousand inhabitants, two thousand dollars; and in counties having a population of more than one hundred thousand inhabitants and less than one hundred fifty thousand inhabitants,** ~~Ten Thousand dollars ($10,000.00)~~, **ten thousand dollars** conditioned for the faithful performance of his duties; and such register of deeds shall have **all** powers and perform all the duties relative to all papers, writings and instruments pertaining to real estate heretofore enjoined by law upon county clerks and shall receive the compensation allowed by law therefor.

Sec. 2. That said original Sec. 32-209, C. S. Supp., 1939, as amended by legislative bill No. 32, fifty-fifth session, Nebraska state legislature, 1941, is hereby repealed.

Sec. 3. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.".

2. Amend the bill, page 1, title, line 3, by inserting after the word and punctuation "elections;" therein the following

"to provide for the election of county clerks in counties hav-

ing a population of more than one hundred fifty thousand inhabitants in the year 1936 and every four years thereafter;".

3. Amend the bill, page 1, title, line 7, by inserting after the word "section" therein the words "as amended".

4. Amend the bill, page 1, title, line 2, by inserting after the figures and punctuation "1939," therein the following:

"as amended by section 1, legislative bill No. 32, fifty-fifth session, Nebraska state legislature, 1941,".

Referred to E and R for review.

LEGISLATIVE BILL NO. 69. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-third Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 75. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 70. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 29. Read and considered.

Referred to E and R for review.

Member Excused

Mr. Weborg was excused for the remainder of the day.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 46. Read and considered.

Mr. Callan offered the following amendments, which were adopted:

1. Amend the bill, page 2, section 3, lines 5 and 6, by striking therefrom the words "except customary discounts for cash".

2. Amend the bill, page 3, section 3, line 22, by striking therefrom the words "except customary discounts for cash".

3. Amend the bill, page 3, section 3, by striking that part of said section commencing with the subsection "(3)" in line 30 therein, down to and including the word and punctuation "markup." in line 35 therein.

Mr. Peterson offered the following amendment, which was adopted:

Amend Section 3 by striking from lines 2 and 3 the word "invoice" and inserting the word "actual".

Mr. Mekota offered the following amendment, which was adopted:

Amend by striking all of Sec. 6 thereof down to and including the word "violation" in line 6.

Standing Committee amendment, found in the Legislative Journal for the Twenty-ninth Day, was adopted.

Member excused

Mr. Sorrell was excused for the remainder of the day.

GENERAL FILE (Continued)

Mr. Asimus offered the following amendment and moved its adoption:

"Strike all of Section 8 in L. B. No. 46".

The motion prevailed with 17 ayes, 14 nays, 12 not voting.

Mr. Garber offered the following amendment and moved its adoption:

"Amend L. B. No. 46 by striking the enacting clause".

Record vote was requested.

A call of the House was ordered.

The call was raised.

Voting in the affirmative, 12:

Asimus	Carmody	Hanna	Mekota
Bowman	Gantz	Howard	Mischke
Carlson	Garber	Johnson	Peterson

Voting in the negative, 21:

Adams, E. A.	Crossland	Metzger	Raecke
Adams, J. Jr.	Greenamyre	Murphy	Reed
Bevins	Kotouc	Neubauer	Sullivan
Blome	Lambert	Norman	Tvrdik
Brodahl	Matzke	Price	Van Diest
Crosby			

Not voting, 10:

Callan	Knezacek	Rakow	Thomas, Ray
Jeppesen	Mueller	Sorrell	Thornton
		Thomas, Amos	Weborg

The motion was lost.

Mr. Peterson offered the following amendments and moved their adoption:

Amend by inserting a new section to be numbered 7 as follows:

"Sec. 7. If a wholesaler or retailer prefers charges under this act against a competitor directly or through a trade association of which he is a member, and upon hearing the charges are not sustained, the person, firm or corporation complained against shall be enttiled to recover from the complainant treble the amount of all expenses and damages suffered by reason of the charges preferred."

Renumber succeeding sections to conform.

Record vote was requested.

Voting in the affirmative, 10:

Asimus	Garber	Johnson	Mischke
Carlson	Greenamyre	Mekota	Peterson
Carmody	Hanna		

Voting in the negative, 22:

Adams, E. A.	Crosby	Matzke	Raecke
Adams, J. Jr.	Crossland	Metzger	Reed
Bevins	Howard	Murphy	Sullivan
Blome	Knezacek	Norman	Tvrdik
Bowman	Kotouc	Price	Van Diest
Brodahl	Lambert		

Not voting, 11.

Callan	Mueller	Sorrell	Thornton
Gantz	Neubauer	Thomas, Amos	Weborg
Jeppesen	Rakow	Thomas, Ray	

The motion was lost.

No further action was taken on the bill.

REQUEST—To Introduce Bill

Mr. Murphy asked that unanimous consent be granted the Committee on Revenue to introduce a bill.

No objection was raised and the President so ordered.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 498. By Committee on Revenue.

A bill for an Act to amend Sec. 66-403, C. S. Supp., 1939, relating to motor vehicle fuels; to prescribe the amount of bond or cash deposit which dealers in motor vehicle fuels shall post or deposit, as the case is; to repeal said original section; and to declare an emergency.

MOTION—To Read Second Time

Mr. President: I move that the rules be suspended and that L. B. No. 498 be read the second time now. Murphy.

The motion prevailed with 33 ayes, 1 nay, 9 not voting.

BILLS ON SECOND READING

The following bill was read the second time by title.

(For title see Bills on First Reading)

LEGISLATIVE BILL NO. 498. Referred to Committee on Revenue.

Adjournment

At 12:15 p. m. on motion by Mr. Mueller the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

THIRTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, February 27, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. Mr. Gantz, Chairman of the Judiciary Committee, presiding.

Prayer was offered by the Reverend Charles G. Blooah of Lincoln, Nebraska.

The roll was called and all members were present except Mr. Price and Amos Thomas, who were excused.

The Journal for the Thirty-sixth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Carmody, one, opposing L. B. No. 200; Mr. Weborg, one, opposing L. B. No. 228; Mr. Kotouc, seven, favoring L. B. No. 470.

STANDING COMMITTEE REPORTS

Public Works

LEGISLATIVE BILL NO. 267. Indefinitely postponed.

LEGISLATIVE BILL NO. 205. Indefinitely postponed.

LEGISLATIVE BILL NO. 395. Indefinitely postponed.

LEGISLATIVE BILL NO. 61. Indefinitely postponed.

LEGISLATIVE BILL NO. 179. Indefinitely postponed.

LEGISLATIVE BILL NO. 390. Placed on General File.

LEGISLATIVE BILL NO. 414. Indefinitely postponed.

(Signed) Mischke, Chairman

Judiciary

LEGISLATIVE BILL NO. 143. Indefinitely postponed.

(Signed) Gantz, Chairman

Agriculture

LEGISLATIVE BILL NO. 58. Replaced on General File with amendments.

Standing Committee amendments to L. B .No. 58:

8. Amend the bill, page 2, section 1, line 9, by striking the word "appoint" therein and by inserting in lieu thereof the word "direct".

9. Amend the bill, page 3, section 1, line 66, by inserting after the letter in parentheses "(f)" therein the following:

"Orchard run shall consist of apples hand picked, regardless of size or color.".

10. Amend the bill, page 1, title, by striking that part of said title commencing with the second preposition "to" in line 10 therein down to and including the word "conditions" in line 12 therein and by inserting in lieu thereof the following:

"to regulate labeling and marking containers of apples raised outside the state of Nebraska".

(Signed) Neubauer, Chairman

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 78: With emergency clause.

A bill for an Act to amend Secs. 8-129 and 8-130, C. S. Supp.,

1939, relating to banks and banking; to require banks to make not less than three reports during each year to the department of banking; to provide for the contents and the manner of publication of said reports; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 36:

Bevins	Gantz	Lambert	Peterson
Blome	Garber	Matzke	Raecke
Bowman	Greenamyre	Mekota	Rakow
Brodahl	Hanna	Metzger	Reed
Callan	Howard	Mischke	Sorrell
Carlson	Jeppesen	Mueller	Thomas, Ray
Carmody	Johnson	Murphy	Thornton
Crosby	Knezacek	Neubauer	Tvrdik
Crossland	Kotouc	Norman	Weborg

Voting in the negative, 0.

Not voting, 7:

Adams, E. A.	Asimus	Sullivan	Van Diest
Adams, J. Jr.	Price	Thomas, Amos	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 94. With emergency clause.

A bill for an Act to amend Section 26-1611, Compiled Statutes of Nebraska, 1929, relating to county government and officers; to provide that the official records, other plats and field notes of the county surveyor's office shall be deemed and considered public records, at all times available, within reasonable office or business hours, for free access to the state surveyor or deputy state surveyor of Nebraska or any county surveyor of Nebraska; to provide that in all counties where no regular office is maintained in the county court house for the county surveyor, the county clerk shall be custodian of the official record of surveys and all other permanent records pertaining to the office of county surveyor; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams, E. A.	Garber	Matzke	Raecke
Asimus	Greenamyre	Mekota	Rakow
Bevins	Hanna	Metzger	Reed
Blome	Howard	Mischke	Sorrell
Bowman	Jeppesen	Mueller	Sullivan
Brodahl	Johnson	Murphy	Thomas, Ray
Callan	Knezacek	Neubauer	Thornton
Carmody	Kotouc	Norman	Tvrdik
Crossland	Lambert	Peterson	Weborg
Gantz			

Voting in the negative, 0.

Not voting, 6:

Adams, J. Jr.	Crosby	Thomas, Amos
Carlson	Price	Van Diest

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Speaker Howard presiding

LEGISLATIVE BILL NO. 82. With emergency clause.

A bill for an Act to amend Sec. 86-301, C. S. Supp., 1939, relating to telephone and telegraph companies; to provide for the location of any right-of-way obtained by condemnation proceedings; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause?' "

Voting in the affirmative, 37:

Adams, E. A.	Crossland	Kotouc	Peterson
Bevins	Gantz	Lambert	Raecke
Blome	Garber	Matzke	Rakow
Bowman	Greenamyre	Metzger	Reed
Brodahl	Hanna	Mischke	Sorrell
Callan	Howard	Mueller	Sullivan
Carlson	Jeppesen	Murphy	Thomas, Ray
Carmody	Johnson	Neubauer	Thornton
Crosby	Knezacek	Norman	Tvrdik
			Weborg

Voting in the negative, 1:

Asimus

Not voting, 5:

Adams, J. Jr.	Price	Thomas, Amos	Van Diest
Mekota			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 129. With emergency clause.

A bill for an Act to amend Section 83-115, Compiled Statutes of Nebraska, 1929, relating to the board of control of state institutions; to establish an emergency revolving fund not to exceed one thousand dollars on any one institution upon order of the board of control; to prescribe the source from which emergency revolving funds shall arise; to provide for monthly accounting by the chief executive officer of the institution for which the emergency revolving fund is established; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 36:

Adams, E. A.	Crosby	Knezacek	Peterson
Asimus	Crossland	Kotouc	Norman
Bevins	Gantz	Lambert	Raecke
Blome	Garber	Matzke	Rakow
Bowman	Greenamyre	Metzger	Sorrell
Brodahl	Hanna	Mischke	Thomas, Ray
Callan	Howard	Mueller	Thornton
Carlson	Jeppesen	Murphy	Tvrdik
Carmody	Johnson	Neubauer	Weborg

Voting in the negative, 0.

Not voting, 7:

Adams, J. Jr.	Price	Sullivan	Van Diest
Mekota	Reed	Thomas, Amos	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 20. With emergency clause.

A bill for an Act to amend Sec. 14-1104, C. S. Supp., 1939, relating to the powers of metropolitan utilities districts; to provide that such districts may withdraw funds from the hands of the treasurer and deposit and maintain in checking accounts in depository banks, subject to withdrawal over the signature of persons authorized by their board of directors, sums not exceeding a total of one hundred fifty thousand dollars at any one time, for the purpose of paying pay rolls, petty cash items and current operating expense; to provide that all depository banks shall be empowered to secure to the district such deposits in the same manner that deposits by the treasurer of the district are secured; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 36:

Adams, E. A.	Crosby	Knezacek	Norman
Asimus	Crossland	Lambert	Peterson
Bevins	Gantz	Matzke	Raecke
Blome	Garber	Mekota	Rakow
Bowman	Greenamyre	Metzger	Sorrell
Brodahl	Hanna	Mischke	Thomas, Ray
Callan	Howard	Mueller	Thornton
Carlson	Jeppesen	Murphy	Tvrdik
Carmody	Johnson	Neubauer	Weborg

Voting in the negative, 0.

Not voting, 7:

Adams, J. Jr.	Price	Sullivan	Van Diest
Kotouc	Reed	Thomas, Amos	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 15. With emergency clause.

A bill for an Act to amend Sec. 81-102, C. S. Supp., 1939, relating to the civil government of the state of Nebraska; to provide that the governor shall submit his appointments for various heads of executive departments of the state of Nebraska under his control

within sixty calendar days following the first Thursday after the first Tuesday in the year 1941, and in each odd-numbered year thereafter; to prescribe the limitations in the case of a nominee failing of confirmation; to prescribe the procedure to be followed in the case of vacancies in said offices during the recess of the legislature; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams, E. A.	Crossland	Lambert	Peterson
Asimus	Gantz	Matzke	Raecke
Bevins	Garber	Mekota	Rakow
Blome	Greenamyre	Metzger	Sorrell
Bowman	Hanna	Mischke	Sullivan
Brodahl	Howard	Mueller	Thomas, Ray
Callan	Jeppesen	Murphy	Thornton
Carlson	Johnson	Neubauer	Tvrdik
Carmody	Knezacek	Norman	Van Diest
Crosby	Kotouc		Weborg

Voting in the negative, 0.

Not voting, 4.

Adams, J. Jr.	Price	Reed	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 60.

A bill for an Act to amend Section 36-208, Compiled Statutes of Nebraska, 1929, relating to the statute of frauds; to provide that conditional sales contracts shall not be valid as against subsequent purchasers, judgment creditors or mortgagees of the vendee unless the contract or a copy thereof be filed in the office of the county clerk; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the questions is 'shall the bill pass?' "

Voting in the affirmative, 40:

Adams, E. A.	Crossland	Lambert	Raecke

Asimus	Gantz	Matzke	Rakow
Bevins	Garber	Mekota	Reed
Blome	Greenamyre	Metzger	Sorrell
Bowman	Hanna	Mischke	Sullivan
Brodahl	Howard	Mueller	Thomas, Ray
Callan	Jeppesen	Murphy	Thornton
Carlson	Johnson	Neubauer	Tvrdik
Carmody	Knezacek	Norman	Van Diest
Crosby	Kotouc	Peterson	Weborg

Voting in the negative, 0.

Not voting, 3:

Adams, J. Jr.	Price	Thomas, Amos

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 79. With emergency clause.

A bill for an Act to amend Sec. 79-1501, C. S. Supp., 1939, relating to schools; to provide the qualifications for the office of county superintendent; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 36:

Adams, E. A.	Crossland	Lambert	Rakow
Bevins	Gantz	Matzke	Reed
Blome	Garber	Mekota	Sorrell
Bowman	Greenamyre	Mischke	Sullivan
Brodahl	Hanna	Mueller	Thomas, Ray
Callan	Howard	Murphy	Thornton
Carlson	Jeppesen	Neubauer	Tvrdik
Carmody	Johnson	Norman	Van Diest
Crosby	Knezacek	Peterson	Weborg

Voting in the negative, 2:

Asimus	Raecke

Not voting, 5:

Adams, J. Jr.	Metzger	Thomas, Amos
Kotouc	Price	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 19. With emergency clause.

A bill for an Act to amend Section 18-1005, Compiled Statutes of Nebraska, 1929, relating to public utility districts of cities, villages, metropolitan water districts and metropolitan utilities districts; to provide that the special assessments or special taxes of metropolitan utilities districts shall bear interest at the rate of not less than three per cent nor more than six per cent per annum prior to delinquency, as determined from time to time by the board of directors of said districts, and seven per cent per annum after delinquency; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams, E. A.	Crossland	Matzke	Rakow
Asimus	Gantz	Mekota	Reed
Bevins	Greenamyre	Mischke	Sorrell
Blome	Hanna	Mueller	Sullivan
Bowman	Howard	Murphy	Thomas, Ray
Brodahl	Jeppesen	Neubauer	Thornton
Callan	Johnson	Norman	Tvrdik
Carlson	Knezacek	Peterson	Van Diest
Carmody	Kotouc	Raecke	Weborg
Crosby			

Voting in the negative, 0.

Not voting, 6:

Adams, J. Jr.	Lambert	Price
Garber	Metzger	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 68.

A bill for an Act to amend Sec. 33-118, C. S. Supp., 1939, relating to fees and salaries; to prescribe the fees which each county treasurer shall receive for collecting municipal taxes and special as-

sessments for municipal improvements and school moneys; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'shall the bill pass?' "

Voting in the affirmative, 34:

Adams, E. A.	Gantz	Metzger	Rakow
Asimus	Garber	Mischke	Reed
Bevins	Hanna	Mueller	Sorrell
Blome	Howard	Murphy	Sullivan
Bowman	Jeppesen	Neubauer	Thomas, Ray
Brodahl	Johnson	Norman	Thornton
Callan	Knezacek	Peterson	Tvrdik
Carlson	Matzke	Raecke	Weborg
Crossland	Mekota		

Voting in the negative, 4:

Carmody	Greenamyre	Lambert	Van Diest

Not voting, 5:

Adams, J. Jr.	Kotouc	Thomas, Amos
Crosby	Price	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 81. With emergency clause.

A bill for an Act relating to banks and banking; to define the meaning of the words **Department of Trade and Commerce, Department of Trade and Commerce of the State of Nebraska,** and **Secretary of the Department of Trade and Commerce,** as used in Article 5, Chapter 26, Compiled Statutes of Nebraska, 1929, as now existing or as hereafter amended; to provide that the words **Department of Trade and Commerce of the State of Nebraska** when used in said article shall be construed to mean **"department of banking"** and that the words **Secretary of the Department of Trade and Commerce** when used in said article shall be construed to mean **"superintendent of banks"**; to provide that the functions and duties heretofore imposed by the above upon said office and officers shall hereafter be performed by the department of banking and the superintendent of banks; to repeal all acts and parts of acts in conflict therewith; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative

to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams, E. A.	Gantz	Matzke	Rakow
Asimus	Garber	Mekota	Reed
Bevins	Greenamyre	Metzger	Sorrell
Blome	Hanna	Mischke	Sullivan
Bowman	Howard	Mueller	Thomas, Ray
Brodahl	Jeppesen	Murphy	Thornton
Callan	Johnson	Neubauer	Tvrdik
Carlson	Knezacek	Norman	Van Diest
Carmody	Kotouc	Peterson	Weborg
Crosby	Lambert	Raecke	

Voting in the negative, 0.

Not voting, 4:

Adams, J. Jr.	Crossland	Price	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MESSAGE FROM THE GOVERNOR

Trade School Bill

February 26, 1941

To the President, the Speaker and Members of the Legislature
Gentlemen:

I desire to call your particular attention to certain facts surrounding L. B. No. 148, known as the Trade School Bill. This bill provides that the Board of Control shall release the former Milford Soldiers' Home property to the Board of Vocational Education for development as a trade school. This would mean that the Board of Vocational Education would then have charge of this property and this school. This Board has never functioned in such a manner and up to the present has only supervised vocational education on a cooperative basis with other schools, etc.

Candidly, I am afraid of the administrative system created by L. B. No. 148. I have talked with all three members of the Board of Vocational Education and they tell me that none of them were called by the legislative committee to appear before the committee to testify in regard to this bill. I feel that this should be done and

that the committee should go carefully into the administrative features. I am not opposed to a trade school in Nebraska, but I feel that it is my duty to make sure that all expenditures shall return the greatest value.

I would suggest that L. B. No. 148 be referred back to a committee for a careful study of its administrative features.

Respectfully submitted,

(Signed) Dwight Griswold.

Approved by the Governor

February 26, 1941.

To the President, the Speaker and Members of the Legislature

Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bill:

L. B. No. 132.

Respectfully submitted,

(Signed) Val Peterson
Secretary to the Governor.

STANDING COMMITTEE REPORTS (Continued)

Enrollment & Review

LEGISLATIVE BILL NO. 45. Correctly enrolled.

LEGISLATIVE BILL NO. 22. Correctly engrossed.

LEGISLATIVE BILL NO. 51. Replaced on Select File with amendments.

E and R amendments to L. B. No. 51:

1. Strike Enrollment and Review amendment No. 7, adopted February 21, 1941.

2. Amend the General File amendments, page 2, paragraph 1, line 2, by striking the word "comma" therein and by inserting in lieu thereof the word "period".

3. Amend the standing committee amendments, page 1, amendment 12, line 3 by inserting the preposition "to" after the conjunction "and" and before the word "declare" therein.

LEGSILATIVE BILL NO. 29. Placed on Select File with amendments.

E and R amendments to L. B. No. 29:

1. Amend the bill, page 2, section 1, line 11 by striking therefrom the punctuation and word "**: Provided**" therein and by inserting in lieu thereof the following: "**, as now existing or as hereafter amended; and provided**".

2. Amend the bill, page 1, title, line 5 by striking the first word "that" therein and by inserting in lieu thereof the word "then".

3. Amend the bill, page 2, line 14, section 1, by inserting the word "tax" after the preposition "to" and before the word "sale".

(Signed) Crosby, Chairman

Speaker Signs

While the Legislature was in session and capable of transacting business, the Speaker signed:

Legislative Bill No. 45

SELECT FILE

LEGISLATIVE BILL NO. 49. E and R amendments, found in the Legislative Journal for the Thirty-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 198. E and R amendments, found in the Legislative Journal for the Thirty-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 137. E and R amendments, found in the Legislative Journal for the Thirty-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 120. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 77. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 234. E and R amendment, found in the Legislative Journal for the Thirty-sixth Day, was adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 262. Mr. Crosby offered the following amendment, which was adopted by unanimous consent.

That the second amendment to L. B. No. 262 by the Committee on Enrollment and Review be amended in line 6 thereof by striking the letter "i" in the last word of said line.

E and R amendments, found in the Legislative Journal for the Thirty-sixth Day, were adopted as amended.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 44. E and R amendments, found in the Legislative Journal for the Thirty-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 85. E and R amendment, found in the Legislative Journal for the Thirty-sixth Day, was adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 39. E and R amendments, found in the Legislative Journal for the Thirty-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 53. E and R amendments, found in the Legislative Journal for the Thirty-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 43. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 63. E and R amendment, found in the Legislative Journal for the Thirty-sixth Day, was adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 86. Mr. Sullivan moved that the bill be referred to General File for the following Specific amendment:

1. Section 1, page 2, line 18, strike the word "and" and after the word "eleventh" insert the following: "The seventeenth day of March" which is the anniversary of St. Patrick's Day.

2. Sec. 3, page 3, line 11, after the word "day" add "and the seventeenth day of March" which is the anniversary of St. Patrick's Day.

3. In the title, in line 5, after the word "Day" add "to make March seventeenth a legal holiday".

Record vote was requested.

Voting in the affirmative, 14:

Asimus	Garber	Mekota	Sullivan
Bevins	Johnson	Metzger	Van Diest
Callan	Knezacek	Neubauer	
Gantz	Kotouc	Rakow	

Voting in the negative, 16:

Adams, E. A.	Crosby	Mischke	Peterson
Blome	Crossland	Mueller	Raecke
Bowman	Greenamyre	Murphy	Sorrell
Brodahl	Hanna	Norman	Thornton

Not voting, 13:

Adams, J. Jr.	Jeppesen	Price	Thomas, Ray
Carlson	Lambert	Reed	Tvrdik
Carmody	Matzke	Thomas, Amos	Weborg
Howard			

The motion was lost.

Ernest Adams moved to refer to E and R for engrossment.

Mr. Mekota moved to indefinitely postpone.

The motion was lost with 9 ayes, 23 nays, 11 not voting.

Mr. Adams' motion to refer to E and R for engrossment prevailed.

LEGISLATIVE BILL NO. 148. Passed over. Retains place on File.

GENERAL FILE

LEGISLATIVE BILL NO. 46. Mr. Tvrdik moved to refer to E and R for review.

Mr. Garber moved to indefinitely postpone.

Mr. Kotouc presiding

Mr. Metzger moved to lay the bill over until February 28, 1941 at 11:00 a. m.

A call of the House was ordered.

The call was raised.

Mr. Metzger's motion prevailed with 19 ayes, 16 nays, 8 not voting.

Members excused

Mr. Crossland, Mr. Greenamyre, Mr. Jeppesen and Mr. Carlson were excused from the session on February 28, 1941, to visit state institutions as members of the Appropriations Committee.

Adjournment

At 12:08 p. m. on motion by Mr. Greenamyre the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

THIRTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, February 28, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Carlson, Crossland, Greenamyre, Jeppesen, Price and Amos Thomas, who were excused.

The Journal for the Thirty-seventh Day was approved as corrected.

Member Excused

Mr. Howard was excused from the session on Monday, March 3, 1941.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Thornton, one, favoring L. B. No. 140; Mr. Hanna, two, favoring L. B. No. 140; all members, one, favoring L. B. No. 46.

NOTICE OF COMMITTEE HEARINGS

Revenue

L. B. No. 401, Thursday, March 6, 1941, 2:00 p. m.

L. B. No. 388, Tuesday, March 18, 1941, 2:00 p. m.

L. B. No. 453, Tuesday, March 18, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL NO. 275. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 275:

1. Amend the bill, pages 2 and 3 by striking all of sections 1, 2, 3, 4 and 5 thereon and by inserting in lieu thereof the following:

"Section 1. There is hereby created the **Nebraska brand inspection area** which shall consist of all of that part of the state of Nebraska lying within the following counties: Arthur, Banner, Blaine, Box Butte, Boyd, Brown, Chase, Cherry, Cheyenne, Custer, Dawes, Dawson, Deuel, Dundy, Frontier, Garden, Garfield, Grant, Hayes, Hitchcock, Holt, Hooker, Keith, Keya Paha, Kimball, Lincoln, Logan, Loup, McPherson, Morrill, Perkins, Red Willow, Rock, Scotts Bluff, Sheridan, Sioux, Thomas, Wheeler.

Sec. 2. There is hereby created the **Nebraska brand committee,** which shall consist of the secretary of state and four members appointed by the secretary of state. All of the members of such committee appointed by the secretary of state shall be active and practical cattle men engaged in the cattle business in the brand area provided for in section 1 of this act. Only such persons appointed shall be eligible to serve on such committee who are actual owners of cattle within such brand inspection area, who actually reside in the brand area, who are owners of brands duly recorded in the office of the secretary of state and whose principal business and occupation is the raising of cattle within such brand inspection area.

Sec. 3. When this act becomes effective, the secretary of state, who is designated as the chairman of the committee, shall appoint four members of the committee. One member shall hold office for a period of one year; one member shall hold office for a period of two years, one member shall hold office for a period of three years; and one member shall hold office for a period of four years from the effective date of this act. At the expiration of the term of any member of the committee, the secretary of state shall appoint a successor of the member, whose term is for a period of four years. Any of such appointees may be removed from such office upon the affirmative vote of three of the appointed committee members. In event of a vacancy on the committee, the secretary of state shall fill such vacancy by appointing a member to serve during the unexpired term of the member whose office has become vacant. The action

of a majority of the members of the committee shall be deemed the action of the committee. No appointed person may act as a member of the committee while he holds any elective or appointive state or federal office.

Sec. 4. The committee shall employ a secretary who shall keep a record of all proceedings, transactions, communications and official acts of the committee. who shall be custodian of all records of the committee and who shall perform such other duties as the committee may require. The secretary shall call a meeting at the direction of the secretary of state or upon the written request of two or more members of the committee. The committee shall employ such other employees as may be necessary properly to carry out the provisions of this act and shall also be authorized to fix the salaries of such employees as may be employed by it and to make such expenditures as are necessary properly to carry out the provisions of this act. The committee shall select and designate a place within the brand inspection area where the committee shall keep and maintain an office and where all records of the committee shall be kept.

Sec. 5. Each appointed member of the committee and each committee employee who collects or who is the custodian of any funds shall furnish a suitable bond. The amount of the bond in each case shall be designated by the secretary of state.

Sec. 6. The appointed members of the committee shall receive five dollars for each day they actually work as members of this committee: **Provided,** at no time shall any member of the committee draw more than five days' pay in any one month. All members of the committee shall be paid their actual and necessary traveling expenses in attending meetings of the committee or in performing any other duties that are prescribed in this act.

Sec. 7. The committee shall have the power and authority to pass rules and regulations relating to the administration of but not inconsistent with the provisions of this act.

Sec. 8. Any livestock market, whether within or without the borders of the state of Nebraska, that maintains brand inspection under the supervision of the **Nebraska brand committee** and under such rules and regulations as are specified by the United States **department of agriculture,** may be designated by the committee as an open market.

Sec. 9. If any owner, shipper, person, persons, firm, motor carrier, railroad company or other carrier or corporation or their agent or agents or their servant or servants, move, drive, ship or

transport in any manner any cattle from any point within the brand area to any point outside the brand area, such cattle shall first have a brand inspection as provided by the **Nebraska brand committee: Provided,** if the line designating the brand area divides any ranch or farm, written permission may be given, at the discretion of the **Nebraska brand committee,** to owners of cattle on such ranch or farm to move the cattle in and out of the brand area without inspection.

Sec. 10. If cattle are shipped to an open market, no brand inspection is required at point of loading. If cattle are billed to an open market, it shall be unlawful for the railroad company, motor carrier or any other carrier transporting the cattle to allow the owner, shipper or party in charge to change billing or transport the cattle across the Nebraska state line to a point other than the open market designated in section 9 of this act, unless the carrier secures from the **Nebraska brand committee** a certificate of the brand or brands.

Sec. 11. Before any owner or operator of any motor vehicle that carries any livestock or any portions thereof crosses the Nebraska state line into another state, the quadruplicate bill of lading required by Sec. 60-701, C. S. Supp., 1939, as now existing or as hereafter amended, shall be approved in writing by the sheriff or deputy sheriff of the county in which such shipment originates or by a brand inspector of the **Nebraska stock growers' association.** Any owner or operator of any motor vehicle, that carries any livestock or portions thereof, who violates any provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than one hundred dollars nor more than five hundred dollars or shall be imprisoned in the county jail not less than sixty days nor more than six months, or both.

Sec. 12. It shall be the duty of the **Nebraska brand committee** to charge and collect a fee of ten cents per head on all branded cattle inspected in accordance with the provisions of this act. The owner or seller of cattle so inspected shall be held responsible for the inspection fee. All fees collected by the **Nebraska brand committee** shall be deposited in the Nebraska state treasury in a fund to be known as the **Nebraska brand fund.** All moneys in the fund, if and when appropriated by the legislature, shall be used by the **Nebraska brand committee** in the administration and enforcement of this act. Any unexpended balance that remains in the fund at the end of any biennium shall, when reappropriated by the legislature, be available for the uses and purposes of the fund for the succeeding biennium. The fund shall be paid out only upon the proper vouchers approved by the secretary of state, upon warrants issued by the auditor of public accounts and countersigned by the state treasurer as provided by law.

Sec. 13. If any animal, inspected under the provisions of this act, bears recorded brand or brands other than the brand or brands of the shipper or seller, then the shipper or seller shall be required to establish his ownership to such animal by exhibiting to the brand inspector a bill of sale to such animal or by other satisfactory evidence of ownership. If the shipper or seller fails to establish ownership of any animal that carries a recorded brand, the animal may be sold: **Provided,** the brand inspector shall notify the selling agent of the shipper to impound the proceeds of the sale of such animal, and it shall be the duty of the seller or selling agent who sells such animal to hold the proceeds of the sale of such animal until such time as the **Nebraska brand committee** orders them or it to pay such money over to the shipper or seller or to the **Nebraska brand committee.** The shipper or seller of such animal shall be required to establish ownership to such animal with a recorded brand within sixty days after sale thereof by producing proof to the **Nebraska brand committee,** or its duly authorized agent, such as a bill of sale that conveys such animal to the shipper or by producing other satisfactory evidence of title thereto. If such shipper establishes ownership to such animal, the **Nebraska brand committee** shall order the person, firm, association or corporation acting as selling agent of such animal to pay the sale price thereof to such shipper. If such shipper shall fail to establish ownership within the time prescribed herein, such animal shall be considered to be an estray; and the **Nebraska brand committee** shall order the person, firm, association or corporation that acts as selling agent to pay the sale price of such animal over to the **Nebraska brand committee;** and it shall be the duty of such selling agent forthwith to pay the sale price of such estray to the **Nebraska brand committee.** All funds that the **Nebraska brand committee** receives from the sale of any estray, shall be placed in a separate fund known as the **estray fund.** Such funds shall be kept by the **Nebraska brand committee** for a period of one year, during which time the **Nebraska brand committee** shall endeavor to determine the true owner of such estray. If proof is made as to the ownership of such estray, the committee shall pay over to the true owner thereof the sale price of such estray, after it deducts such expenses as may be incurred at point of selling: **Provided,** any person, who has in good faith kept and fed any such animal, has the right to make a claim to the **Nebraska brand committee** for the expense of keeping and feeding such estray; **and provided further,** claims shall be made in the manner prescribed by the **Nebraska brand committee.** If the ownership of any estray, that carries a recorded brand, shall not be established within one year from the time of sale thereof, the net proceeds of the sale of such estray shall be paid by the **Nebraska brand committee** into the county school fund of the county in which the estray originated. The **Nebraska brand committee** shall, on January first of each year, file with the auditor of public accounts

an itemized and verified statement of all moneys received from the sale of estray cattle together with the disposition thereof.

Sec. 14. No cattle shall be sold at any livestock sales ring within the brand area of the state of Nebraska until all brands on all such cattle are first inspected by the **Nebraska brand committee.**

Sec. 15. All brand inspections provided for in this act shall be made during daylight hours.

Sec. 16. Any person, who falsely makes or forges any brand inspection certificate or any permit provided for in this act, shall, be deemed guilty of a felony, and upon conviction thereof, shall be imprisoned in the penitentiary for not less than one year nor more than seven years.

Sec. 17. Any brand inspector who shall knowingly make a false brand inspection certificate or a false permit to remove cattle from the brand inspection area, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in a sum not exceeding five hundred dollars or imprisoned in the county jail not to exceed six months, or may be both fined and imprisoned in the discretion of the court.

Sec. 18. Any person or persons, firm or corporation or their agent or agents who sell, or offer for sale or slaughter to any butcher, packer or vendor engaged in the slaughter of cattle within the brand area, shall first secure a certificate of brand inspection from the **Nebraska brand committee.** The certificate shall accompany the cattle and shall be retained by the butcher, packer or vendor engaged in the slaughter of cattle, as a permanent record.

Sec. 19. It shall be unlawful for any butcher, packer or vendor engaged in the slaughter of cattle within the brand area to kill or otherwise dispose of any cattle, until a certificate of brand inspection from the **Nebraska brand committee** is filed and is made a part of his permanent records. All such certificates of brand inspection shall, upon demand, be displayed to any law enforcement officer or to the **Nebraska brand committee** at any time.

Sec. 20. Any person, persons, firms, railroad company or other carrier or corporation, that violates any provision of this act, or that makes, forges or uses any false or fraudulent certificate of inspection shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not more than five hundred dollars, or shall be imprisoned in the county jail not to exceed one year, or both.

Sec. 21. If any division, section, subsection, sentence, clause, phrase or requirement of this act is for any reason held to be un-

constitutional, such decision shall not affect the validity of the remaining portions thereof. The legislature hereby declares that it would have passed this act, and each division, section, subsection, sentence, clause, phrase or requirement thereof irrespective of the fact that any one or more divisions, sections, subsections, sentences, clauses, phrases or requirements be declared unconstitutional.

Sec. 22. That Secs. 54-709 and 54-710, C. S. Supp., 1939, are hereby repealed.

Sec. 23. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

2. Amend the bill, page 1, title, line 2 by striking all of said title after the word "ACT" therein, and by inserting in lieu thereof the following:

"relating to livestock; to establish a brand inspection area within the state of Nebraska; to create the **Nebraska brand committee;** to fix its powers; to provide for the appointment, qualifications, powers, duties and responsibilities of its members; to provide for the inspection of brands on cattle that are shipped out of the brand inspection area; to provide for the inspection of brands on cattle at open markets; to define open markets; to provide for a brand inspection fee; to provide penalties for the violation of this act; to provide for the appropriation of fees collected from brand inspection fee for the use of the **Nebraska brand committee;** to repeal Secs. 54-709 and 54-710, C. S. Supp., 1939; and to declare an emergency."

LEGISLATIVE BILL NO. 172. Indefinitely postponed.

LEGISLATIVE BILL NO. 150. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 150:

1. Amend the bill, page 2, section 1, line 15 by striking all of line 15 after the word "property" and the word "more" in line 16, and inserting in lieu thereof after the word "property" the following words: "the game, forestation and parks commission shall have authority to move said beaver to other parts of the State, and may when deemed necessary sell live beaver to other states or may trap beaver for the pelts, when such pelts are prime, and that all money so received shall become part of the game, forestation and parks commission funds".

2. Amend the bill, page 2, section 1, line 16, by inserting the conjunction "or" after the comma and before the word "the".

3. Amend the bill, page 2, section 1, line 29, by striking the word "one" and insert in lieu thereof the word "two".

(Signed) Neubauer, Chairman

Government

LEGISLATIVE BILL NO. 65. Placed on General File.

LEGISLATIVE BILL NO. 89. Indefinitely postponed.

LEGISLATIVE BILL NO. 128. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 128:

1. Amend the bill page 2, section 1, by restoring the stricken matter and striking all of the new matter.

2. Amend the bill page 2, section 1, line 16, by adding after the word "therefor" and before the period, these words "provided that in counties having a population of more than one hundred and fifty thousand inhabitants such reports shall be made not later than the fifteenth day of the month following the calendar month such fees are received".

3. Amend the bill page 2, section 1, line 34, by adding after the word "therefor" and before the period these words "provided that in counties having a population of more than one hundred and fifty thousand inhabitants such reports shall be made not later than the fifteenth day of the month following the calendar month such fees are received".

LEGISLATIVE BILL NO. 152. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 152:

1. Amend the bill, page 2, section 1, line 3 by inserting after the section symbol and punctuation "26-220." the following: **"Subdivision 1."**.

2. Amend the bill, page 2, section 1, line 6 by restoring to the bill the canceled matter ", a road overseer".

3. Amend the bill, page 2, section 1 by striking all of said section after the word **"An"** in line 11 therein and by inserting in lieu thereof the following:

"Subdivision 2. At the annual town meeting in 1943 and at the annual town meeting every two years thereafter, an overseer of roads for each road district within the township shall be elected. Road overseers shall hold their offices for a period of two years and until their successors are elected and qualified. They shall perform their duties under the direction of the township highway superintendent and their accounts shall be paid only after approval by the township highway superintendent.".

4. Amend the bill, page 3, section 2, line 19 by striking the word "appointed" therein and by restoring to the bill the canceled word "elected" therein.

5. Amend the bill, page 1, title, line 5 by striking the word "appointment" therein and by inserting in lieu thereof the following: "election in 1943 and every two years thereafter".

(Signed) Sorrell, Chairman

Public Health & Miscellaneous Subjects

LEGISLATIVE BILL NO. 95. Placed on General File.

LEGISLATIVE BILL NO. 125. Placed on General File.

LEGISLATIVE BILL NO. 243. Placed on General File.

LEGISLATIVE BILL NO. 141. Indefinitely postponed.

(Signed) Ray Thomas, Chairman

Public Works

LEGISLATIVE BILL NO. 133. Placed on General File with amendment.

Standing Committee amendment to L. B. No. 133:

1. Amend the bill, page 2, section 1, line 34 by striking the word **"primarily"** and by inserting in lieu thereof the word **"solely"**.

(Signed) Mische, Chairman

Revenue

LEGISLATIVE BILL NO. 130. Placed on General File with amendment.

Standing Committee amendment to L. B. No. 130:

Amend the bill, page 1, title, line 7, by striking therefrom the figures "1943" and by inserting in lieu thereof the figures "1942".

(Signed) Murphy, Chairman

Enrollment & Review

LEGISLATIVE BILL NO. 114. Placed on Select File.

LEGISLATIVE BILL NO. 69. Placed on Select File.

LEGISLATIVE BILL NO. 80. Placed on Select File.

LEGISLATIVE BILL NO. 495. Placed on Select File with amendments.

E and R amendments to L. B. No. 495:

1. Amend the General File amendments, by striking amendment 3 therefrom.

2. Amend the bill, page 3, section 3, line 13 by striking the indefinite article "an" therein and by inserting in lieu thereof the indefinite article "a".

3. Amend the bill, page 8, section 9, line 3 by inserting after the conjunction "or" and before the word "about" therein the verb "is".

4. Amend the bill, page 15, section 20, line 2 by inserting after the word "that" and before the word "original" therein the word "said".

5. Amend the bill, by striking the words "set-back" wherever the same appear in the bill and insert the word "set back".

6. Amend the bill, page 13, section 16. line 40, by striking the word "thereof" and inserting in lieu thereof the word "thereon"; also line 41, section 16, page 13, strike the words "the forms of" before the word "law."

(Signed) Crosby, Chairman

REQUEST—To File Claim with Committee

Mr. Tvrdik asked that unanimous consent be granted to Martha

Rause to file her claim with the Committee on Claims and Deficiencies.

No objection was raised and the President so ordered.

SELECT FILE

LEGISLATIVE BILL NO. 148. E and R amendments, found in the Legislative Journal for the Thirty-sixth Day, were adopted.

Mr. Matzke moved that the bill be replaced on General File for the following Specific amendment:

1. Amend the bill, page 6, by inserting immediately after section 10, line 11, a new section as follows:

"Sec. 11. That Section 79-2203, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

79-2203. There is hereby created a state board of vocational education, consisting of the **members of the board of control of state institutions,** the dean of the college of agriculture and one ~~woman~~ **person** appointed by the governor for a term of three years, and the state superintendent. The officers of said board shall be as follows: The board shall select one of its members as chairman, the state treasurer shall be treasurer, and the state superintendent, **of public instruction shall be** secretary thereof: **Proivded, that nothing contained in this section shall affect the term of the present person appointed to the state board of vocational education and now holding office.".**

2. Amend the bill, page 6, by renumbering sections 11 and 12 thereon to conform with the foregoing amendment.

3. Amend the bill, page 1a, title, line 48 by inserting after the word and punctuation "disbursed;" therein the following:

"to amend Section 79-2203, Compiled Statutes of Nebraska, 1929; to repeal said original section;".

4. Amend the bill, page 3, Section 6, line 11 by striking the word "seven" and inserting in lieu thereof the word "five", and in line 14 by striking the word "five" and inserting in lieu thereof the word "three".

The motion prevailed.

LEGISLATIVE BILL NO. 51. E and R amendments, found in the Legislative Journal for the Thirty-seventh Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 29. E and R amendments, found in the Legislative Journal for the Thirty-seventh Day, were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL NO. 148. Mr. Matzke moved that his Specific amendments, found in this day's Journal, be adopted.

The motion prevailed.

Referred to E and R for review.

LEGISLATIVE BILL NO. 285. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-fourth Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 159. Passed over. Retains place on File.

LEGISLATIVE BILL NO. 146. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 144. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 194. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 173. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 167. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-fifth Day, were adopted.

Laid over. Retains place on File.

Mr. Bowman presiding

LEGISLATIVE BILL NO. 182. Read and considered.

Standing Committee amendment, found in the Legislative Journal for the Thirty-fifth Day, was adopted.

Referred to E and R for Review.

LEGISLATIVE BILL NO. 196. Read and considered.

Standing Committee amendment, found in the Legislative Journal for the Thirty-fifth Day, was adopted.

Mr. Raecke offered the following amendments, which were adopted:

Amend the Standing Committee amendment to L. B. No. 196, line 12, by inserting after the word "any" and before the word "highway" the word "public" and by inserting after the word "highway", the punctuation "," and the words "road, street or alley".

Referred to E and R for Review.

LEGISLATIVE BILL NO. 31. Laid over.

LEGISLATIVE BILL NO. 101. Laid over. Retains place on File.

LEGISLATIVE BILL NO. 131. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-fifth Day, were adopted.

Mr. Crosby moved to refer to E and R for review.

Mr. Garber moved to indefinitely postpone.

The motion to postpone was lost with 5 ayes, 24 nays, 14 not voting.

Mr. Crosby's motion to refer to E and R for review prevailed.

SPECIAL ORDER OF THE DAY

President Johnson presiding

LEGISLATIVE BILL NO. 46. Mr. Garber withdrew his motion of the thirty-seventh day to indefinitely postpone.

Mr. Mischke offered the following amendment, which was adopted: with 20 ayes, 11 nays, 12 not voting:

By striking the following: Beginning with the word "Proof" in line 10 of Sec. 5, and ending with the word "act" in line 13 thereof.

No further action was taken thereon.

MOTION—Expense Election Contest

Mr. President: I move that the Legislative Administration Committee be authorized and directed to pay the sum of $100.00 out of any funds appropriated for the incidental expenditures of this Legislature, to G. P. North for services as attorney in behalf of the successful incumbent in the matter of the election contest between Peter P. Gutoski, contestant, and George W. Bevins, incumbent.

(Signed) Tvrdik

The motion prevailed.

REQUEST—Voting on L. B. No. 109

Mr. Howard requested that L. B. No. 109 be not read the third time and put upon passage until his return.

No objection was raised and the President so ordered.

STANDING COMMITTEE REPORTS (Continued)

Enrollment & Review

Correctly enrolled.

L. B. No. 19	L. B. No. 129	L. B. No. 60
L. B. No. 68	L. B. No. 94	L. B. No. 78

L. B. No. 15	L. B. No. 82	L. B. No. 81
L. B. No. 20	L. B. No. 79	

(Signed) Crosby, Chairman

President signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 19	L. B. No. 129	L. B. No. 60
L. B. No. 68	L. B. No. 94	L. B. No. 78
L. B. No. 15	L. B. No. 82	L. B. No. 81
L. B. No. 20	L. B. No. 79	

Member excused

Mr. Mekota was excused from the sessions on March 3 and March 4, 1941.

Adjournment

At 12:06 p. m. Mr. Murphy moved that the rules be suspended and that the Legislature adjourn until Monday, March 3, 1941 at 10:00 a. m.

The motion prevailed with 29 ayes, 6 nays, 8 not voting.

Hugo F. Srb,
Clerk of the Legislature.

THIRTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, March 3, 1941.

Pursuant to adjournment, the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Metzger, and except Messrs. Howard, Murphy and Amos Thomas who were excused.

The Journal for the Thirty-eighth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Reed, one, opposing L. B. No. 101; Mr. Rakow, one, favoring the passage of a wage and hour bill for farmers; Mr. Raecke, one, favoring a more adequate pension for aged people in preference to group pensions such as teachers; Mr. Carmody, two, favoring L. B. No. 470; Ray Thomas, one, opposing L. B. No. 72; Mr. Matzke, one, favoring L. B. No. 379; Mr. Tvrdik, one, favoring a monument to William J. Bryan.

The following petitions were received through the Governor's office: one, favoring L. B. No. 305; one, regarding claim for injuries received in automobile accident; one, favoring L. B. No. 140; three, opposing L. B. No. 140; one, regarding interstate cooperation; one, favoring L. B. No. 89; one, claiming damages to horses injured while road was under construction.

Communications

A letter was read from David Meeker, Assistant to the Secretary

of Agriculture, acknowledging receipt of Legislative Resolution No. 3 relating to sugar beet acreage allotments in Nebraska.

NOTICE OF COMMITTEE HEARINGS

Government

L. B. No. 304, Wednesday, March 12, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Enrollment & Review

Presented to Governor for approval

Thursday, February 27, 1941 at 3:30 p. m.

Legislative Bill No. 45

Friday, February 28, 1941 at 4:20 p. m.

L. B. No. 19	L. B. No. 129	L. B. No. 60
L. B. No. 68	L. B. No. 94	L. B. No. 78
L. B. No. 15	L. B. No. 82	L. B. No. 81
L. B. No. 20	L. B. No. 79	

LEGISLATIVE BILL NO. 53. Replaced on Select File with amendment.

E and R amendment to L. B. No. 53:

1. Amend the bill, page 3, section 1, line 47, by striking therefrom the word "where" and by inserting in lieu thereof the word "were".

LEGISLATIVE BILL NO. 39. Replaced on Select File with amendments.

E and R amendments to L. B. No. 39:

1. Amend the general file amendments (Gantz) 2-17-41 by striking amendment No. 5 therefrom.

2. Amend the Standing Committee amendments, Amendment No. 8, by inserting after the word "requisite" in line 3, the words "number or".

Correctly engrossed

L. B. No. 51	L. B. No. 77	L. B. No. 63
L. B. No. 137	L. B. No. 234	L. B. No. 44
L. B. No. 120	L. B. No. 198	L. B. No. 43
L. B. No. 86	L. B. No. 85	L. B. No. 262
L. B. No. 49	L. B. No. 29	

(Signed) Crosby, Chairman

Appropriations

LEGISLATIVE BILL NO. 451. Placed on General File.

LEGISLATIVE BILL NO. 336. Placed on General File.

LEGISLATIVE BILL NO. 181. Indefinitely postponed.

LEGISLATIVE BILL NO. 168. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 168:

1. Amend the bill page 2, section 1, line 3, by striking the word "twenty-five" and inserting in lieu thereof the word "twenty".

2. Amend the title of the bill line 4, by striking the following "$25,00" and inserting in lieu thereof the following "$20,000".

(Signed) Callan, Chairman

Banking, Commerce & Insurance

LEGISLATIVE BILL NO. 153. Placed on General File.

(Signed) Thornton, Chairman

Public Works

LEGISLATIVE BILL NO. 213. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 213:

1. Amend the bill, pages 2 to 18 inclusive, by striking all of Sections 1 to 20 inclusive thereon and by inserting in lieu thereof the following:

"Section 1. That Sec. 39-2101, C. S. Supp., 1939, be amended to read as follows:

39-2101. Whenever used in this ~~Act~~ **act** the word **"county"** or **"counties"** shall be construed to include municipal corporations as well; **and to include any commission or authority which may be established in the state of Nebraska as a whole or any county thereof;** and whenever the governing body of any county is specifically directed or empowered to perform a given act or function it shall be deemed a grant or direction for the corresponding governing body of a city or village, **or any commission or authority which may be established within the state of Nebraska or any county thereof,** as the case may be, to do likewise. Any county in the ~~State~~ **state** of Nebraska may build or construct or aid in the construction or complete construction of any highway, wagon, vehicle or automobile bridge within the state of Nebraska and any adjoining state across any river, navigable or non-navigable stream, forming a boundary line between any county within the state of Nebraska and any other state of the United States.

Sec. 2. That Sec. 39-2107, C. S. Supp., 1939, be amended to read as follows:

39-2107. Any county in the state of Nebraska is hereby authorized to provide funds for the purposes of this ~~Act~~ **act** by the issuance of revenue bonds of such counties,— the principal and interest of which shall be payable solely from the special funds herein provided therefor,—and as to which, as shall be recited therein, the county shall not incur any indebtedness of any kind or nature, and to support which the county shall not pledge its credit, nor its taxing power, nor any part thereof. Such revenue bonds shall bear interest at not more than six per centum per annum, payable semi-annually and shall mature in not more than ~~twenty~~ **thirty** years from their date or dates and may be redeemable at the option of the county issuing the same at not more than the par value thereof plus a premium of five per centum, under such terms and conditions as the governing body of the county may fix prior to the issuance of such bonds. The governing body of the county shall provide the form of such bonds including coupons to be attached thereto to evidence interest payments which bonds shall be signed by the ~~Chairman of the Board of County Commissioners~~ **chairman of the board of county commissioners** of the county and countersigned and registered by the ~~County Clerk~~ **county clerk** under the seal of the county, which coupons shall bear the facsimile signature of said ~~Chairman~~ **chairman** and of the ~~County Clerk~~ **county clerk,** and shall fix the

denomination or denominations of such bonds and the place of the payment of the principal and interest thereof which may be at the office of the County Treasurer **county treasurer or any** bank or trust company in the state of Nebraska, or in the city of New York, State **state** of New York. All bonds authorized by this Act **act** shall be and shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the "negotiable instrument" law of the State **state,** without, however, constituting the revenue bonds herein authorized an indebtedness of the county issuing same **and such bonds shall be exempt from all taxation, state and municipal. Such bonds shall be legal investments of banks, savings banks and trust companies, of trustees and of the trustees of the sinking fund of muicipalities and counties, and shall be acceptable as security for the deposit of public moneys in the same manner and to the same extent as any other negotiable bonds of any county of the state of Nebraska.** The governing body of the county may provide for the registration of such bonds in the name of the owner as to the principal alone or as to both principal and interest. Such bonds may be sold in such manner as the governing body of the county may determine to be for the best interests of the county **shall be offered on the open market and sold to the highest bidder,** taking into consideration the financial responsibility of the purchaser and the terms and conditions of the purchase, and the availability of the proceeds of the bonds when required for payment of the costs. The proceeds of such bonds shall be deposited with such depositories as the governing body of the county shall approve and shall be secured in such manner and to such extent as the governing body of the county shall require, and shall be used solely for the payment of the costs of the bridge and costs incident thereto, as provided for in this Act, and shall be drawn upon over the signature of the Chairman of the Board of County Commissioners of the County and the County Clerk and County Treasurer thereof, and under such further restrictions, if any, as the governing body of the county may provide **act.** The governing body of the county shall have the right to purchase for retirement and cancellation any of such bonds that may be outstanding at the market price, but not exceeding one hundred and five and accrued interest, nor exceeding the price, if any, at which the same shall in the same year be redeemable, but all bonds redeemed or purchased out of the funds provided by the sale of bridge bonds, provided for in this Act **act,** shall forthwith be cancelled and shall not again be issued. Prior to the preparation of definitive bonds, the governing body of the county may under like restrictions issue temporary bonds with or without coupons, exchangeable for definitive bonds upon the issuance of the latter. The governing body of the county may enter into an agreement with any competent bank or trust company as trustee for the holders of such bonds, setting forth the

duties of the county in respect to the construction, maintenance and operation and insurance of any such bridge, the conservation and application of all funds, the insurance of moneys on hand or on deposit, and the rights and remedies of said trustee and the holders of such bonds, and restricting the individual right of action of bondholders as is customary in trust agreements respecting bonds of corporations. Said trust agreement may contain such provisions for protecting and enforcing the rights and remedies of the trustee and approval by the original bond purchasers of the appointment of consulting engineers and of the security given by the bridge contractors and by any bank or trust company in which the proceeds of bonds or bridge tolls shall be deposited, and may provide that no contract for construction **or purchase** shall be made without the approval of the consulting engineers. Said trust agreement may further contain provisions and covenants that all or any deposited money shall be secured as may be therein provided, by surety company bonds or otherwise, except as therein provided or shall be regulated as therein provided, and that insurance upon the bridge and all property connected therewith, and also use and occupancy insurance shall be carried to the extent and under the conditions therein provided. No election and no vote of electors shall be required upon the question of acquiring or constructing any bridges or issuing revenue bonds as authorized by this ~~Act~~ **act**, for the acquisition or construction of any bridge, if the governing body of the ~~County~~ **county** shall determine by vote of a majority of its members to dispense with such election or vote of electors as to such question. The bonds authorized by this ~~Section~~ **section** may at the option of the governing body of such county be supported by mortgage or by deed of trust covering such bridge or bridges.

Sec. 3. The governing body of any county is hereby authorized to provide by resolution for the issuance of bridge revenue refunding bonds of such county for the purpose of refunding any bridge revenue bonds or any other indebtedness of said bridge of the county which have heretofore been issued or may hereafter be issued under the provisions of Chapter 39, Article 21, C. S. Supp., 1939, and may then be outstanding. The issuance of such bridge revenue refunding bonds, the maturities and other details thereof, the rights of the holders thereof, and the duties of the county in respect to the same, shall be governed by the provisions of Chapter 39, Article 21, C. S. Supp., 1939, in so far as the same may be applicable, and by the following provisions: (a) No bridge revenue refunding bonds shall be delivered, except in the amount necessary to provide sufficient funds for the payment of any indebtedness of said bridge and for the payment of matured bridge revenue bonds or bridge revenue bonds maturing or redeemable, including any redemption premium thereon. (b) The rates of tolls to be charged for the use

of the bridge or bridges acquired from the proceeds of the bridge revenue bonds to be refunded, shall be so fixed and adjusted as to provide a fund sufficient to pay the interest on and the principal of such bridge revenue refunding bonds as the same shall become due, and to provide an additional fund to pay the cost of maintaining, repairing and operating such bridge or bridges. Any such tolls shall be continued until such bridge revenue refunding bonds and the interest thereon shall be paid or provision made for their payment.

Sec. 4. Through the exercise of the powers conferred by this act the governor of the state of Nebraska or any governing body of any county may by resolution create a bridge commission. Upon the passage of such resolution the governing body of such county shall appoint three persons who shall constitute the bridge commission of such county which shall be a public body corporate and politic under the manner of said bridge commission shall have the power to contract, to sue and be sued and to adopt a seal and alter same at pleasure, but shall not have power to pledge the credit or taxing power of the county. The said commission shall consist of three members of well known and successful business qualifications. The said commissioners shall immediately enter upon their duties and hold office until the expiration of two, four and six years respectively from the date or dates of their appointments. The term of each shall be designated by the governing body of the county, but their successors shall be appointed for the term of six years, excepting that any person appointed to fill a vacancy shall serve only for the unexpired term and any commissioner shall be eligible for reappointment. Not more than two of such commissioners shall be members of the same political party. The commissioners before entering upon their duties shall take, subscribe and file an oath of office as required by law. Such commission shall elect the chairman and vice chairman from its members and a secretary and treasurer who need not be a member of such commission. The members of the commission shall serve without compensation but shall be paid their actual expenses while engaged in performing the duties of their office and fees on a per diem basis not to exceed four dollars a day for each meeting attended on the specific call by the chairman. The commission shall fix the compensation of the secretary and treasurer in its discretion. The commission shall have power to establish by-laws, rules and regulations for its own government and to make and enter into all contracts or agreements necessary or incidental to the performance of its duties and the execution of its powers under this act. The commission may employ engineering, architectural and construction experts and inspectors and attorneys, and such other employees as may be necessary in its opinion and fix their compensation, all of whom shall do such work as the commission shall direct. All salaries and compensation shall be obligations against and paid solely from funds provided under the authority

of this act. The office, records, books and accounts of the bridge commission shall always be maintained in the county which the commission represents. Such commission may be charged by the governing body of the county with the purchase of existing bridges, the construction of new bridges or the operation, maintenance, repair, renewal, reconstruction, replacement, extension or enlargement of existing bridges, or bridges hereafter constructed or purchased. In the exercise of the power conferred by this act it is specifically provided that such commission may be created by the governor of the state of Nebraska or the governing body of any county, city or village within the state of Nebraska.

Sec. 5. Any commission may exercise the powers in this act granted in the method herein provided or in any other method in whole or in part as herein provided. The powers herein conferred are to be exercised without any restriction or limitation and these powers are supplementary and additional to powers which have been or may hereafter be conferred upon any county and are not a limitation to or in any way a restriction upon said county. The powers herein granted are in nowise a limitation upon, and the county is specifically authorized to put into effect any right or power which may be necessary for the proper conduct of its authority.

Sec. 6. The sections, provisions and parts thereof of this act are separable and are not matters of mutual essential inducement. It is the intention of the legislature to confer the whole or any part of the powers herein provided for, and if any of the sections or provisions, or parts hereof, are for any reason illegal, it is the intention of the legislature that the remaining sections and provisions or parts thereof shall remain in full force and effect.

Sec. 7. That said original Secs. 39-2101 and 39-2107, C. S. Supp., 1939, are hereby repealed.

Sec. 8. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

2. Amend the bill, pages 1 and 1a, title, by striking all of said title after the word "ACT" in line 2 therein and by inserting in lieu thereof the following:

"relating to interstate county bridges; to provide for the issuance of revenue bonds therefor; to provide the purposes for which such revenue bonds constitute legal investments; to prescribe procedure for the issuance of refunding revenue bonds of interstate county bridges; to provide for the creation of a bridge commission; to prescribe the powers and duties of such commission; to amend Secs. 39-

2101 and 39-2107, C. S. Supp., 1939; to repeal said original sections; and to declare an emergency.".

(Signed) Mischke, Chairman

Government

LEGISLATIVE BILL NO. 211. Placed on General File.

(Signed) Sorrell, Chairman

Approved by the Governor

February 28, 1941.

To the President, the Speaker and Members of the Legislature

Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day approved the followings bills:

L. B. No. 32

L. B. No. 45

Respectfully submitted,

(Signed) Val Peterson
Secretary to the Governor.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 113.

A bill for an Act to amend Section 39-1009, Compiled Statutes of Nebraska, 1929, relating to highways and bridges; to provide that certain roads may be fenced by adjoining owners if gates for ingress and egress are provided; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 38:

Adams, E. A.	Crossland	Matzke	Rakow
Asimus	Gantz	Mekota	Reed
Bevins	Garber	Mischke	Sorrell
Blome	Greenamyre	Mueller	Sullivan
Bowman	Hanna	Neubauer	Thomas, Ray
Brodahl	Jeppesen	Norman	Thornton
Callan	Johnson	Peterson	Tvrdik
Carlson	Knezacek	Price	Van Diest
Carmody	Kotouc	Raecke	Weborg
Crosby	Lambert		

Voting in the negative, 0.

Not voting, 5:

Adams, J. Jr.	Metzger	Murphy	Thomas, Amos
Howard			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 4. With emergency clause.

A bill for an Act to amend Sec. 71-3405, C. S. Supp., 1939, relating to the public health; to provide for the reporting of the birth and the enumeration of crippled children in the state of Nebraska; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams, E. A	Crossland	Matzke	Rakow
Adams, J. Jr.	Gantz	Mekota	Reed
Asimus	Garber	Mischke	Sorrell
Bevins	Greenamyre	Mueller	Sullivan
Blome	Hanna	Neubauer	Thomas, Ray
Bowman	Jeppesen	Norman	Thornton
Brodahl	Johnson	Peterson	Tvrdik
Callan	Knezacek	Price	Van Diest
Carlson	Kotouc	Raecke	Weborg
Carmody	Lambert		
Crosby			

Voting in the negative, 0.

Not voting, 4:

Howard	Metzger	Murphy	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 108. With emergency clause.

A bill for an Act to amend Section 84-406, Compiled Statutes of Nebraska, 1929, relating to the board of educational lands and funds; to provide that the board may, when in their judgment there is need of expediting the execution of surveys applied or petitioned for, appoint one or more competent experienced deputy land surveyors to make such surveys as may be assigned to them; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Adams, E. A	Crosby	Lambert	Rakow
Adams, J. Jr.	Crossland	Matzke	Reed
Asimus	Gantz	Mischke	Sorrell
Bevins	Garber	Mueller	Sullivan
Blome	Greenamyre	Neubauer	Thomas, Ray
Bowman	Hanna	Norman	Thornton
Brodahl	Jeppesen	Peterson	Tvrdik
Callan	Johnson	Price	Van Diest
Carlson	Knezacek	Raecke	Weborg
Carmody	Kotouc		

Voting in the negative, 0.

Not voting, 5:

Howard	Metzger	Murphy	Thomas, Amos
Mekota			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 14. With emergency clause.

A bill for an Act to amend Section 74-818, Compiled Statutes of Nebraska, 1929, relating to railroads; to provide for bringing

the exceptions set out in this act in agreement with and in conformity to the federal transportation act of 1940; to regulate the issuance of free transportation by railroads; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams, E. A.	Crosby	Lambert	Rakow
Adams, J. Jr.	Crossland	Matzke	Reed
Asimus	Gantz	Mekota	Sorrell
Bevins	Garber	Mischke	Sullivan
Blome	Greenamyre	Mueller	Thomas, Ray
Bowman	Hanna	Neubauer	Thornton
Brodahl	Jeppesen	Norman	Tvrdik
Callan	Johnson	Peterson	Van Diest
Carlson	Knezacek	Price	Weborg
Carmody	Kotouc	Raecke	

Voting in the negative, 0.

Not voting, 4:

Howard	Metzger	Murphy	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Mr. Tvrdik presiding

SELECT FILE

LEGISLATIVE BILL NO. 114. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 69. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 80. Laid over.

LEGISLATIVE BILL NO. 495. E and R amendments, found in the Legislative Journal for the Thirty-eighth Day, were adopted.

Laid over.

President Johnson presiding

GENERAL FILE

LEGISLATIVE BILL NO. 46. Mr. Garber moved to indefinitely postpone.

Mr. Mischke offered the following amendment, which was adopted with 17 ayes, 13 nays, 13 not voting.

"Strike Section 2."

Mr. Mischke offered the following amendment, which was adopted with 18 ayes, 15 nays, 10 not voting:

"Strike Section 5."

Mr. Van Diest offered the following amendment, which was adopted:

Amend the bill, page 5, section 5, and insert therein the following:

"The publication of any advertisement in contravention with the provisions of this act by any newspaper at the request of the retailer or wholesaler shall not render the owner of the newspaper or his agents or servants liable for any penalty as in this act provided".

Vote was taken on Mr. Garber's motion to indefinitely postpone and the motion was lost with 16 ayes, 21 nays, 6 not voting.

Mr. Tvrdik moved to refer to E and R for review.

After debate thereon Mr. Van Diest moved the previous question.

The motion prevailed with 28 ayes, 7 nays, 8 not voting.

Vote was taken on Mr. Tvrdik's motion and the motion prevailed with 22 ayes, 12 nays, 9 not voting.

Referred to E and R for review.

LEGISLATIVE BILL NO. 159. Read and considered.

Referred to E and R for review.

Statement for Journal

Mr. President: Had I been present, I would have voted "aye" on the motion to refer L. B. No. 46 to E and R for review.

(Signed) Van Diest

MESSAGE FROM GOVERNOR

March 1, 1941.

To the President, the Speaker, and Members of the Legislature

Gentlemen:

I desire to call your attention to a situation surrounding L. B. No. 81. This bill was introduced by Senator Otto Kotouc, Jr., and I am sure will fill a useful purpose. I wish to point out, however, that in L. B. No. 15, which was passed on the same date as was L. B. No. 81, you refer to the chief officer of the State Banking Department as "the director of banking," while in L. B. No. 81 you refer to him as "superintendent of banks."

The more recent enactments in our statutes designate the head of the Banking Department as "the director of banking," and I am, therefore, suggesting that you make a request for the return of L. B. No. 81 and that it be amended by substituting in both the title and in Section 1 the words "director of banking" for the words "superintendent of banks."

You may find, in fact, that there are many other sections of our statutes which should be amended to make this same change and it might be worthwhile, even at this late date to have it done.

I will be pleased to give my approval to L. B. No. 81, but I did feel that this discrepancy should be called to your attention.

Respectfully submitted,

(Signed) Dwight Griswold
Governor of Nebraska.

REQUEST—To Withdraw Name as Co-introducer

Mr. Brodahl asked unanimous consent to withdraw his name as a co-introducer of L. B. No. 338.

No objection was raised and the President so ordered.

Adjournment

At 12:03 p. m. on motion of Mr. Knezacek the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

FORTIETH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, March 4, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. Speaker Howard presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except John Adams, Jr. and Amos Thomas, who were excused.

The Journal for the Thirty-ninth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Carmody, three, favoring L. B. No. 470; Mr. Weborg, two, opposing L. B. No. 497; Mr. Carlson, one, favoring L. B. No. 7; Mr. Crossland, one, opposing L. B. No. 497; Mr. Raecke, two, favoring L. B. No. 89; Appropriations Committee, one, favoring the appropriation of the $83,000.00 fund left from the old serum plant to the building of a new foods and nutrition building on the campus of the Nebraska Agricultural College.

The following petitions were received through the Governor's office: one, opposing a sale of the properties of the Iowa-Nebraska Light & Power Company; one, opposing L. B. No. 140; one, seeking a resolution requesting the United States to support legislation extending aid to Great Britain and other aggressor-resisting nations.

NOTICE OF COMMITTEE HEARINGS

Government

L. B. No. 303, Wednesday, March 12, 1941, 2:00 p. m.

L. B. No. 255, Friday, March 14, 1941, 2:00 p. m.

L. B. No. 368, Friday, March 14, 1941, 2:00 p. m.

L. B. No. 369, Friday, March 14, 1941, 2:00 p. m.

L. B. No. 371, Friday, March 14, 1941, 2:00 p. m.

L. B. No. 372, Friday, March 14, 1941, 2:00 p. m.

L. B. No. 427, Wednesday, March 19, 1941, 2:00 p. m.

Labor & Public Welfare

L. B. No. 204, Monday, March 17, 1941, 2:00 p. m.

Education

L. B. No. 381, Monday, March 10, 1941, 2:00 p. m. (Re-hearing)

L. B. No. 483, Monday, March 10, 1941, 2:00 p. m. (Re-hearing)

L. B. No. 27, Monday, March 17, 1941, 2:00 p. m. (Re-hearing)

Committee on Committees

Monday, March 10, 1941 at 1:30 p. m. West Senate Lounge

Appointments by Governor as follows:

Edgar Ferneau, Auburn	Member of the Board of Education of State Normal Schools
Everett L. Randall, Kearney	Member of the Board of Education of State Normal Schools
Henry H. Dudley, Omaha	Member of Board of Control of State Institutions

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL NO. 145. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 145:

1. Amend the bill, page 3, section 1, line 41, by inserting the word "once" after the word "published" and before the word "in".

LEGISLATIVE BILL NO. 210. Placed on General File.

LEGISLATIVE BILL NO. 225. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 225:

1. Amend the bill, page 2, Section 1, line 6, by inserting after the words "reports," the words "verdicts, orders, judgments,"

LEGISLATIVE BILL NO. 226. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 226:

1. Amend the bill, page 2, section 20-1923, line 15 by striking therefrom the word "five" after the word "of" and before the word "years" and inserting in lieu thereof the word "ten".

LEGISLATIVE BILL NO. 251. Placed on General File.

LEGISLATIVE BILL NO. 257 Placed on General File with amendments.

Standing Committee amendments to L. B. No. 257:

1. Amend the bill, page 2, section 1, line 23, by striking therefrom the word "and" and inserting in lieu thereof the word "for".

By striking the following: Beginning with the word "containing" in line 24 and ending with the word "thereon" in line 26, and inserting in lieu thereof the words "to the effect that said mortgage is unpaid".

By striking the words "that said mortgage" in line 26, and striking the following: Beginning with the word "together" in line 27 and ending with the word "same" in line 30.

By striking the words "and recording" in lines 33 and 34, and inserting in lieu thereof the words "for record".

By adding a period after the word "affidavit" in line 34.

2. Amend the bill, page 3, section 1, line 56, by striking the period after the word "herein", and inserting in lieu thereof a colon ":" and adding the following: "Provided, however, that this act shall not operate against, restrict, or impair the rights of any mortgagee who has heretofore refiled his mortgage (or a sworn copy

thereof) or recorded an extension agreement thereof as heretofore provided."

By adding after the word "have" in line 10 the words "heretofore or may hereafter".

LEGISLATIVE BILL NO. 258. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 258:

1. Amend the bill, section 2, page 3, line 23, by striking therefrom the following: Beginning with the word "containing" and ending with the word "contract" in line 26, and inserting in lieu thereof the following: "to the effect that said mortgage or contract is unpaid and".

By adding the word "and" after the word "valid" in line 26.

By adding the punctuation period "." after the word "lien" in line 27, and striking therefrom the following: Beginning with the word "together" in line 27, and ending with the word "same" in line 30.

By striking the word "also" in line 35 and inserting in lieu thereof the word "alternatively".

By adding the punctuation period "." after the word "agreement" in line 42, and adding thereafter the following: "Such periods of notice may be successively extended for additional periods as herein provided:".

2. Amend the bill, section 3, page 3, line 2, by striking therefrom the words "sixty days" and inserting in lieu thereof the words "one year".

By striking the word "and" in line 3 and inserting in lieu thereof the word "for".

By striking the word "and" in line 4 and inserting in lieu thereof the word "or"; and by striking the letter "s" from the words "affidavits" and "agreements" in said line.

By striking the words "sixty day" in line 5, and inserting in lieu thereof the words "one year".

By striking the word "and" in line 6 and inserting in lieu thereof the word "or"; and by striking the letter "s" from the word "mortgages" in said line 6.

By striking the letter "s" from the word "contracts" in line 7 page 4.

By striking the word "have" in line 8, page 4, and inserting in lieu thereof the word "has".

By striking the punctuation period "." after the word "recorded" in line 14 and inserting in lieu thereof the punctuation colon ":" and adding thereto the following: "Provided, however, that this act shall not restrict or impair the rights of any mortgagee who has heretofore refiled his mortgage (or a sworn copy thereof) or recorded an extension agreement thereof in accordance with the provisions of Section 20-202, Compiled Statutes of Nebraska, 1929."

(Signed) Gantz, Chairman

Banking, Commerce & Insurance

LEGISLATIVE BILL NO. 337. Substitute bill presented by the Committee, with the recommendation that it be printed as a "Substitute for Legislative Bill No. 337" and placed on General File.

Title to Substitute for Legislative Bill No. 337:

A bill for an Act relating to insurance; to provide for a deposit to be required of domestic assessment associations hereafter organized to transact the business of accident or health insurance; to provide for the deposit of same with the department of insurance; to provide a method for the accumulation of such deposit by existing companies; to provide for the withdrawal thereof to pay claims and restoration of any such withdrawal; to provide that no foreign assessment accident and health association shall hereafter be authorized to do business in Nebraska unless it shall have assets on deposit with the insurance department of the state of its domicile in an amount at least equal to those required of like domestic associations; and to provide that compliance herewith shall not be required of any association operating under and complying with the requirements of Sec. 44-902, C. S. Supp., 1939.

(Signed) Thornton, Chairman

Labor & Public Welfare

LEGISLATIVE BILL NO. 166. Indefinitely postponed.

LEGISLATIVE BILL NO. 476. Indefinitely postponed.

LEGISLATIVE BILL NO. 41. Indefinitely postponed.

LEGISLATIVE BILL NO. 178. Indefinitely postponed.

LEGISLATIVE BILL NO. 190. Indefinitely postponed.

LEGISLATIVE BILL NO. 189. Indefinitely postponed.

(Signed) Sullivan, Chairman

Enrollment & Review

LEGISLATIVE BILL NO. 69. Correctly engrossed.

LEGISLATIVE BILL NO. 114. Correctly engrossed.

LEGISLATIVE BILL NO. 10. Placed on Select File with amendments.

E and R amendments to L. B. No. 10:

1. Amend the standing committee amendments, page 3, section 3, line 13 by striking the word **"commissions"** therein and by inserting in lieu thereof the word **"commission"**.

2. Amend the standing committee amendments, page 4, section 6, line 4 by striking the word "adoptions" therein and by inserting in lieu thereof the word "adoption" and in said line 4 strike the word "amendment" therein and insert in lieu thereof the word "amendments".

3. Amend the bill, page 1, title by striking all of said title after the word "ACT" in line 2 therein and by inserting in lieu thereof the following:

"to amend Sec. 20, Article IV; to amend Sec. 3, Article XVII and to amend Sec. 19, Article III, constitution of Nebraska, relating to the state railway commission; to abolish said commission; to create and substitute for it the Nebraska public utilities commission; to repeal said original sections, if adopted; and to provide for the effective date thereof.".

4. Amend the standing committee report, Amendment 1, page 3, section 4, line 2, by inserting the punctuation "," after the figures "1942".

LEGISLATIVE BILL NO. 194. Placed on Select File.

LEGISLATIVE BILL NO. 173. Placed on Select File.

LEGISLATIVE BILL NO. 146. Placed on Select File.

LEGISLATIVE BILL NO. 144. Placed on Select File.

LEGISLATIVE BILL NO. 323. Placed on Select File with amendments.

E and R amendments to L. B. No. 323:

1. Amend the bill, pages 3 and 4, section 2, lines 56 to 60 inclusive by inserting "$" before the last series of figures in each of said lines respectively.

2. Amend the General File amendments (Peterson) amendment 3 by striking all of lines 4, 5, 6, 7 and 8 of said amendment and by inserting in lieu thereof the following:
"state board of agriculture will pay to bearer the sum of..... dollars, being the interest due that date on the Nebraska state board of agriculture grand stand refunding bond, dated April 1, 1941, if this bond is not paid prior to date."

3. Amend the bill, page 3, section 1, line 46, by striking the words "the week of" therein.

4. Amend the bill, page 5, section 4, line 1, by striking the word "may" and inserting in lieu thereof the word "shall".

LEGISLATIVE BILL NO. 110. Placed on Select File.

LEGISLATIVE BILL NO. 285. Placed on Select File.

(Signed) Crosby, Chairman

Approved by the Governor

March 1, 1941

To the President and Members of the Legislature

Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. No. 78 L. B. No. 129

Respectfully submitted,
(Signed) Val Peterson
Secretary to the Governor.

Approved by the Governor

March 3, 1941

To the President and Members of the Legislature

Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. No. 94	L. B. No. 60	L. B. No. 20
L. B. No. 68	L. B. No. 82	L. B. No. 79
L. B. No. 19	L. B. No. 15	

Respectfully submitted,

(Signed) Val Peterson
Secretary to the Governor.

MOTION—Not to Concur with Committee

Mr. President: I move that we do not concur in the Standing Committee report on L. B. No. 89 and that it be placed on General File. (Signed) Ray Thomas

Record vote was requested.

Voting in the affirmative, 28:

Adams, E. A.	Carmody	Metzger	Rakow
Adams, J. Jr.	Gantz	Mischke	Reed
Asimus	Greenamyre	Mueller	Sullivan
Bevins	Johnson	Neubauer	Thomas, Ray
Blome	Knezacek	Norman	Thornton
Callan	Lambert	Price	Tvrdik
Carlson	Matzke	Raecke	Van Diest

Voting in the negative, 8:

Brodahl	Hanna	Mekota	Sorrell
Crosby	Howard	Peterson	Weborg

Not voting, 7:

Bowman	Garber	Kotouc	Thomas, Amos
Crossland	Jeppesen	Murphy	

The motion prevailed.

Placed on General File.

MOTION—To Recall L. B. No. 81

Mr. President: I move that L. B. No. 81 be recalled from the Governor's office. (Signed) Kotouc

The motion prevailed.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 22. With emergency clause.

A bill for an Act relating to vital statistics; to define terms; to provide for the registration of delayed birth certificates by the director of health for the department of health after the name at birth, birth date, birthplace and parentage of applicants for delayed birth certificates are adjudicated, under procedure provided therein, by county courts and an abstract of the evidence upon which the adjudication is based, are certified to the director on standard certificates of delayed birth registration; to fix the fee that county courts may charge and collect in delayed birth registration proceedings; to fix fees that department may charge and collect for issuing delayed birth certificates and for searching for or supplying certified copies of miscellaneous records of vital statistics; to empower the director to adopt regulations for the enforcement of this act; to provide penalties for the violation of such regulations; to amend Sections 71-2402 and 71-2416, Compiled Statutes of Nebraska, 1929; to provide for the selection of local registrars; to prescribe that the fees arising under this act shall be credited to the department of health, bureau of vital statistics fund for the purposes of administering laws concerning vital statistics, if and when appropriated by the legislature; to state a validity clause; to designate a short title; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Adams, E. A.	Crossland	Lambert	Raecke
Asimus	Gantz	Mekota	Rakow
Bevins	Garber	Metzger	Sorrell
Blome	Greenamyre	Mischke	Reed
Bowman	Hanna	Mueller	Sullivan

Brodahl	Howard	Murphy	Thomas, Ray
Callan	Jeppesen	Neubauer	Thornton
Carlson	Johnson	Norman	Tvrdik
Carmody	Knezacek	Peterson	Van Diest
Crosby	Kotouc	Price	Weborg

Voting in the negative, 0.

Not voting, 3:

Adams, J. Jr.	Matzke	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

SELECT FILE

LEGISLATIVE BILL NO. 80. Mr. Greenamyre moved that the bill be recommitted to General File for the following Specific amendment:

1. Amend the bill, page 3, section 1, line 46 by inserting after the word and punctuation **"Provided,"** the following:

"that the provisions of this section shall never be construed to permit or allow the transfer of a child or children from a rural school district to a city or village school district, however classified, located within the boundaries of any city or village; and provided further,".

The motion prevailed.

Replaced on General File.

LEGISLATIVE BILL NO. 495. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 53. E and R amendment, found in the Legislative Journal for the Thirty-ninth Day, was adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 39. Laid over.

Mr. Sullivan presiding

GENERAL FILE

LEGISLATIVE BILL NO. 80. Mr. Greenamyre's Specific amendment, found in this day's Journal, was adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 167. Mr. Mekota offered the following amendment, which was adopted:

Amend by inserting the words "otherwise complying herewith" after the word "newspapers" and before the word "which" in line 3 of the Standing Committee amendments.

Referred to E and R for review.

LEGISLATIVE BILL NO. 101. The first fourteen sections were read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-fifth Day, numbered 1 to 9 inclusive, were adopted.

Mr. Howard offered the following amendments in lieu of Standing Committee amendments numbered 10, 11 and 12:

Amend page 13, Sec. 14, lines 38 and 39, by striking the words and punctuation "practitioners of medicine, dentistry or veterninary medicine.", and substituting in lieu thereof the words and punctuation "those practitioners of the healing arts named in Section 71-201, C. S. Supp., 1939, who are duly auhorized by law to administer or professionally use those poisons specifically named in Section 13 of this act".

Amend page 14, Sec. 14, lines 84 and 85 by striking the words "a lawfully authorized practitioner of medicine or of veterinary medicine or of dentistry", and substituting in lieu thereof the same words that are substituted in the above amendment.

Amend page 15, Sec. 14, lines 97 and 98, by striking the words "registered practitioners of medicine, dentistry, pharmacy or veterinary medicine", and substituting in lieu thereof the same words that are substituted in the first amendment above stated.

No further action was taken thereon.

Speaker Howard presiding

STANDING COMMITTEE REPORT

Enrollment & Review

LEGISLATIVE BILL NO. 22. Correctly enrolled.

(Signed) Crosby, Chairman

Speaker signs

While the Legislature was in session and capable of transacting business, the Speaker signed:

Legislative Bill No. 22.

Adjournment

At 12:03 p. m. on motion by Mr. Sorrell the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

FORTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, March 5, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. Speaker Howard presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. John Adams, Jr., Mr. Bevins and Amos Thomas, who were excused.

The Journal for the Fortieth Day was approved as corrected.

PETITIONS AND MEMORIALS

Mr. Weborg introduced a petition favoring L. B. No. 470.

The following petitions were received through the Governor's office: one, favoring L. B. No. 272; three, favoring L. B. No. 89; one, regarding co-operative farming; one, favoring L. B. No. 381 and L. B. No. 483; one, regarding mortgage foreclosures.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce & Insurance

L. B. No. 345, Tuesday, March 11, 1941, 2:00 p. m.

L. B. No. 409, Tuesday, March 11, 1941, 2:00 p. m.

L. B. No. 430, Tuesday, March 11, 1941, 2:00 p. m.

L. B. No. 467, Tuesday, March 11, 1941, 2:00 p. m.

Government

L. B. No. 392, Friday, March 14, 1941, 2:00 p. m.

L. B. No. 247, Wednesday, March 19, 1941, 2:00 p. m.

L. B. No. 280, Wednesday, March 19, 1941, 2:00 p. m.

L. B. No. 325, Wednesday, March 19, 1941, 2:00 p. m.

L. B. No. 349, Wednesday, March 19, 1941, 2:00 p. m.

L. B. No. 301, Wednesday, March 19, 1941, 2:00 p. m.

Labor & Public Welfare

L. B. No. 184, Monday, March 10, 1941, 2:00 p. m.

L. B. No. 206, Monday, March 10, 1941, 2:00 p. m.

Public Works

L. B. No. 494, Friday, March 14, 1941, 2:00 p. m.

L. B. No. 382, continued, Friday, March 14, 1941, 2:00 p. m.

L. B. No. 481, Wednesday, March 19, 1941, 2:00 p. m.

L. B. No. 488, Wednesday, March 19, 1941, 2:00 p. m.

L. B. No. 433, Friday, March 21, 1941, 2:00 p. m.

L. B. No. 439, Friday, March 21, 1941, 2:00 p. m.

L. B. No. 367, Wednesday, March 26, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Enrollment & Review

LEGISLATIVE BILL NO. 134. Placed on Select File with amendments.

E and R amendments to L. B. No. 134:

1. Amend the bill, page 1, title, line 8 by inserting after the word "road" and before the punctuation ";" therein the words "actually traveled".

2. Amend the bill, page 4, section 1, line 77, by striking the word "subsection" therein and by inserting in lieu thereof the word "section".

3. Amend the bill, page 2, section 1, line 18, by striking the word "travelled" and inserting in lieu thereof the word "traveled".

LEGISLATIVE BILL NO. 131. Placed on Select File with amendments.

E and R amendments to L. B. No. 131:

1. Amend the bill, title, line 3, page 1, by inserting after the word "as" and before the word "amended" the words "as all of said sections were".

2. Amend the standing committee amendments, amendment 1, section 4, page 2, line 2, by inserting after the word "as" and before the word "amended" the words "as all of said sections were".

LEGISLATIVE BILL NO. 70. Placed on Select File with amendment.

E and R amendment to L. B. No. 70:

1. Amend the bill, page 7, section 3, lines 11 and 20 by inserting the figures **"70"** in the blank spaces in each of said lines respectively.

LEGISLATIVE BILL NO. 182. Placed on Select File with amendments.

E and R amendments to L. B. No. 182:

1. Amend the bill, page 4, section 2, line 26 by inserting the punctuation "," after the word **"Provided"** therein.

2. Amend the standing committee amendment by underscoring all matter in quotation marks therein for Final Form on Third Reading.

LEGISLATIVE BILL NO. 196. Placed on Select File with amendments.

E and R amendments to L. B. No. 196:

1. Amend the standing committee amendments, line 8, by striking the word "act" therein and by inserting in lieu thereof the word **"act"**; and strike the figures "80" therein and insert in lieu thereof the figures "60".

2. Amend the standing committee amendments by striking the word "act" in the last line thereof; and inserting in lieu thereof the word **"act"** for Final Form on Third Reading.

3. Amend the general file amendment by underscoring all words in quotation marks for Final Form on Third Reading.

4. Amend the standing committee amendments, amendment 1, line 6, by striking the word "frim" therein and inserting in lieu

thereof the word "firm"; also in lines 6 and 10 strike the word "co-partnership" and insert the word "co-partnership".

5. Amend the General File amendments, (Raecke), last line, by inserting the punctuation "," after the word "alley" and before the quotation mark.

Presented to Governor for Approval

Tuesday, March 4, 1941 at 3:35 p. m.

Legislative Bill No. 22

Correctly enrolled

L. B. No. 108	L. B. No. 14
L. B. No. 4	L. B. No. 113

(Signed) Crosby, Chairman

Revenue

LEGISLATIVE BILL NO. 136. Indefinitely postponed.

LEGISLATIVE BILL NO. 200. Placed on General File.

(Signed) Murphy, Chairman

Speaker signs

While the Legislature was in session and capable of transacting business, the Speaker signed:

L. B. No. 108	L. B. No. 14
L. B. No. 4	L. B. No. 113

Approved by the Governor

March 4, 1941.

To the Speaker and Members of the Legislature

Gentlemen:

This is to advise that I have today signed Legislative Bill No. 22 which provides for the issuance of delayed birth certificates.

This legislation will immediately permit the Bureau of Vital Statistics to break the log-jam which has held up issuance of birth certificates in several thousand cases.

Your attention is called, however, to the fact that this bill does not adequately provide for the issuance of delayed birth certificates in cases of adopted children of whom there must be several thousand in the State of Nebraska, and I believe the legislature should consider the advisability of introducing further legislation to cover adopted children's cases in order that they may be given the same protection which you have already provided for the rest of the citizens in Nebraska.

Respectfully submitted,

(Signed) Wm. Edw. Johnson
Acting Governor.

SELECT FILE

LEGISLATIVE BILL NO. 39. E and R amendments, found in the Legislative Journal for the Thirty-ninth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 10. E and R amendments, found in the Legislative Journal for the Fortieth Day, were adopted.

Mr. Greenamyre moved to refer the bill to General File for the following Specific amendments:

1. Amend the bill, Standing Committee amendments, mimeographed, February 20, 1941, amendment 1, page 1, line 15 by striking the definite article "the" therein after the word "include" and before the word "regulation" and by inserting in lieu thereof the following: **"only such"**.

2. Amend the bill, Standing Committee amendments, mimeographed, February 20, 1941, amendment 1, line 17 by inserting after the word "may" therein and before the word "provide" therein the word **"specifically"**.

The motion prevailed.

Placed on General File.

LEGISLATIVE BILL NO. 194. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 173. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 146. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 144. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 323. E and R amendments, found in the Legislative Journal for the Fortieth Day, were adopted.

Mr. Sorrell moved that the bill be referred to General File for the following Specific amendments:

1. Amend the title, line 9, by inserting after the words "arising out of" the words **"general and reserved seat".**

2. Amend the bill, section 2, page 3, lines 43 and 45 and section 3, page 5, lines 5, 7 and 10 by inserting after the word "paid" the words **"general and reserved seat".**

3. Amend the bill, section 3, page 5, line 7, by striking the word "any" after the word "from".

4. Amend the bill, section 3, page 5, line 14, by inserting after the word "the" the words **"said general and reserved seat".**

5. Amend the bill, section 3, page 5, line 17, by striking the words "entire gross" and inserting after the word "paid" the words **"general and reserved seat".**

6. Amend the bill, section 3, page 5, line 22, by striking the punctuation "." after the word "paid" and inserting in lieu thereof the following: **": Provided, such trustee shall forthwith pay all revenues from the use and occupation of the grand stand not pledged for the repayment of the bonds to the state board of agriculture as the same are collected by the trustee."**

7. Amend the bill, section 5, page 5, line 6, by inserting after the word **"of"** the words **"general and reserved seat".**

The motion prevailed.

Placed on General File.

LEGISLATIVE BILL NO. 110. Mr. Bowman requested unanimous consent to amend the bill as follows:

1. Amend the specific amendment, Bowman, mimeographed, page 2, section1, lines 28 and 29, by striking therefrom the words**"and less than one hundred fifty thousand inhabitants".**

2. Amend the printed bill, page 1, title, line 6, by inserting after the word and punctuation "thousand;" therein the following:

"to establish the amount of bond to be given by registers of deeds in counties having a population of more than one hundred thousand inhabitants;".

No objection was raised and the Speaker so ordered.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 285. Referred to E and R for engrossment.

Mr. Neubauer presiding

GENERAL FILE

LEGISLATIVE BILL NO. 10. Laid over. Retains place on File.

LEGISLATIVE BILL NO. 323. Mr. Sorrell's Specific amendments, found in this day's Journal, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 101. Mr. Howard moved that his amendments, in lieu of Standing Committee amendments numbered 10, 11 and 12, found in the Legislative Journal for the Fortieth Day, be adopted.

The motion prevailed.

Standing Committee amendment number 13, found in the Legislative Journal for the Thirty-fifth Day, was adopted.

Mr. Callan offered the following amendment, which was adopted:

"Strike Section 16".

Mr. Garber moved that line 40, Sec. 1 be amended by striking the word "three" and inserting the word "two".

Mr. Van Diest moved to amend the Garber motion to read "one dollar" instead of "two".

Mr. Van Diest's motion prevailed.

The Garber amendment, as amended, was adopted.

Mr. Metzger offered the following amendment, which was adopted:

"Strike from page 3, Sec. 1, line 37 the word "exclusive".

Mr. Gantz offered the following amendments, which were adopted:

That Sec. 14, page 13 be amended by striking the words "not in unusual quantities or doses, upon the prescription of" in lines 37 and 38 and by inserting the words "or preparation of medicines by".

Amend subdivision 7 of Sec. 14 by inserting after the word "dentistry" in line 85 the following: "and also except as provided in subdivision 4 of this section;".

Referred to E and R for review.

LEGISLATIVE BILL NO. 21. Referred to E and R for review.

Mr. Gantz presiding

LEGISLATIVE BILL NO. 180. Read and considered.

Referred to E and R for review.

REQUEST—To Withdraw L. B. No. 238

Mr. Price asked unanimous consent to withdraw L. B. No. 238.

No objection was raised and the President so ordered.

Adjournment

At 12:00 m. on motion by Mr. Mueller the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

FORTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, March 6, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. Speaker Howard presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Mueller, and except Amos Thomas, who was excused.

The Journal for the Forty-first Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Carmody, ten, favoring L. B. No. 470; Mr. Bowman, one, opposing L. B. No. 269; Committee on Agriculture, one, favoring L. B. No. 228; all members, one, favoring L.B. No. 379, one, opposing L. B. No. 497.

NOTICE OF COMMITTEE HEARINGS

Public Health & Miscellaneous Subjects

L B. No. 236, Wednesday, March 12, 1941, 2:00 p. m.

L. B. No.253, Wednesday, March 12, 1941, 2:00 p. m.

L. B. No. 274, Wednesday, March 12, 1941, 2:00 p. m.

L. B. No. 375, Wednesday, March 12, 1941, 2:00 p. m.

Public Works

Hearing on L. B. No. 460 cancelled.

STANDING COMMITTEE REPORTS

Banking, Commerce & Insurance

LEGISLATIVE BILL NO. 461. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 461:

1. Amend the bill, page 2, section 1, line 19, by inserting immediately after the word "**filled**" therein the following:

"**; and provided further, that the Nebraska liquor control commission may also, by rule, permit the cancellation of attached tax stamps by the distributor, and may permit credit or replacement to be issued to such distributor for stamps so cancelled or destroyed**".

2. Amend the bill, page 2, section 1, line 16, by inserting the punctuation "," after the word "**may**" and after the word "**rule**" therein.

3. Amend the bill, page 1, title, line 4, by inserting after the word "may" and before the word "require" therein the following:

", by rule,";

and in line 6 in said title, after the word and punctuation "bottled;" therein the following:

"to provide that the Nebraska liquor control commission may also, by rule, permit that credit or replacement shall be issued for all attached tax stamps cancelled by the distributor;".

LEGISLATIVE BILL NO. 239. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 239:

1. Amend the bill, page 2, section 1, line 4, by striking the words "public works" therein and by inserting in lieu thereof the words "**roads and irrigation**" therein.

2. Amend the bill, page 2, section 1, by striking all of said section after the word "fit" therein and by inserting in lieu thereof the following:

"**Any telegraph or telephone company incorporated or qualified to do business in this state may acquire an easement or right-of-way for the purpose of constructing, replacing and maintaining telegraph**

and telephone lines and appurtenances thereto under and across any of the school lands, the title of which is vested in the state of Nebraska, by filing with the board of educational lands and funds, a plat describing the location for such easement or right-of-way; and the compensation and damages therefor shall be determined and paid in the same manner as provided for in Section 75-1109, Compiled Statutes of Nebraska, 1929, so far as the provisions thereof are applicable to the determination and payment of compensation and damages for right-of-way in or across school lands for pipe lines.".

3. Amend the bill, page 2, section 2, line 2, by inserting immediately thereafter a new section as follows:

"Sec. 3. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.".

4. Amend the bill, page 1, title, line 3, by inserting immediately after the figures and punctuation "1929," therein the following:

"relating to school lands of the state of Nebraska; to provide for the acquisition of easements or rights-of-way under and across school lands by telegraph and telephone companies; to provide for the determination and payment of compensation and damages arising out of the easements so obtained; to repeal said original section; and to declare an emergency.".

(Signed) Thornton, Chairman

Enrollment & Review

LEGISLATIVE BILL NO. 167. Placed on Select File with amendments.

E and R amendments to L. B. No. 167:

1. Amend the Standing Committee amendments, page 1, amendment 1, line 3 by inserting the punctuation "," after the word "**further**" and before the word "**that**" therein.

2. Amend the Standing Committee amendments, page 1, amendment 1, line 6 by striking the punctuation "." therein and by inserting in lieu thereof the punctuation ";".

3. Amend the Standing Committee amendments, amendment 4, line 1 by striking the figure "6" therein and by inserting in lieu thereof the figure "5"; and on page 1, title, line 5 of the bill, strike the conjunction "and" therein.

LEGISLATIVE BILL NO. 80. Placed on Select File with amendment.

E and R amendment to L. B. No. 80:

1. Amend the specific amendment, March 4, 1941, line 7, by inserting after the word "located" therein the words "wholly or partly".

LEGISLATIVE BILL NO. 53. Correctly engrossed.

(Signed) Crosby, Chairman

Public Health & Miscellaneous Subjects

LEGISLATIVE BILL NO. 176. Indefinitely postponed.

LEGISLATIVE BILL NO. 341. Placed on General File with amendment.

Standing Committee amendment to L. B. No. 341:

Amend the bill, page 6, line 12 by inserting immediately before the word "pill" therein the words "tablet, tabloid."

(Signed) Ray Thomas, Chairman

REQUEST—To Withdraw L. B. No. 460

Mr. Gantz asked unanimous consent to withdraw L. B. No. 460.

No objection was raised and the Speaker so ordered.

REQUEST—To Cancel Public Hearing

Mr. Mischke, chairman of Committee on Public Works, asked that public hearing on L. B. No. 460, set for March 14, 1941, be cancelled.

No objection was raised and the Speaker so ordered.

MOTION—To Reconsider Action on L. B. No. 41

Mr. President: I move that the Legislature reconsider its action on L. B. No. 41, which the committee on Labor & Public Welfare indefinitely postponed, and place the same on General File.

(Signed) Sullivan

The motion was lost with 5 ayes, 19 nays, 19 not voting.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 51. With emergency clause.

A bill for an Act to amend Secs. 2-1701, 2-1702, 2-1703, 2-1704, 2-1706, 2-1708, 2-1709, 2-1710 and 2-1717, C. S. Supp., 1939, relating to agriculture; relating to the control and eradication of weeds; to define terms; to provide for the organization, administration and government thereof; to provide revenue therefor and the methods of assessment and collection of such revenue; to provide methods of control and eradication of noxious weeds; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Adams, E. A.	Crossland	Matzke	Raecke
Adams, J. Jr.	Gantz	Mekota	Rakow
Asimus	Garber	Mischke	Reed
Blome	Greenamyre	Murphy	Sorrell
Bowman	Howard	Neubauer	Thomas, Ray
Brodahl	Jeppesen	Norman	Tvrdik
Callan	Johnson	Peterson	Weborg
Carlson	Knezacek	Price	
Carmody	Lambert		
Crosby			

Voting in the negative, 1:

Thornton

Not voting, 8.

Bevins	Kotouc	Mueller	Thomas, Amos
Hanna	Metzger	Sullivan	Van Diest

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Member excused

Mr. Ray Thomas was excused for the remainder of the morning.

LEGISLATIVE BILL NO. 137. With emergency clause.

A bill for an Act to amend Section 36-501, Compiled Statutes of Nebraska, 1929, relating to the statute of frauds; to provide that the sale, trade or other disposition in bulk of any part or the whole of the fixtures, equipment or machinery pertaining to a stock of merchandise, or both, and the sale, trade or other disposition in bulk of any part or the whole of a stock of fixtures, equipment or machinery by any person, firm or corporation engaged in a business in which no stock of merchandise is maintained, otherwise than in the regular and usual prosecution of the seller's business, shall be considered the same as the sale of merchandise in bulk when determining if the sale thereof is void as to creditors of the sellers; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Adams, E. A.	Crossland	Lambert	Raecke
Adams, J. Jr.	Gantz	Matzke	Rakow
Asimus	Garber	Mekota	Reed
Blome	Greenamyre	Mischke	Sorrell
Bowman	Hanna	Murphy	Sullivan
Brodahl	Howard	Neubauer	Thornton
Callan	Jeppesen	Norman	Tvrdik
Carlson	Johnson	Peterson	Van Diest
Carmody	Knezacek	Price	Weborg
Crosby	Kotouc		

Voting in the negative, 0.

Not voting, 5:

Bevins	Mueller	Thomas, Amos	Thomas, Ray
Metzger			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 120.

A bill for an Act to amend Section 20-2009, Compiled Statutes of Nebraska, 1929, relating to civil procedure; to provide that for the purpose of the vacation or modification of judgments of the county court, such courts shall be considered as holding a regular term of court beginning on the first Monday of each calendar month; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 38:

Adams, E. A.	Crossland	Lambert	Raecke
Adams, J. Jr.	Gantz	Matzke	Rakow
Asimus	Garber	Mekota	Reed
Bevins	Greenamyre	Mischke	Sorrell
Blome	Hanna	Murphy	Sullivan
Bowman	Howard	Neubauer	Thornton
Brodahl	Jeppesen	Norman	Tvrdik
Callan	Johnson	Peterson	Van Diest
Carmody	Knezacek	Price	Weborg
Crosby	Kotouc		

Voting in the negative, 0.

Not voting, 5:

Carlson	Mueller	Thomas, Amos	Thomas, Ray
Metzger			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 86.

A bill for an Act to amend Sections 62-1706, 84-105 and 27-316, Compiled Statutes of Nebraska, 1929, relating to holidays; to make the last Thursday in November Thanksgiving Day; and to repeal said original sections.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 29:

Adams, E. A.	Crosby	Matzke	Raecke
Adams, J. Jr.	Crossland	Mischke	Rakow
Asimus	Greenamyre	Murphy	Reed
Blome	Hanna	Neubauer	Sorrell
Bowman	Howard	Norman	Thornton
Brodahl	Jeppesen	Peterson	Weborg
Carlson	Knezacek	Price	
Carmody	Lambert		

Voting in the negative, 9:

Bevins	Garber	Mekota
Callan	Johnson	Sullivan
Gantz	Kotouc	Van Diest

Not voting, 5:

Metzger	Thomas, Amos	Thomas, Ray	Tvrdik
Mueller			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 49. With emergency clause.

A bill for an act to amend Sec. 24-1804, C. S. Supp., 1939, relating to burial associations; to provide limitations upon the investment of capital, surplus and other funds thereof; to limit the aggregate benefits of burial association certificates to be issued to one person to the sum of five hundred dollars; to provide legal reserves for said associations; to require that capital stock thereof shall be sold for the same amount per share and for not less than par value or for not more than twenty-five per cent above par value; to prescribe the requirements that shall be set forth in policies issued by said associations; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Adams, E. A.	Crosby	Kotouc	Price
Adams, J. Jr.	Crossland	Lambert	Raecke
Asimus	Gantz	Matzke	Rakow
Bevins	Garber	Mekota	Reed
Blome	Greenamyre	Mischke	Sorrell
Bowman	Hanna	Murphy	Thornton
Brodahl	Howard	Neubauer	Tvrdik
Callan	Jeppesen	Norman	Van Diest
Carlson	Johnson	Peterson	Weborg
Carmody	Knezacek		

Voting in the negative, 0.

Not voting, 5:

Metzger	Sullivan	Thomas, Amos	Thomas, Ray
Mueller			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 77. With emergency clause.

A bill for an Act to amend Sec. 33-129, C. S. Supp., 1939, relating to fees and salaries; to fix the compensation of precinct assessors; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

Adams, E. A.	Carmody	Johnson	Price
Adams, J. Jr.	Crosby	Knezacek	Raecke
Asimus	Crossland	Kotouc	Reed
Bevins	Gantz	Matzke	Sullivan
Blome	Garber	Mischke	Thornton
Bowman	Greenamyre	Murphy	Tvrdik
Brodahl	Hanna	Neubauer	Van Diest
Callan	Howard	Norman	Weborg
Carlson	Jeppesen	Peterson	

Voting in the negative, 1:

Sorrell

Not voting, 7:

Lambert	Metzger	Rakow	Thomas, Ray
Mekota	Mueller	Thomas, Amos	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 234. With emergency clause.

A bill for an Act relating to public welfare, public health and social security; to empower the board of control of state institutions, the county boards of the several counties and other departments and agencies of the state of Nebraska to cooperate with and to enter into contracts with the United States department of agriculture; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams, E. A.	Crosby	Kotouc	Raecke
Adams, J. Jr.	Crossland	Lambert	Rakow
Asimus	Gantz	Matzke	Reed
Bevins	Garber	Mekota	Sorrell
Blome	Greenamyre	Mischke	Sullivan
Bowman	Hanna	Murphy	Thornton
Brodahl	Howard	Neubauer	Tvrdik
Callan	Jeppesen	Norman	Van Diest
Carlson	Johnson	Peterson	Weborg
Carmody	Knezacek	Price	

Voting in the negative, 0.

Not voting, 4:

Metzger	Mueller	Thomas, Amos	Thomas, Ray

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 198. With emergency clause.

A bill for an Act to amend Sec. 39-11,113, C. S. Supp., 1939, relating to highways and bridges; to provide that certain motor vehicles shall display warning flags at certain times; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams, E. A.	Crosby	Kotouc	Raecke
Adams, J. Jr.	Crossland	Lambert	Rakow
Asimus	Gantz	Matzke	Reed
Bevins	Garber	Mekota	Sorrell
Blome	Greenamyre	Mischke	Sullivan
Bowman	Hanna	Murphy	Thornton
Brodahl	Howard	Neubauer	Tvrdik
Callan	Jeppesen	Norman	Van Diest
Carlson	Johnson	Peterson	Weborg
Carmody	Knezacek	Price	

Voting in the negative, 0.

Not voting, 4:

Metzger	Mueller	Thomas, Amos	Thomas, Ray

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 85. With emergency clause.

A bill for an Act to amend Sec. 77-2218, C. S. Supp., 1939, relating to revenue; to provide that moneys arising from inheritance tax may, by resolution of the county board, be credited in whole or in part to and expended from the county general fund either for county general fund purposes or for the relief of worthy, incapacitated or indigent persons or from a special fund to be expended under the direction of the county board for the sole purpose of the improvement of the county roads to be built without the corporate limits of any city or village; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams, E. A.	Carmody	Knezacek	Peterson
Adams, J. Jr.	Crossland	Kotouc	Price
Asimus	Gantz	Lambert	Raecke
Bevins	Garber	Matzke	Rakow
Blome	Greenamyre	Mekota	Sorrell
Bowman	Hanna	Mischke	Sullivan
Brodahl	Howard	Murphy	Thornton
Callan	Jeppesen	Neubauer	Tvrdik
Carlson	Johnson	Norman	Van Diest
			Weborg

Voting in the negative, 0.

Not voting, 6:

Crosby	Mueller	Thomas, Amos	Thomas, Ray
Metzger	Reed		

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 29.

A bill for an Act to amend Sec. 77-2001, C. S. Supp., 1939, relating to revenues; to provide that if the second half of the previous year's taxes are the only taxes delinquent on real estate then that

real estate shall not be subject to sale; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 39:

Adams, E. A.	Crosby	Kotouc	Raecke
Adams, J. Jr.	Crossland	Lambert	Rakow
Asimus	Gantz	Matzke	Sorrell
Bevins	Garber	Mekota	Sullivan
Blome	Greenamyre	Mischke	Thomas, Ray
Bowman	Hanna	Murphy	Thornton
Brodahl	Howard	Neubauer	Tvrdik
Callan	Jeppesen	Norman	Van Diest
Carlson	Johnson	Peterson	Weborg
Carmody	Knezacek	Price	

Voting in the negative, 0.

Not voting, 4:

Metzger	Mueller	Reed	Thomas, Amos

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 63. With emergency clause.

A bill for an Act relating to domestic fowls; to regulate the sale of commercial chicks at public auction; to define terms used in this act; to require that there be placed on all containers of commercial chicks, offered for sale at public auction, a sworn statement describing the chicks contained therein; to provide exceptions; to provide that the auctioneer shall be relieved of liability when sworn statement is made; to provide penalty for violation thereof; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 31:

Adams, E. A.	Crosby	Johnson	Raecke
Adams, J. Jr.	Crossland	Matzke	Rakow

Bevins	Gantz	Mischke	Sorrell
Blome	Garber	Murphy	Thomas, Ray
Bowman	Greenamyre	Neubauer	Thornton
Brodahl	Hanna	Norman	Tvrdik
Callan	Howard	Peterson	Weborg
Carlson	Jeppesen	Price	

Voting in the negative, 2:

Carmody	Lambert

Not voting, 10:

Asimus	Mekota	Mueller	Sullivan
Knezacek	Metzger	Reed	Thomas, Amos
Kotouc			Van Diest

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 44. With emergency clause.

A bill for an Act to amend Section 50-114, Compiled Statutes of Nebraska, 1929, relating to the legislature; to provide for its officers and certain employees and to prescribe their duties; to provide that the sergeant-at-arms shall procure a banner of the state of Nebraska and display the same from the top of the state capitol building during the time the legislature is in session; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

Adams, E. A.	Gantz	Matzke	Raecke
Adams, J. Jr.	Garber	Mekota	Rakow
Asimus	Greenamyre	Mischke	Sorrell
Blome	Hanna	Murphy	Sullivan
Bowman	Howard	Neubauer	Thomas, Ray
Brodahl	Jeppesen	Norman	Thornton
Carlson	Johnson	Peterson	Tvrdik
Crosby	Knezacek	Price	Van Diest
Crossland	Kotouc		Weborg

Voting in the negative, 2:

Callan	Carmody

Not voting, 6:

Bevins	Metzger	Reed	Thomas, Amos
Lambert	Mueller		

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 43. With emergency clause.

A bill for an Act to amend Sec. 72-707, C. S. Supp., 1939, relating to public property; to provide for the acquisition and display of the national flag of the United States of America on a suitable flag staff located on the state capitol or its environs by the governor; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams, E. A.	Crosby	Kotouc	Rakow
Adams, J. Jr.	Crossland	Matzke	Reed
Asimus	Gantz	Mekota	Sorrell
Bevins	Garber	Mischke	Sullivan
Blome	Greenamyre	Murphy	Thomas, Ray
Bowman	Hanna	Neubauer	Thornton
Brodahl	Howard	Norman	Tvrdik
Callan	Jeppesen	Peterson	Van Diest
Carlson	Johnson	Price	Weborg
Carmody	Knezacek	Raecke	

Voting in the negative, 0.

Not voting, 4:

Lambert	Metzger	Mueller	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 262.

A bill for an Act to amend Section 85-402, Compiled Statutes of Nebraska, 1929, relating to the state university and normal schools; to provide for the construction and financing of buildings for dormitories and for boarding, housing and student activity purposes; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 40:

Adams, E. A.	Crosby	Kotouc	Price
Adams, J. Jr.	Crossland	Lambert	Raecke
Asimus	Gantz	Matzke	Rakow
Bevins	Garber	Mekota	Reed
Blome	Greenamyre	Metzger	Sorrell
Bowman	Hanna	Mischke	Thomas, Ray
Brodahl	Howard	Murphy	Thornton
Callan	Jeppesen	Neubauer	Tvrdik
Carlson	Johnson	Norman	Van Diest
Carmody	Knezacek	Peterson	Weborg

Voting in the negative, 0.

Not voting, 3:

Mueller	Sullivan	Thomas, Amos

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION—To Reconsider Action on L. B. No. 49

Mr. President: I move that the action in enacting L. B. No. 49 be reconsidered and that the bill be returned to Third Reading File.

(Signed) Crosby

The motion prevailed with 34 ayes, no nays, 9 not voting.

MOTION—To Recommit to E and R

Mr. President: I move that the bill be recommitted to committee on Enrollment & Review to correct an error and for re-engrossment. (Signed) Crosby

The motion prevailed.

Referred to E and R for correction and re-engrossment.

SELECT FILE

LEGISLATIVE BILL NO. 134. E and R amendments, found in the Legislative Journal for the Forty-first Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 131. E and R amendments, found in the Legislative Journal for the Forty-first Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 70. E and R amendment, found in the Legislative Journal for the Forty-first Day, was adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 182. E and R amendments, found in the Legislative Journal for the Forty-first Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 196. E and R amendments, found in the Legislative Journal for the Forty-first Day, were adopted.

Referred to E and R for engrossment.

Mr. Hanna presiding

GENERAL FILE

LEGISLATIVE BILL NO. 10. Mr. Greenamyre moved to adopt his Specific amendments, found in the Legislative Journal for the Forty-first Day.

The motion prevailed.

Mr. Lambert moved to refer to E and R for review.

Mr. Mekota moved to indefinitely postpone.

The motion to indefinitely postpone prevailed with 23 ayes, 16 nays, 4 not voting.

Adjournment

At 11:56 a. m. on motion by Mr. Reed the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

FORTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Friday, March 7, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. Speaker Howard presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Amos Thomas, who was excused.

The Journal for the Forty-second Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Carlson, one, favoring L. B. No. 7.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce & Insurance

L. B. No. 286, Thursday, March 13, 1941, 2:00 p. m. (Continued)

L. B. No. 219, Thursday, March 13, 1941, 2:00 p. m.

L B. No. 297, Thursday, March 13, 1941, 2:00 p. m.

L. B. No. 309, Thursday, March 13, 1941, 2:00 p. m.

Appropriations

L. B. No. 266, Monday, March 17, 1941, 2:00 p. m.

L. B. No. 281, Monday, March 17, 1941, 2:00 p. m.

L. B. No. 311, Monday, March 17, 1941, 2:00 p. m.

L. B. No. 334, Thursday, March 13, 1941, 2:00 p. m.

L B. No. 432, Thursday, March 13, 1941, 2:00 p. m.

L. B. No. 484, Thursday, March 13, 1941, 2:00 p. m.

L. B. No. 340, Thursday, March 13, 1941, 2:00 p. m.

Revenue

L. B. No. 88, Tuesday, March 18, 1941, 2:00 p. m. (Continued)

L. B. No. 470, Tuesday, March 18, 1941, 2:00 p. m. (Continued)

L. B. No. 401, Tuesday, March 18, 1941, 2:00 p. m. (Continued)

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL NO 283. Placed on General File.

LEGISLATIVE BILL NO. 338. Indefinitely postponed.

LEGISLATIVE BILL NO. 307. Indefinitely postponed.

LEGISLATIVE BILL NO. 228. Indefinitely postponed.

(Signed) Neubauer, Chairman.

Enrollment & Review

Presented to Governor for Approval

Thursday, March 6, 1941 at 4:25 p. m.

L. B. No. 113	L. B. No. 4
L. B. No. 108	L. B. No. 14

LEGISLATIVE BILL NO. 46. Placed on Select File with amendments.

E and R amendments to L. B. No. 46:

1. Amend the standing committee amendment, amendment No. 1, 2-7-41, line 2, by striking the punctuation "." after the word "court" therein and by inserting in lieu thereof the punctuation ";".

2. Amend the bill, general file amendments, Mekota, 2-26-41, line 2, by striking the word "violation" therein and by inserting in lieu thereof the word and punctuation "violations.".

3. Amend the general file amendment, Van Diest, 3-3-41, by providing that L. B. 46 be amended by inserting a new section 5, to replace the section 5 stricken by the Mischke amendment, to read as follows:

"Sec. 5. The publication of any advertisement in contravention with the provisions of this act by any newspaper at the request of the retailer or wholesaler shall not render the owner of the newspaper or his agents or servants liable for any penalty as in this act provided.

4. Amend the bill, title, line 6, after the semicolon, by inserting "to provide as to advertisements in newspapers in contravention with this act;".

LEGISLATIVE BILL NO. 39. Replaced on Select File with amendment.

E and R amendment to L. B. No. 39:

1. Amend the bill, section 1, page 2, line 25, by striking therefrom the words "is situated".

Correctly engrossed

L. B. No. 194	L. B. No. 146
L. B. No. 285	L. B. No. 144
L. B. No 173	L. B. No. 110

(Signed) Crosby, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 12. Permanent School Fund

Introduced by Garber of Webster

WHEREAS, the status of the permanent school fund of Nebraska

has been the subject of discussion and speculation for a number of years and that today there is a public demand for legislative investigation into this fund, NOW THEREFORE, BE IT RESOLVED BY THE NEBRASKA LEGISLATURE:

That a committee of seven senators be appointed by the president and empowered to subpoena witnesses and collect evidence relative to all moneys and investments of the permanent school fund, and also that an appropriation of $100.00 be allowed from the legislative fund to defray expenses necessary in the judgment of this committee.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 69. With emergency clause.

A bill for an Act relating to municipal corporations; to authorize cities of the second class and villages to establish and maintain cold storage or refrigeration plants; and to declare an emergency.

MOTION—To Proceed to Select File

Mr. Ernest Adams moved to suspend the rules and proceed to consider bills on Select File.

A call of the House was ordered.

The call was raised.

The motion was lost with 28 ayes, 1 nay, 14 not voting.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams, E. A.	Garber	Mekota	Rakow
Asimus	Greenamyre	Metzger	Reed
Blome	Hanna	Mischke	Sorrell
Bowman	Howard	Murphy	Sullivan
Brodahl	Jeppesen	Neubauer	Thomas, Ray
Carlson	Johnson	Norman	Thornton
Carmody	Knezacek	Peterson	Tvrdik
Crosby	Kotouc	Price	Van Diest
Crossland	Lambert	Raecke	Weborg
Gantz			

Voting in the negative, 0.

Not voting, 6:

Adams, J. Jr.	Callan	Mueller
Bevins	Matzke	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 114. With emergency clause.

A bill for an Act to amend Section 7-102, Compiled Statutes of Nebraska, 1929, relating to attorneys at law; to prescribe qualifications of applicants for admission to the bar of Nebraska; to define and designate reputable law schools within the state whose graduates are entitled to take bar examinations for and to be admitted to the practice of the law; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 30:

Adams, E. A.	Garber	Lambert	Sorrell
Asimus	Greenamyre	Metzger	Sullivan
Blome	Hanna	Mischke	Thomas, Ray
Bowman	Howard	Murphy	Thornton
Brodahl	Jeppesen	Neubauer	Tvrdik
Carlson	Johnson	Norman	Van Diest
Carmody	Knezacek	Reed	Weborg
Crosby	Kotouc		

Voting in the negative, 3:

Crossland	Gantz	Raecke

Not voting, 10:

Adams, J. Jr.	Matzke	Peterson	Rakow
Bevins	Mekota	Price	Thomas, Amos
Callan	Mueller		

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Explanation of Vote.

Mr. President: I vote "no" on L. B. No. 114 for the reason that in my opinion the matter covered by the bill is a function of the Judiciary and not of the Legislature. (Signed) Gantz

SELECT FILE

LEGISLATIVE BILL NO. 80. Laid over. Retains Place on File.

LEGISLATIVE BILL NO. 167. E and R amendments, found in the Legislative Journal for the Forty-second Day, were adopted.

Referred to E and R for engrossment.

Mr. Greenamyre presiding

GENERAL FILE

LEGISLATIVE BILL NO. 273. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 278. Section 1 was read.

Laid over. Retains place on File.

LEGISLATIVE BILL NO. 377. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 390. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 58. Standing Committee amendments, found in the Legislative Journal for the Thirty-seventh Day, were adopted.

Mr. Sorrell moved to refer to E and R for review.

Mr. Asimus moved to indefinitely postpone.

The motion prevailed with 18 ayes, 13 nays, 12 not voting.

Indefinitely postponed.

LEGISLATIVE BILL NO. 275. Unanimous consent granted to read Standing Committee amendments, found in the Legislative Journal for the Thirty-eighth Day, in lieu of original bill.

Mr. Hanna offered the following amendments, which were adopted:

Amend Sec. 10 by striking in line 6 the following: "or transport the cattle across the Nebraska state line".

Amend Sec. 11, line 8, by striking "Nebraska stock growers' association" and substituting therein the words "Nebraska brand committee".

Standing Committee amendments, as amended, were adopted.

Mr. Carmody offered the following amendments to Standing Committee amendments:

Sec. 9, line 4, after the word "any" and before the word "cattle" insert the word **"branded"**.

Sec. 11, line 9, after the word "any" and before the word "livestock" insert the word **"branded"**.

Sec. 14, line 1, after "no" and before the word "cattle" insert the word **"branded"**.

Sec. 18, line 4 after the word "of" and before the word "cattle" insert the word **"branded"**.

Sec. 19, line 2, after the word "of" and before the word "cattle" insert the word **"branded"**; and in line 3, after "any" and before "cattle" insert **"branded"**.

The Carmody amendments were adopted with 12 ayes, 3 nays, 28 not voting.

Mr. Gantz offered the following amendment, which was adopted:

Amend the Standing Committee amendments, title, by inserting after the words "responsibilities of" and before the word "its" the following: **"said committee and"**.

Mr. Howard moved to refer to E and R for review.

The motion prevailed with 27 ayes, no nays, 16 not voting.

Referred to E and R for review.

MOTION—To Refer L. B. No. 495 to General File

Mr. Metzger moved to recall L. B. No. 495 from Committee on Enrollment and Review and place the same on General File for the following Specific amendments:

1. Amend the bill, page 7, section 7, line 80 by inserting after the word **"published"** therein and before the preposition **"in"** therein the following:

"in book or pamphlet form or".

2. Amend the bill, page 15, by striking all of section 19 thereon and by inserting in lieu thereof the following:

"Sec. 19. **Subdivision 1.** Within thirty days after the adoption of the resolution which provides for the zoning of the county or any portion thereof outside the corporate limits of any city or village, as provided in Sec. 26-105, C. S. Supp., 1939, as amended by section 7, legislative bill No. 495, fifty-fifth session, Nebraska state legislature, 1941, the county zoning commission shall prepare and adopt a building code which, if it is approved by resolution of a majority of the members-elect of the county board, then the county board shall cause such resolution to be published in book or pamphlet form or in a legal newspaper published in and of general circulation in the county one time: **Provided,** the county board may from time to time, by resolution, which shall have the force and effect of law, amend the building code so adopted. The county board is further empowered and authorized to adopt by resolution, which shall have the force and effect of law, the conditions, provisions, limitations and terms of a plumbing code, an electrical code, a fire prevention code or any other standard code which contains rules or regulations printed as a code in book or pamphlet form, by reference to such code, or portions thereof, alone without setting forth in said resolution the conditions, provisions, limitations or terms of such code; and when any such code, or portion thereof, shall be incorporated by reference into any resolution, as aforesaid, it shall have the same force and effect as though it had been spread at large in such resolution, without further or additional publication thereof: **Provided,** that not less than three copies of such standard code, or portion thereof, shall be filed for use and examination by the public in the office of the clerk of such county prior to the adoption thereof; **and provided further,** the adoption of any such standard code by reference shall be construed to incorporate such amendments thereof as may be made therein from time to time, if three copies of such standard code so filed shall be at all times kept current in the office of the clerk of the county. **Subdivision 2.** The county board is further empowered and author-

ized to pass, approve and publish any other resolution governing and controlling zoning after the zoning district is created and established, as provided in this act and when such resolutions are passed and approved, they shall be published as provided in subdivision 1 of this section. If any resolution is published by printing the same in book or pamphlet form, purporting to be published by authority of the county board, the same need not be otherwise published, and such book or pamphlet shall be received as evidence of the passage and legal publication of such resolution as of the dates mentioned in such book or pamphlet, in all courts without further proof. **Subdivision 3.** If any person shall violate any of the provisions of this act for which penalty is not elsewhere provided therein, or if any person shall violate any of the provisions of any resolution adopted under the power and authority granted to county boards hereunder, such person shall be punished upon conviction in the same manner as for a violation of section 17 of this act in accordance with the penalties prescribed therein.".

3. Amend the bill, page 1a, title, line 35 by inserting after the word and punctuation "clause;" therein the following:

"to provide penalties for the violation of this act and for the violation of the provisions of resolutions adopted by the county board for the administration and enforcement thereof;".

The motion prevailed.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 495. Mr. Metzger moved that his Specific Amendments, above set out, be adopted.

The motion prevailed.

Referred to E and R for review.

MOTION—To Recommit L. B. No. 109 to Select File

Mr. Howard moved that L. B. No. 109 be recommitted to Select File for the following Specific Amendments:

1. Strike specific amendment No. 8, adopted February 19, 1941.

2. Amend the bill, page 3, section 1, line 46 by inserting after the word and punctuation "hauled," therein the following:

"the registration fee on commercial truck-tractors shall be based on the load to be hauled on such truck-tractors plus the load to be

hauled on any semi-trailer connected therewith," ;
and after the conjunction "and" in said line 46 insert the following:

"the registration fee on such commercial trucks and truck-tractors shall be".

3. Amend the bill, page 5, by inserting after line 117, section 1 thereon, the following:

"Sec. 2. That Sec. 39-1193, C. S. Supp., 1939, be amended to read as follows:

39-1193. No person shall operate a motor vehicle on any highway outside of a city or village at a rate of speed greater than is reasonable and proper, having regard for the traffic and use of the road and the condition of the road, nor at a rate of speed such as to endanger the life or limb of any person, nor in any case at a rate of speed exceeding sixty miles per hour between the hours of sunrise and sunset and fifty miles per hour between the hours of sunset and sunrise; and it shall be unlawful for the driver of any vehicle towing a trailer or semi-trailer or of a freight-carrying vehicle, if the gross weight of said freight-carrying vehicle towing a trailer or semi-trailer and any load thereon is more than five tons, to drive the same at a speed exceeding forty miles per hour: **Provided,** that no motor vehicle shall be unnecessarily driven at such a slow speed as to impede or block the normal and reasonable movement of traffic. It shall be unlawful to operate upon the public highways of this state any commercial motor truck, **truck-tractor or** trailer ~~or semi-trailer~~ carrying a load of more than ~~20%~~ **twenty per cent** in excess of the carrying capacity on which the registration fee on said vehicle has been paid: Provided; **and provided further,** that the maximum tolerance of ~~20%~~ **twenty per cent** shall not exceed ~~1,000 lbs.~~ **one thousand pounds.** Any person owning or operating any commercial freight-carrying vehicle, bus, truck, **truck-tractor or** trailer, ~~or semi-trailer~~, in violation of the provisions of this section shall be deemed guilty of a misdemeanor, and, upon conviction thereof **for the first and second offenses** shall be fined not less than ten dollars and not more than one hundred dollars, and, upon the third conviction of violation of the provisions of this section by the owner or operator of such vehicle, the license of such vehicle shall be revoked, either by the trial court or by **the state engineer for** the ~~Department~~ **department** of ~~Public Works~~ **roads and irrigation.** In that event, the number plates and certificates of registration of vehicle shall be returned to the ~~County Treasurer~~ **county treasurer** who shall have issued the same: **Provided,** the tribunal or department depriving said licensee of his license shall have authority upon good cause shown, **again** to again order that a license be issued to said licensee: . Each truck shall be equipped with a rear view

mirror which shall be kept clean, repaired and installed according to the official highway rules.".

4. Amend the bill, page 5, by striking all of section 2 thereon and by inserting in lieu thereof the following:

"Sec. 3. That said original Secs. 60-328 and 39-1193, C. S. Supp., 1939, are hereby repealed.

5. First, strike specific amendment 16, February 19, 1941, and then amend the bill, page 1, title by striking all of said title after the word "ACT" in line 2 therein and by inserting in lieu thereof the following:

"to amend Secs. 60-328 and 39-1193, C. S. Supp., 1939, relating to motor vehicles; to establish the license fee for motor vehicles engaged in the transportation for hire of school children and school teachers to school activities away from the school; to define the words "semi-trailer"; and "truck-tractor"; to provide the amount of annual motor vehicle registration fees to be paid on semi-trailers or truck-tractors; to provide that no truck-tractor shall be operated on the highways of this state with a load of more than twenty per cent in addition to the load for which such truck-tractor is licensed; and to repeal said original sections.".

The motion prevailed.

Placed on Select File.

MOTION—To Make Special Order

Mr. Mekota moved that consideration of Mr. Howard's amendments to L. B. No. 109 be deferred until Monday, March 10, 1941 at 11:00 a. m., and that mimeographed copies thereof be placed upon each member's desk before that time.

The motion prevailed.

STANDING COMMITTEE REPORTS (Continued)

Enrollment & Review

LEGISLATIVE BILL NO. 495. Replaced on Select File with amendment.

E and R amendment to L. B. No. 495:

1. Amend the bill, page 7, section 7, line 76, by striking the word "members-elect" and inserting in lieu thereof the word "members."

(Signed) Crosby, Chairman

Member excused

Mr. Rakow was excused from the session on Monday, March 10, 1941.

Adjournment

At 12:03 p. m. Mr. Johnson moved that the rules be suspended and that the Legislature adjourn until Monday, March 10, 1941 at 10:00 a. m.

The motion prevailed with 31 ayes, no nays, 12 not voting.

Hugo F. Srb,
Clerk of the Legislature.

FORTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, March 10, 1941

Pursuant to adjournment, the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Mueller, Rakow and Amos Thomas, who were excused.

The Journal for the Forty-third Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Mueller, one, all members, one, favoring tax exemption for gasoline used in farm motors.

NOTICE OF COMMITTEE HEARINGS

Revenue

L. B. No. 185, Thursday, March 20, 1941, 2:00 p. m.

L. B. No. 498, Thursday, March 20, 1941, 2:00 p. m.

L. B. No. 346, Tuesday, March 25, 1941, 2:00 p. m.

L. B. No. 347, Tuesday, March 25, 1941, 2:00 p. m.

L. B. No. 420, Tuesday, March 25, 1941, 2:00 p. m.

Public Works

L. B. No. 471, Friday, March 14, 1941, 2:00 p. m. (continued)

L. B. No. 429, Friday, March 14, 1941, 2:00 p. m. (continued)

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL NO. 490. Indefinitely postponed.

LEGISLATIVE BILL NO. 444. Indefinitely postponed.

(Signed) Neubauer, Chairman

Banking, Commerce & Insurance

LEGISLATIVE BILL NO. 215. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 215:

1. Amend the bill, page 4, section 1, line 88 by striking therefrom the words "One hundred" and by inserting in lieu thereof the words "One hundred **Ninety-eight**" and in said line 88 by striking the word "fifty" and by inserting in lieu thereof the words "~~fifty~~ **forty-eight**"; and in said line 88 by striking the word "twenty-five" and by inserting in lieu thereof the words "twenty-five **twenty-four**".

2. Amend the bill, page 4, section 1, line 89 by inserting after the second word "pounds" therein the following:

"or less if the net weight is plainly marked thereon".

3. Amend the bill, page 1, title, line 3 by inserting after the definite article "the"' and before the word "size" the words "weight and".

LEGISLATIVE BILL NO. 270. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 270:

1. Amend the bill, page 2, section 1, line 7 by inserting ing after the word and punctuation "necessary," therein the word "promptly".

2. Amend the bill, page 2, section 1, line 8 by striking therefrom the words "report to the governor" therein and by inserting in lieu thereof the following: "to determine"; and also in line 7 of said section 1 on page 2 strike the comma after the word "same".

3. Amend the bill, page 2, section 1, line 3 by striking therefrom the words "should result" therein and by inserting in lieu thereof the word "results".

4. Amend the bill, page 2, section 1, line 5 by striking therefrom the words "give immediate notice thereof" and by inserting in lieu thereof the following:

"immediately furnish a copy of the same notice that it is required to furnish to the Interstate Commerce Commission".

5. Amend the bill, page 2, section 2, line 1 by inserting after the word "corporation" and before the word "operating" therein the following:

", its employees, agents or servants,".

6. Amend the bill, page 1, title, lines 2 and 3 by striking therefrom the words "railroads to give immediate notice" and by inserting in lieu thereof the following:

"that railroads shall immediately furnish a copy of the same notice that it is required to furnish to the Interstate Commerce Commission".

LEGISLATIVE BILL NO. 106. Indefinitely postponed.

LEGISLATIVE BILL NO. 160. Indefinitely postponed.

LEGISLATIVE BILL NO. 298. Indefinitely postponed.

(Signed) Thornton, Chairman

Claims & Deficiencies

LEGISLATIVE BILL NO. 57. Placed on General File.

(Signed) Lambert, Chairman

Government

LEGISLATIVE BILL NO. 231. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 231:

1. Amend the bill page 3, section 2, by striking all of lines 18, 19, 20, and 21 to the word "Before", and inserting in lieu thereof these words "or who are engaged in the manufacturing, selling or dispensing of intoxicating liquors."

2. Amend the bill page 6, section 3, line 23 by inserting after the word "dence" the words "or change of name".

3. Amend the bill page 6, section 3, line 33 by inserting the words "three of" after the words "publication in".

4. Amend the bill page 6, section 3, line 34 by striking the word "daily".

5. Amend the bill page 11, section 7, by striking all of lines 33, 34, 35, 36, 37, 38, and 39.

6. Amend the bill page 12, section 9, line 9 by striking the words "Other deputy commissioners and" and by capitalizing the word "judges".

7. Amend the bill page 12, section 9, line 11 by inserting the words "receive and be paid" after the word "shall".

LEGISLATIVE BILL NO. 12. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 12:

1. Amend the bill, page 2, by striking all of section 2 thereon and by inserting in lieu thereof the following:

"Section 1. That Sec. 60-407, C. S. Supp., 1939, be amended to read as follows:

60-407. The applications for license provided for herein shall be filed with the County Treasurer who shall transmit the same weekly to the Director after approval by the appointed examiner as herein provided. The application shall be accompanied by a fee of one dollar from each applicant not holding an operator's license at the effective date of this Act and seventy-five cents from each applicant holding an operator's license at the effective date of this Act; and each renewal application for license under this Act shall be accompanied by a fee of seventy-five cents. Five cents of each of the said original and renewal fees shall be credited forthwith to the general fund of the county and, by said County Treasurer, shall be included in his report of fees as provided by law and shall be available to reimburse the county treasurer for the clerical services rendered by his office in issuing said licenses. The balance

of the license fees provided herein shall, by the County Treasurer, be remitted to the State Treasurer and shall be credited by the State Treasurer to the "Motor Vehicle Operator's License Fund". The Director during any biennium is hereby authorized to draw upon the said fund in the hands of the State Treasurer for all the expenses of the administration and enforcement of the provisions of this Act and for purposes of traffic and safety education. Not to exceed two per cent shall be used for traffic and safety educational purposes, and the remainder of said fund shall be available for highway patrol **the Division of Highway Safety and Patrol** and administrative purposes and for no other purpose or use: Provided, within the foregoing limitations, the Legislature shall make specific appropriations for each of said purposes during the next and succeeding bienniums.

Section 2. That Sec. 60-409, C. S. Supp., 1939, be amended to read as follows :

60-409. The Director shall assign a distinguishing number to each license issued and shall keep an index record of the same which shall be open to public inspection. The Director shall also keep a record of all applications for licenses that are disapproved, indexed by counties, with a brief statement of the reason for disapproval of the application. The "Motor Vehicle Operator's License" shall be in the form of a card of a size that may be conveniently carried on the person. Each license card shall carry the following statements: name; age; place of residence; post office address; a brief personal description of the licensee sufficient for identification and such other facts and information, not inconsistent with this Act, as the said Director may determine. Every person licensed to operate motor vehicles under the provisions of this Act, shall, upon receipt of said license card endorse his or her signature thereon in a space provided for such purpose, and no license shall be valid until the license card is so endorsed. Said license card shall at all times be carried by the licensee when operating a motor vehicle on the public highways of this state and shall be presented by the licensee for examination, or he shall present proof of ownership of the same, upon demand by any officer, employee or agent of the Division of Highway Safety and Patrol, police or peace officer recognized as such by the laws of this state. Such officer, employee or agent must in ever case of making demand on the motor vehicle operator to show a motor vehicle operator's license, first display proper evidence of his lawful authority to act as an officer of the law. Outside of incorporated villages, towns and cities no officer, except an officer, agent or employee of the division of highway safety and patrol, the state or county sheriff **sheriffs**, or their authorized deputies, shall exercise the authority to demand presentation of a motor vehicle operator's license. Any unauthorized person

impersonating an officer under color of the provisions of this Act shall be deemed guilty of a felony, and, upon conviction thereof be subject to a fine of Five Hundred Dollars ($500.00) or imprisonment for one year or both at the discretion of the court. In the event of the loss of a license card by any person duly licensed under the provisions of this Act, said person may obtain a duplicate thereof upon filing in the office of the County Treasurer application therefor, together with an affidavit showing the fact of loss; and, upon said officer being satisfied that said loss is genuine, he shall issue upon the payment of twenty-five cents (25¢) fee, a duplicate license: Provided, such duplicate license fee in each instance shall be by the County Treasurer credited, allocated and accounted for as in the cases of original and renewal motor vehicle operator's license fees as provided in Section 17 (60-407) of this Act.

Section 3. That Sec., 60-417, C. S. Supp., 1939, be amended to read as follows:

60-417. There is hereby established the division of Highway Safety and Patrol **in the Department of Roads and Irrigation,** to be known as the Nebraska Safety Patrol. The chief officer of the said Nebraska Safety Patrol shall be the State Sheriff **Director. The governor is hereby authorized, in the enforcement of all criminal laws of the state, to call to his assistance and appoint any number of persons necessary to enforce the criminal laws of the state, of which number of persons not more in amount that fifteen per cent (15%) of the number of uninformed members of the Nebraska Safety Patrol shall be members of the Division of Highway Safety and Patrol and shall be known as the section of Criminal Investigation and Identification of said Nebraska Safety Patrol; all appointees shall have the same powers in each of the several counties of the state as the sheriffs have in their respective counties, in so far as criminal matters are concerned. The provisions herein shall not be construed to in any way relieve any local officer of his obligation and responsibility in his respective county: provided: In any case of emergency where the officials in any city or county who are charged with the enforcement of any of the laws of the state, refuse or fail to enforce the general laws, the governor is hereby authorized to direct the persons appointed under the provisions of this Act, to enforce the general laws of the state.**

Section 4. That Sec. 60-418, C. S. Supp., 1939, be amended to read as follows:

60-418. The State Sheriff **Director** shall appoint such subordinate officers, captains, sergeants, patrolmen and such other employees as may be necessary to carry out the provisions of this Act. The salaries of all such appointees shall be fixed by the said sheriff

Director pursuant to law in amounts similar to those of other state officers and employees performing similar services. All such appointees shall give bond in the penal sum of $2000.00 for the faithful performance of their duties; and said bonds shall be approved and filed in the same manner as other state officers. Premiums on all of such bonds shall be paid from the administrative fund appropriated to the Division of Highway Safety and Patrol.

Section 5. That Sec. 60-419, C. S. Supp., 1939, be amended to read as follows:

60-419. The Nebraska Safety Patrol, its officers, patrolmen and other employees shall be used for the enforcement of the traffic and motor vehicle laws of the State of Nebraska and the handling of traffic within the state; **and for the operation of such broadcasting stations as may be necessary to disseminate information which will make possible the speedy apprehension of law breakers, as well as such other information as may be necessary in connection with the duties of such office; and when designated by the Director shall enforce all criminal laws of the state; and shall collect and classify, and keep at all times available, complete information useful for the detection of crime, and the identification and apprehension of criminals, as provided for in sections 29-209, C. S. 1929, and 29-210, C. S. 1929.**

Section 6. That Sec. 60-421, C. S. Supp., 1939, be amended to read as follows:

60-421. ~~The chief officer and all~~ **All** members of the division of highway safety and patrol and all other peace officers mentioned in Section 1 of this Act (39-11.119) shall have the power: a. Of peace officers for the purpose of enforcing the provisions of this Act, viz: Chapter 141, Session Laws of Nebraska, 1937, as amended and of any other law regulating the operation of vehicles or the use of the highways, **and when designated by the Director, shall have the power to enforce all criminal laws of the state.** b. To make arrests upon view and without warrant for any violation committed in their presence of any of the provisions of this Act or other law regulating the operation of vehicles or the use of the highways, **and for any violation of any of the criminal laws of the state.** c. At all times to direct all traffic in conformity with law and in the event of a fire or other emergency, or to expedite traffic, or to insure safety to direct traffic as conditions may require notwithstanding the provisions of law. d. When on duty, upon reasonable belief that any vehicle is being operated in violation of any provisions of this Act or of any other law regulating the operation of vehicles to require the driver thereof to stop and exhibit his operator's license and registration card issued for the vehicle and submit to an inspection of such vehicle, the registration plates and registration card thereon. To require the drivers

of motor vehicles to present their vehicles at the nearest inspection station or garage for inspection without charge upon reasonable belief that such motor vehicle is being operated in violation of the statutes of Nebraska pertaining to light and brake equipment or the rules and regulations of the Director of Motor Vehicles pertaining to loads. e. To inspect any vehicle of a type required to be registered according to law in any public garage or repair shop or in any place where such vehicles are held for sale or wrecking. f. To serve warrants relating to the enforcement of the laws regulating the operation of vehicles or the use of the highways. **To investigate for the purpose of carrying on a study of traffic accidents and the enforcement of this Act and other motor vehicle and highway safety laws.** g. To investigate traffic accidents for the purpose of carrying on a study of traffic accidents and enforcing this Act and other motor vehicle and highway safety laws. **To serve warrants relating to the enforcement of the laws regulating the operation of vehicles or the use of the highways, and to serve criminal processes.**

Section 7. That Sec. 60-423, C. S. Supplement, 1939, be amended to read as follows:

60-423. The division of Highway Safety and Patrol shall properly patrol the highways of this state and cooperate with the Director of Motor Vehicles and sheriffs and police officers in enforcing the laws regulating the registration, annual inspection, operation and use of vehicles upon the highway, **and when designated by the Director shall enforce all criminal laws of the state.**

Section 8. That Sec. 60-424, C. S. Supp., 1939, be amended to read as follows:

60-424. All members of said division **the section of traffic control** when on duty shall be dressed in distinctive uniform and **shall** display a badge of office. The Director shall issue to each member of the division a badge of office with a seal of this state in the center thereof, the words "Nebraska Safety Patrol" encircling said seal and below **it,** the designation of the position held by the member to whom issued. Every such badge shall be serially numbered or each member shall otherwise display a distinctive serial number.

Section 9. **Subdivision 1.** There is hereby created the **"Nebraska Highway Traffic Advisory Committee to the War Department"** hereinafter referred to as the "Committee", which shall be composed of the state engineer, the assistant director of motor vehicles and the chief officer of the Nebraska Safety Patrol. The committee shall designate one of its members as chairman and one of its members as secretary. **Subdivision 2.** The committee is hereby vested with the following powers and duties: (a) To cooperate with the agencies of this and other states and of the federal government which are con-

nected with national defense, in the formulation and execution of plans for the rapid and safe movement over the highways of troops, vehicles of a military nature and materials affecting the national defense. (b) To coordinate the activities of the department of roads and irrigation in a manner which will best serve to effectuate any such plan for the rapid and safe movement of troops, vehicles and materials as referred to in paragraph (a) in this subdivision. (c) To solicit the cooperation of officials of the various governmental subdivisions of the state in the proper execution of such plan. (d) To take an inventory, by counties, of the trucks and buses in the state, publicly and privately owned, which would be available in case of emergency affecting the national defense. **Subdivision 3.** The committee may, in conjunction with any interested public or private agencies, conduct a highway safety and driver training program as an aid to the national defense.

Section 10. That said original Sections 60-407, 60-409, 60-417, 60-418, 60-419, 60-421, 60-423, 60-424, C. S. Supp., 1939, are hereby repealed.

Section 11. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval according to law.

2. Amend the bill, page 1, title, by striking all of said title after the word "ACT" in line 2 therein and by inserting in lieu thereof the following:

"relating to state administrative departments; to create the Division of Highway Safety and Patrol in the Department of Roads and Irrigation; to designate the Director of Motor Vehicles as chief law enforcement officer of the state; to provide that the Director of Motor Vehicles shall enforce traffic and motor vehicle laws and all state criminal laws including the laws pertaining to criminal identification and investigation; to authorize a system of radio communications; to designate members of the Nebraska Safety Patrol as assistants to the Director of Motor Vehicles in criminal law enforcement; to create the "Nebraska Highway Traffic Advisory Committee to the War Department"; to prescribe its powers and duties in matters of national defense pertaining to highway transportation and highway transportation equipment; to amend Sections 60-407, 60-409, 60-417, 60-418, 60-419, 60-421, 60-423, 60-424, C. S. Supp., 1939; to repeal said original sections; to repeal Sections 84-107 and 84-108, Compiled Statutes of Nebraska, 1929; and to declare an emergency.

LEGISLATIVE BILL NO. 171. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 171:

1. Amend the bill, pages 2 and 3 by striking all of sections 1, 2, and 3 thereon and by inserting in lieu thereof the following:

Section 1. That Sec. 17-401, C. S. Supp., 1939, be amended to read as follows:

17-401. Cities of the second class and villages governed by this chapter shall be bodies corporate and politic, and may sue and be sued; **may** contract or be contracted with; **may** acquire, hold and convey property, real or personal; **may receive and safeguard donations in trust and may, by ordinance, supervise and regulate such property and the principal and income constituting the foundation or community trust property in conformity with the instrument or insrtuments creating such trust; and the city council of any city of the second class, or the board of trustees of any village, may elect a board of five members, to be known as a "Board of Public Trust", who shall be resident freeholders of such city or village and whose duties shall be defined by ordinance and who shall have control and management of such donations in trust, in conformity with such ordinance, provided, however, that at the time of the establishment of said "Board of Public Trust", one member shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years, and one for a term of five years, and thereafter one member shall be appointed each year for a term of five years. Vacancies in the membership of the board shall be filled in like manner as regular members of the board are appointed; and such cities or villages shall** have a common seal which they may change and alter at pleasure; and such other powers as may be conferred by law. The power of any city of the second class or village to convey any real estate owned by it, except real estate used in the operation of public utilities, shall be exercised by ordinance directing the conveyance of such real estate and the manner and terms thereof. Notice of such sale and the terms thereof shall be published for three consecutive weeks in a legal newspaper published in or of general circulation in such city or village immediately after the passage and publication of such ordinance: **Provided,** if a remonstrance against such sale signed by legal electors thereof equal in number to thirty per cent of the electors of such city or village voting at the last regular municipal election held therein, be filed with the governing body of such city or village within thirty days of the passage and publication of such ordinance, said property shall not then, nor within one year, thereafter, be sold: **Provided,** that real estate now owned or hereafter owned by city or village, as the case may be, may be conveyed without consideration to the state of Nebraska for state armory sites, or if acquired for

state armory sites, shall be conveyed strictly in accordance with the conditions of **Sec. 18-1801, C. S. Supp., 1939, as now existing or hereafter amended.**

Sec. 2. That said original Sec. 17-401, C. S. Supp., 1939, is hereby repealed.

Sec. 3. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.

2. Amend the bill, page 1, title, line 2 by striking all of said title after the word "ACT" therein, and by inserting in lieu thereof the following:

"to amend Sec. 17-401, C. S. Supp., 1939, relating to municipal corporations; to extend the delegated charter powers of cities of the second class and villages so that they may receive and safeguard donations in trust; to provide for the appointment of a Board of Public Trust and to authorize the definition of their duties and powers by ordinance; to provide that the city or village, donee of the trust shall supervise and regulate the principal and income constituting the foundation or community trust by ordinance; to repeal said original section; and to declare an emergency."

LEGISLATIVE BILL NO. 496. Indefinitely postponed.

LEGISLATIVE BILL NO. 135. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 135:

1. Amend the bill, page 4, section 2, line 8, by inserting the figures **"135"** in the blank space therein.

2. Amend the bill, page 5, by striking all of section 5 therein and by inserting in lieu thereof the following:

"Sec. 5. That Section 16-101, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

16-101. All cities having **Subdivision 1. Whenever any city of the second class, having more than one thousand and less than five thousand inhabitants, shall have increased in population, until it shall have attained a population of** more than five thousand and less than twenty-five thousand inhabitants, as ascertained and officially promulgated by the census return and enumeration taken under the authority of the laws of the United States in the year 1900 **1940,** or as may be hereafter ascertained and officially promulgated by the **census,**

enumeration and return taken by the United States or under the authority of by the State state of Nebraska, or by the authority of the mayor and city council of any such city, shall be governed by the provisions of this chapter and be known as cities of the first class having more than five thousand and less than twenty-five thousand inhabitants desires to discontinue its organization as such city of the second class and to reorganize as a city of the first class and if thirty per cent of the qualified electors of such city of the second class, in number equal to the electors thereof who voted for mayor at the last general municipal election held therein, shall petition the local governing body of such city for its reorganization as a city of the first class, such local governing body shall refer such petition to the city clerk of such city; and, if the city clerk finds said petition to be sufficient, he shall report such finding to the local governing body and shall cause to be published for at least thirty days in a legal newspaper published in and of general circulation in such city, a notice stating that the question of adopting city of the first class government will be submitted to the electors of such city for their approval or rejection at the next annual general municipal election that is held therein. The form of ballot shall be, "For Reorganization of the City of....., Nebraska, as a City of the First Class" and "Against Reorganization of the City of....., Nebraska, as a City of the First Class". If a majority of the votes cast on the proposition are "For Reorganization of the City of....., Nebraska, as a City of the First Class," then such city shall wihin thirty days after such election be and become a city of the first class and shall be governed under the provisions of the law relating to a city of the first class unless it shall at some future time, readopt a form of government for a city of the second class having a population of more than one thousand inhabitants and less than five thousand inhabitants, in the manner provided by law. Subdivision 2. Within thirty days after the day of election, if the proposition carries to reorganize such city as a city of the first class, each and every officer of such city shall qualify and give bond as provided by the statutes of the state of Nebraska in cases of cities of the first class: Provided, that in any city which may hereafter become a city of the first class, having been a city of the second class, any councilman, whose term shall extend by reason of his prior election under the provisions governing such cities of the second class, through another year or years, shall continue to hold his office as councilman from the ward in which he is a resident, as if elected for the same term under the statutes of the state of Nebraska governing cities of the first class. Subdivision 3. If a majority of the votes cast on the proposition are "Against the Reorganization of the City of....., Nebraska, as a City of the First Class," then such city shall continue as a city of the second class and be governed under the provisions of the law relating to such cities of the

second class, unless it shall, at some future annual general municipal election, reorganize as a city of the first class under procedure designated in this section: Provided, that the proposition to discontinue the organization of any such city of the second class and to reorganize it as a city of the first class shall not be again submitted to the electors for the period of five years from and after the date of any such election, held subsequent to the enactment of this section into law.

Sec. 6. That Section 16-103, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

16-103. The government of ~~such city~~ **cities of the second class having a population of more than one thousand inhabitants and less than five thousand inhabitants** shall continue to remain and to be governed, as organized at the date of such proclamation, until the **their** reorganization of same under this chapter, **when accomplished as provided in Section 16-101, Compiled Statutes of Nebraska, 1929, as amended by section 5, legislative bill no. 135, fifty-fifth session, Nebraska state legislature, 1941.**

Sec. 7. That Section 16-104, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

16-104. The mayor and council **of such city of the second class, in the event the proposition to reorganize it as a city of the first class is adopted,** shall, **within thirty days after the day of the election when the proposition carried,** divide the city into not less than four wards, **as may be provided by ordinance enacted by the mayor and council thereof, and such wards shall be** as compact in form and equal in population as may be, the boundaries of which shall be defined by ordinance, to; **and such ordinance shall** take effect at the next annual city election after reorganization. Each ward shall constitute an election district: Provided, when any ward shall contain over five hundred legal voters, the mayor and council may divide such wards into two or more election districts.

Sec. 8. That said original Secs. 17-162, 17-163, 17-164 and 17-165, C. S. Supp., 1939, are hereby repealed; that said original Sections 16-101, 16-103 and 16-104, Compiled Statutes of Nebraska, 1929, are hereby repealed; and that Section 16-102, Compiled Statutes of Nebraska, 1929, is hereby repealed."

3. Amend the bill, page 1, title, line 3, by inserting after the figures "1939" therein the following:

"; to amend Sections 16-101, 16-103 and 16-104, Compiled Statutes of Nebraska, 1929".

4. Amend the bill, page 1, title, line 9, by striking the conjunction "and" and by inserting in lieu thereof the following:

"to prescribe procedure whereby a city of the second class having a population of more than five thousand inhabitants and less than twenty-five thousand inhabitants may discontinue its organization as a city of the second class and may reorganize as a city of the first class;"

and in line 10 of said title after the word "sections" insert the following:

"; and to repeal Section 16-102, Compiled Statutes of Nebraska, 1929".

LEGISLATIVE BILL NO. 217. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 217:

1. Amend the bill, page 2, section 1, line 3, by inserting right after the section number and before the word "the", the words "The register of deeds or".

2. Amend the bill, page 2, section 1, line 13, by inserting before the word "the" the words "the register of deeds or".

3. Amend the title of the bill line 3, by inserting after the word "by" the words "the register of deeds or the".

LEGISLATIVE BILL NO. 291. Placed on General File.

LEGISLATIVE BILL NO. 497. Indefinitely postponed.

(Signed) Sorrell, Chairman

Judiciary

LEGISLATIVE BILL NO. 237. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 237:

1. Amend the bill, page 4, section 2, line 17, by striking the figure and letter "1c" therein and by inserting in lieu thereof the figure and letter "1b".

2. Amend the printed bill only, page 4, section 2, line 22, by striking therefrom the preposition "to" after the word "prior" and

before the word "concurrent" therein and by inserting in lieu thereof the conjunction "or".

3. Amend the bill, page 7, section 6, line 6, by striking the word "subsection" therein and by inserting in lieu thereof the word "subdivision".

4. Amend the bill, page 7, section 6, line 9, by striking the letter "c" therein and by inserting in lieu thereof the letter "b".

5. Amend the bill, page 10, section 9, line 32, by striking therefrom the letter and punctuation "b."; and in line 36 on page 10 of said section 9, by striking therefrom the letter and punctuation "c." and by inserting in lieu thereof the letter and punctuation "b.".

6. Amend the bill, page 11, section 9, line 49, by striking the letter "c" therein and by inserting in lieu thereof the letter "b"; and in said line 49, section 9, page 11, by striking the letter and punctuation "d." therein and by inserting in lieu thereof the letter and punctuation "c.".

(Signed) Gantz, Chairman

Public Works

LEGISLATIVE BILL NO. 74. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 74:

1. Amend the bill, page 2, after Sec. 2. by inserting a new section as follows:

"Sec. 3. That Sec. 39-229, C. S. Supp., 1939, be amended to read as follows:

39-229. All county roads designated in accordance with the preceding sections of this act shall be maintained at the expense of the county. The boards of county commissioners or supervisors of the several counties may, at any time, add other roads to the county road system provided for in this act, but the same procedure set forth in the preceding sections of this act for the establishment of said county road system shall be followed in the case of roads added thereto: and the total mileage included in said county road system shall not exceed twenty-five per centum of the total mileage of all the public highways within the county; **Provided,** in counties under township organization, the electors of any township through which a county road passes, at any annual or special meeting, may direct the payment to the county out of the township road fund of

such sums as may be determined upon and as the condition of such fund permits, to assist in the permanent improvements of the portion of said county road lying within such township: ; ~~Provided~~ **and provided further,** whenever a county road has been designated and established as provided by Sections 39-227 and **Section** 39-228, Compiled Statutes of Nebraska, 1929, **and Sec. 39-227, C. S. Supp., 1939,** the county board may detach the same, or any part thereof, from the county road system and cause the same to revert back as a township road, and the county board shall no longer be obliged to maintain the same, but its maintenance and improvement shall thereafter devolve upon the township; **and provided further, that in counties under township organization the county board may maintain and improve, with county equipment, township roads and streets within the corporate limits of municipalities in the township, either with or without compensation to the county, as shall be determined by agreement between the county board and the township or municipality within the township, as the case is."**

2. Amend the bill, page 2, Sec. 3. by renumbering it as Sec. 4.

3. Amend the bill, page 4, by striking all of section 4.

4. Amend the bill, page 4, section 5, line 3, after the figures "32-223" by inserting the punctuation and figures ", 39-229".

5. Amend the bill, page 1, title, line 8, by striking all of line 8 after the punctuation ";", lines 9, 10, 11, 12, 13, down to and including the figures and punctuation "1941;" in line 14 and by inserting in lieu thereof the following:

"to provide for the maintenance and improvement, in counties under township organization, of township roads and streets within the corporate limits of municipalities within the townshp;"

LEGISLATIVE BILL NO. 279. Indefinitely postponed.

LEGISLATIVE BILL NO. 7. Placed on General File.

LEGISLATIVE BILL NO. 468. Indefinitely postponed.

LEGISLATIVE BILL NO. 446. Indefinitely postponed.

LEGISLATIVE BILL NO. 455. Placed on General File.

(Signed) Mischke, Chairman

Enrollment & Review

Correctly Enrolled

L. B. No. 114	L. B. No. 63	L. B. No. 137
L. B. No. 198	L. B. No. 29	L. B. No. 44
L. B. No. 69	L. B. No. 262	L. B. No. 234
L. B. No. 86	L. B. No. 77	L. B. No. 85
	L. B. No. 120	L. B. No. 43

(Signed) Crosby, Chairman

President signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 114	L. B. No. 63	L. B. No. 137
L. B. No. 198	L. B. No. 29	L. B. No. 44
L. B. No. 69	L. B. No. 262	L. B. No. 234
L. B. No. 86	L. B. No. 77	L. B. No. 85
	L. B. No. 120	L. B. No. 43

Approved by the Governor

March 10, 1941

To the President and Members of the Legislature

Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that on March 8th he signed the following bills, viz:

L. B. No. 14	L. B. No. 108
L. B. No. 113	L. B. No. 4

Respectfully submitted,

(Signed) Val Peterson,
Secretary to the Governor.

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 12. Mr. Garber requested unanimous consent to amend the resolution as follows:

Amend paragraph 1, line 1 and paragraph 2, line 3, after the

word "fund" by inserting the following: "and all other permanent trust funds of the state of Nebraska".

No objection was raised and the President so ordered.

Mr. Garber moved to suspend the rules and consider Legislative Resolution No. 12 at once.

The motion prevailed with 35 ayes, no nays, 8 not voting.

Mr. Garber moved to adopt the resolution as amended.

Mr. Sullivan moved to amend the resolution as follows:

"That $500.00 be allowed for this investigation instead of $100.00".

Mr. Sullivan's amendment was adopted.

Mr. Garber renewed his motion to adopt the resolution as amended.

The motion prevailed with 36 ayes, no nays, 7 not voting.

The President appointed the following members to serve on said committee:

Daniel Garber, Chairman

H. G. Greenamyre	George T. Sullivan
R. M. Howard	Harry E. Gantz
Richard N. Johnson	Martin J. Mischke

STANDING COMMITTEE REPORTS (Continued)

Government

LEGISLATIVE BILL NO. 33. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 33:

1. Amend the bill, page 2, section 1, line 5, by inserting after the word and punctuation "office," therein the following: **"except as hereinafter provided,".**

2. Amend the bill, pages 2 and 3, section 1, by striking all of said section after the word and punctuation "Ninth." in line 18 therein and by inserting in lieu thereof the following: "Ninth. The acceptance of a commission to any military **or naval** office, either in the

militia of this state or in the service of the United States, **or the enlistment in or induction into the military or naval service of the United States,** which requires **may require** the incumbent in the civil office to exercise his military **or naval** duties out of **within or without** the state, for a **any** period of not less than sixty days. **time within the term for which he has been elected, or appointed, shall not create a vacancy of such office and no vacancy of such office shall be created thereby unless such officer shall resign from the office to which he has been elected or appointed: Provided, that while the incumbent exercises his military or naval duties within or without this state, he shall be entitled to receive no compensation, perquisites or emoluments of his civil office; and provided further, if the incumbent accepts a commission to any military or naval office or is inducted into or enlists in the military or naval service of the United States, the county board of the county, the local governing body of the city, village or other governmental subdivision or the governor or other appointive power, officer or agency, as case is, in or under which such incumbent holds office shall forthwith appoint an acting officer for such office for the period during which the elected or appointed incumbent shall be absent by reason of the exercise of his military or naval duties, or during the period of the term for which the incumbent has been elected or appointed; and provided further, the acting officer so appointed shall qualify for such office in the manner provided by law and shall, during the time he serves as such acting officer, be entitled to all the compensation, perquisites and emoluments of such office, including the power to appoint a deputy in the manner as provided by law.**

LEGISLATIVE BILL NO. 261. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 261:

1. Amend the bill page 3, section 1, line 52 by inserting the words "with a prisoner" after the word "attending" and before the word "before".

LEGISLATIVE BILL NO. 191. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 191:

1. Amend the bill, page 2, section 1, line 5, by striking the letter "s" from the word "amendments".

2. Amend the bill page 2, section 1, line 6, by striking the word "are" and inserting in lieu thereof, the word "is".

3. Amend the bill page 2, section 1, by striking all of line 21 following the designation "Sec. 2." and all of lines 22, 23, 24, 25, 26, 27, and 28, and inserting in lieu thereof following the designation "Sec. 2." the following: "The foregoing proposed amendment if adopted shall be in force and effect on and after the first Thursday after the first Tuesday in January 1943; and it may be made an additional section in Article XVII of the Constitution of Nebraska."

4. Amend the bill, page 3, section 2, by striking all of lines 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 21, and inserting in lieu thereof the following: "FOR an amendment to Section 4 of Article IX of the Constitution of Nebraska, authorizing the legislature to provide by law for an optional form of county and township government not to be in force in any county of this state unless submitted to the electors of such county and adopted by them, and providing that said amendment shall be effective if adopted on and after the first Thursday after the first Tuesday in January, 1943." "AGAINST an amendment to Section 4 of Article IX of the Constituion of Nebraska, auhorizing the legislature to provide by law for an optional form of county and township government not to be in force in any county of this state unless submitted to the electors of such county and adopted by them, and providing that said amendment shall be effective if adopted on and after the first Thursday after the first Tuesday in January, 1943."

(Signed) Sorrell, Chairman

Mr. Neubauer presiding

SELECT FILE

LEGISLATIVE BILL NO. 109. Passed over.

LEGISLATIVE BILL NO. 80. E and R amendments, found in the Legislative Journal for the Forty-second Day, were adopted.

Laid over. Retains place on file.

LEGISLATIVE BILL NO. 46. E and R amendments, found in the Legislative Journal for the Forty-third Day, were adopted.

Mr. Mischke moved to refer to General File for the following specific amendment:

Amend Sec. 6, line 8 by striking the following: "for and have injunctive relief".

The motion prevailed with 19 ayes, 9 nays, 15 not voting.

Placed on General File.

LEGISLATIVE BILL NO. 39. E and R amendment, found in the Legislative Journal for the Forty-third Day, was adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 495. Laid over.

GENERAL FILE

LEGISLATIVE BILL NO. 46. Mr. Mischke moved to adopt his Specific amendment, found in this Day's Journal.

The motion prevailed.

Mr. Van Diest offered the following amendment, which was adopted:

Strike from page 2, Sec. 3, Subsection (b), line 19, and from page 3, Sec. 3, Subsection (e), lines 49 and 50 the following words: "cost to the wholesaler".

Mr. Asimus moved to amend by striking the enacting clause.

No action taken thereon.

Adjournment

At 12:00 m. on motion by Mr. Kotouc the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

FORTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, March 11, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Carlson, Mueller and Amos Thomas, who were excused.

The Journal for the Forty-fourth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Howard, one, Mr. Blome, two, favoring tax exemption for gasoline used in farm motors.

The following petition was received through the Governor's office: One, favoring tax exemption for gasoline used in farm motors.

NOTICE OF COMMITTEE HEARINGS

Government

L. B. No. 352, Friday, March 21, 1941, 2:00 p. m.

L. B. No. 393, Friday, March 21, 1941, 2:00 p. m.

L. B. No. 287, Friday, March 21, 1941, 2:00 p. m.

L. B. No. 290, Wednesday, March 26, 1941, 2:00 p. m.

L. B. No. 316, Wednesday, March 26, 1941, 2:00 p. m.

Public Works

L. B. No. 488, Wednesday, March 26, 1941, 2:00 p. m.

(changed from March 19)

STANDING COMMITTEE REPORTS

Education

LEGISLATIVE BILL NO. 139. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 139:

1. Amend the bill, page 2, section 1, line 3 by inserting after the section symbol and punctuation "72-211." therein the following:

"Subdivision 1.".

2. Amend the bill, page 2, section 1, by striking that part of said section after the word and punctuation "purposes." in line 11 down to and including the word and punctuation "provide." in line 25 and by inserting in lieu thereof the following:

"The United States of America, **any county, city or village of the state of Nebraska** may purchase school land from the state **of Nebraska for public** use for the development of radio monitor stations, **aviation fields and fields for aerial traffic. The United States of America may purchase from the state of Nebraska, such school lands, or portions thereof, in subdivisions of not less than forty acres, located within the boundaries of the projects now authorized by the United States of America pursuant to Public No. 848, 76th Congress entitled "An Act Authorizing the Construction of Water Conservation and Utilization Projects in the Great Plains and Arid and Semi-Arid Areas of the United States", approved August 11, 1939 and all acts supplementary thereto, amendatory thereof, or appropriating funds for the purposes thereof: Provided, in all deeds of conveyance to the United States of America involving the purchase of such lands from the state of Nebraska, as provided in the foregoing act of Congress, there shall be no covenant therein to the effect that the land so conveyed shall revert back to the state of Nebraska.** The county board of any county in which there is any educational land belonging to the state, may purchase from the state, for the purpose of agricultural fairs **public purpose for which it is acquired,** any portion thereof not exceeding forty acres: **Provided,** that when said land ceases to be used for agricultural fair purposes **the public purpose for which**

it is acquired, it shall revert back to the state of Nebraska, and the deed for said land shall so provide; **and provided, in all deeds of conveyance to the United States of America or other public agencies or governmental subdivisions for public purposes, all mineral rights shall be reserved to the state of Nebraska. Subdivision 2.".**

3. Amend the bill, page 3, section 1, line 37 by inserting after the word "village" and before the word "may" the following:

"or by the United States of America"; and on page 3, line 70 of said section 1, after the word and punctuation "board." insert the following:

"Subdivision 3.".

4. Amend the bill, page 4, section 1, line 74 by striking the word "other" therein; and also in said line 74, in section 1, on page 4 strike the words "for such purposes" and insert in lieu thereof the following:

"by railroad companies. Subdivision 4.".

5. Amend the bill, page 5, section 1, lines 117 and 124 by striking the punctuation and word ": Provided" wherever the same appears in each of said lines respectively and insert in lieu thereof the following:

"; and provided further"; and in line 120 of section 1 of said page 5 insert after the word and punctuation "article." and before the word "Any" therein the following:

"Subdivision 5.".

6. Amend the bill, page 1, title, by striking all of said title after the word and punctuation "funds;" in line 3 therein and by inserting in lieu thereof the following:

"to provide that school lands of the state of Nebraska may be sold to the United States of America for public use for the development of aviation fields and fields for aerial traffic; to provide that the United States of America may purchase from the state of Nebraska such school lands, or portions thereof in subdivisions of not less than forty acres, located within the boundaries of the projects now authorized by the United States of America pursuant to Public No. 848, 76th Congress entitled "An Act Authorizing the Construction of Water Conservation and Utilization projects in the Great Plains and Arid and Semi-Arid Areas of the United States", approved August 11, 1939 and all acts supplementary thereto, amendatory thereof, or appropriating funds for the purposes thereof; to provide that there

shall be no covenant of reverter in the deeds of conveyance to the United States of America involving the purchase of school lands for the public purposes set forth in Public No. 848, 76th Congress; to provide that all other school lands of the state of Nebraska sold under the provisions of this act shall revert back to the state of Nebraska when the land so conveyed ceases to be used for the public purpose for which it was acquired; to provide that, in all deeds of conveyance of school lands to the United States of America or other public agencies or governmental subdivisions for public purposes, all mineral rights shall be reserved to the state of Nebraska; to repeal said original section; and to declare an emergency.".

(Signed) Matzke, Chairman

Government

LEGISLATIVE BILL NO. 354. Returned to the Legislature with the recommendation that it be rereferred to the Committee on Revenue.
(Signed) Sorrell, Chairman

Public Works

LEGISLATIVE BILL NO. 466. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 466:

1. Amend the bill, page 2, by striking all of sections 1 and 2 thereon and by inserting in lieu thereof the following:

"Section 1. **Subdivision 1.** The county board of any county, as a part of their duties, shall have power and authority to contract for the installment, maintenance and operation of highway lighting systems, sufficient to light any county highway, or any portion thereof in their county, when, in the judgment of the county board, the lighting of such highway or any portion thereof is in the interest of public safety. **Subdivision 2.** The cost of installing, maintaining and operating highway lighting systems that are authorized by subdivision 1 of this section, shall be paid out of funds that are available for the construction and maintenance of county highways.".

2. Amend the bill, page 2, by renumbering Sec. 3. thereon to conform with the foregoing amendment.

3. Amend the bill, page 1, title, by striking all of said title after the word "ACT" in line 2 therein, and by inserting in lieu thereof the following:

"relating to highways; to provide for the lighting of county highways by county boards; to provide for the payment thereof out of funds that are available for the construction and maintenance of county highways; and to declare an emergency.".

(Signed) Mischke, Chairman

Labor & Public Welfare

LEGISLATIVE BILL NO. 328. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 328:

1. Amend the bill by striking the word "request" preceding the introducer and add the following names as co-introducers of the bill: "Frank Sorrell, George W. Bevins, George Weborg, Ray Thomas, Geo. T. Sullivan, Tony Asimus, Joseph T. Knezacek."

LEGISLATIVE BILL NO. 206. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 206:

1. Amend the bill, page 3, section 1, line 35 by striking all of line 35 after the word "villages" and the punctuation, and strike all of line 36 and all of line 37 except the word "and" at the end of line 37, and insert in lieu thereof the following:

"but only if directed to do so by the Chief of the Fire Department or some person authorized to act for such Chief"

(Signed) Sullivan, Chairman

Enrollment & Review

LEGISLATIVE BILL NO. 49. Replaced on Select File with amendments.

E and R amendments to L. B. No. 49:

1. Amend the engrossed bill, title, line 7, (printed bill, line 8, Final Form on Third Reading) by inserting after the word "dollars" the following:

", except that certificates may be issued to one person in excess of five hundred dollars and not to exceed one thousand dollars if the issuing burial association has a surplus of at least five thousand

dollars or shall reinsure the excess over five hundred dollars in a legal reserve life insurance company authorized to do business in the state of Nebraska".

2. Amend the engrossed bill, title, line 11, (printed bill, line 12, Final Form on Third Reading) by striking the word "or" therein and inserting in lieu thereof the word "nor".

LEGISLATIVE BILL NO. 148. Replaced on Select File with amendments.

E and R amendments to L. B. No. 148:

1. Amend the bill, page 1, title, lines 22 and 23, by striking the word "providing" therein and by inserting in lieu thereof the words "to provide".

2. Amend the bill, page 1a, title, line 37, by striking the second definite article "the" therein and by inserting in lieu thereof the word "this".

3. Amend the specific amendments, amendment No. 1, line 1, by striking the figures "11" therein and by inserting in lieu thereof the figures "12".

4. Amend the bill, page 6, section 11, line 1, by inserting after the word "That" therein the following:

"said original Section 79-2203, Compiled Statutes of Nebraska, 1929, is hereby repealed; and that ".

LEGISLATIVE BILL NO. 59. Placed on Select File with amendments.

E and R amendments to L. B. No. 59:

1. Amend the standing committee amendments, amendment 1, section 1, lines 2, 3 and 4, by striking the words "out of the administration of section 38, chapter 133, laws of Nebraska, 1939, of the state of Nebraska" and insert in lieu thereof the words "under Secs. 81-1028 to 81-1033, inclusive, C. S. Supp., 1939".

LEGISLATIVE BILL NO. 167. Correctly engrossed.

LEGISLATIVE BILL NO. 39. Correctly re-engrossed.

LEGISLATIVE BILL NO. 51. Correctly enrolled.

(Signed) Crosby, Chairman

President signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill No. 51.

L. B. No. 354 Re-referred

LEGISLATIVE BILL NO. 354. Referred to Committee on Revenue.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 53. With emergency clause.

A bill for an Act to amend Sec. 44-804, C. S. Supp., 1939, relating to insurance; to regulate the form of insurance contracts covering life, health and accident insurance of another, including a minor; to authorize and regulate the purchase of annuities for minors; to provide that minors not less than fourteen years of age shall be competent to contract for such insurance or annuities; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams, E. A.	Crossland	Mekota	Rakow
Adams, J. Jr.	Gantz	Metzger	Reed
Asimus	Garber	Mischke	Sorrell
Bevins	Hanna	Murphy	Sullivan
Blome	Howard	Neubauer	Thomas, Ray
Bowman	Jeppesen	Norman	Thornton
Brodahl	Johnson	Peterson	Tvrdik
Callan	Kotouc	Price	Van Diest
Carmody	Lambert	Raecke	Weborg
Crosby			

Voting in the negative, 0.

Not voting, 6:

Carlson	Knezacek	Mueller	Thomas, Amos
Greenamyre	Matzke		

A constitutional two-thirds majority having voting in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION—Not to Concur in Report

Mr. President: I move that we do not concur in the Standing Committee report on Legislative Bill No. 106. Callan

After discussion Mr. Van Diest moved the previous question.

The motion was lost with 20 ayes, 3 nays, 20 not voting.

After further discussion vote was taken thereon and Mr. Callan's motion was lost with 10 ayes, 15 nays, 18 not voting.

SELECT FILE

LEGISLATIVE BILL NO. 80. Laid over.

LEGISLATIVE BILL NO. 109. Mr. Howard asked that his Specific amendments, found in the Legislative Journal for the Forty-third Day, be adopted by unanimous consent.

No objection was raised and the President so ordered.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 495. A substitute report was filed by the Committee on Enrollment & Review offering the following amendments, which were adopted:

1. Amend the General File Specific Amendments, Amendment 2, section 19, line 8, by striking the words "it is".

2. Amend the bill, title, page 1a, line 26, by inserting after the word "law" and before the punctuation ";" the words "and which may include therein by reference only the provisions, limitations and terms of plumbing, electrical, fire prevention or other standard published codes".

3. Amend the General File Specific Amendment, Amendment 2, section 19, line 19, by inserting after the word "code" the words "relating to zoning".

Referred to E and R for engrossment.

Mr. Crosby presiding

GENERAL FILE

LEGISLATIVE BILL NO. 46. Mr. Asimus renewed his motion of the Forty-fourth Day to strike the enacting clause.

Vote was taken and the motion was lost with 10 ayes, 16 nays, 17 not voting.

Mr. Tvrdik moved to refer to E and R for review.

The motion prevailed with 19 ayes, 10 nays, 14 not voting.

Referred to E and R for review.

LEGISLATIVE BILL NO. 278. Laid over. Retains place on file.

LEGISLATIVE BILL NO. 150. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-eighth Day were adopted.

Mr. Hanna moved to refer to E and R for review.

Mr. Kotouc offered the following amendment, which was adopted:

Amend the bill, page 2, Sec. 1, line 21, by striking the word "hides" and inserting in lieu thereof the word "pelts".

Mr. Van Diest offered the following amendments, which were adopted:

In line 20, after the word "beaver" insert the following: "The destruction of twenty or more trees shall constitute sufficient damage to require the removal of beaver".

Mr. Hanna renewed his motion to refer to E and R for review.

The motion prevailed.

Referred to E and R for review.

President Johnson presiding

LEGISLATIVE BILL NO. 65. Read and considered.

Laid over. Retains place on File.

LEGISLATIVE BILL NO. 128. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-eighth Day were adopted.

Mr. Tvrdik moved to refer to E and R for review.

Mr. Hanna moved to reconsider action on adopting the Standing Committee amendments.

The motion prevailed with 29 ayes, no nays, 14 not voting.

Mr. Sorrell withdrew his motion to adopt the Standing Committee amendments.

Mr. Mischke moved not to concur in the Standing Committee amendments and the motion prevailed.

Referred to E and R for review.

LEGISLATIVE BILL NO. 152. First section of bill and Standing Committee amendments numbered 1 to 3 were read.

Mr. Van Diest moved to lay the bill over and make it a Special Order of the Day for Friday, March 14, 1941 at 11:00 a. m.

The motion prevailed.

STANDING COMMITTEE REPORTS (Continued)

Enrollment & Review

Presented to Governor for Approval

Monday, March 10, 1941 at 5:00 p. m.

L. B. No. 234	L. B. No. 77	L. B. No. 69
L. B. No. 44	L. B. No. 262	L. B. No. 43
L. B. No. 137	L. B. No. 29	L. B. No. 85
L. B. No. 120	L. B. No. 63	L. B. No. 114
	L. B. No. 86	L. B. No. 198

Committee on Committees

Mr. President: The Committee on Committees conducted public hearings on the following appointments by the Governor and recommends confirmation of the same by the Legislature:

Henry H. Dudley	Board of Control
Edgar Ferneau	Board of Education of State Normal Schools

Everett L. Randall Board of Education of State Normal Schools

(Signed) Ernest A. Adams, Chairman

MOTION—To Confirm Appointments

Mr. President: I move that the report of the Committee on Committees be adopted and that the appointments be confirmed by the Legislature. Ernest A. Adams.

Vote on Mr. Dudley

Voting in the affirmative, 37:

Adams, E. A.	Gantz	Lambert	Rakow
Asimus	Garber	Matzke	Reed
Bevins	Greenamyre	Mekota	Sorrell
Blome	Hanna	Metzger	Sullivan
Bowman	Howard	Murphy	Thomas, Ray
Brodahl	Jeppesen	Neubauer	Thornton
Callan	Johnson	Peterson	Tvrdik
Carmody	Knezacek	Price	Van Diest
Crosby	Kotouc	Raecke	Weborg
Crossland			

Voting in the negative, 0.

Not voting, 6:

Adams, J. Jr.	Mischke	Norman	Thomas, Amos
Carlson	Mueller		

Having received a majority of the votes of all members, the President declared the appointment of Mr. Dudley confirmed.

Vote on Mr. Ferneau

Voting in the affirmative, 36:

Adams, E. A.	Gantz	Lambert	Rakow
Asimus	Garber	Matzke	Reed
Bevins	Greenamyre	Mekota	Sorrell
Bowman	Hanna	Metzger	Sullivan
Brodahl	Howard	Murphy	Thomas, Ray
Callan	Jeppesen	Neubauer	Thornton
Carmody	Johnson	Peterson	Tvrdik
Crosby	Knezacek	Price	Van Diest
Crossland	Kotouc	Raecke	Weborg

Voting in the negative, 0.

Not voting, 7:

Adams, J. Jr.	Carlson	Mueller	Thomas, Amos
Blome	Mischke	Norman	

Having received a majority of the votes of all members, the President declared the appointment of Mr. Ferneau confirmed.

Vote on Mr. Randall

Voting in the affirmative, 37:

Adams, E. A.	Garber	Matzke	Rakow
Asimus	Greenamyre	Mekota	Reed
Bevins	Hanna	Metzger	Sorrell
Blome	Howard	Murphy	Sullivan
Bowman	Jeppesen	Neubauer	Thomas, Ray
Brodahl	Johnson	Norman	Thornton
Carmody	Knezacek	Peterson	Tvrdik
Crosby	Kotouc	Price	Van Diest
Crossland	Lambert	Raecke	Weborg
Gantz			

Voting in the negative, 0.

Not voting, 6:

Adams, J. Jr.	Carlson	Mueller	Thomas, Amos
Callan	Mischke		

Having received a majority of the votes of all members, the President declared the appointment of Mr. Randall confirmed.

Adjournment

At 11:58 a. m. on motion by Mr. Metzger the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

FORTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, March 12, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Reverend J. A. Treese, pastor of the Wesleyan Methodist Church of Havelock.

The roll was called and all members were present except Messrs. Carlson, Mueller and Amos Thomas, who were excused.

The Journal for the Forty-fifth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Jeppesen, one, opposing L. B. No. 483 and L. B. No. 381; all members, one, regarding debts and irrigation.

Invitations

A letter was read extending an invitation to the members of the Legislature to be guests of the Nebraska Press Association at their sixty-eighth annual banquet at the Lincoln Hotel, Friday evening March 21, 1941.

A letter was read extending an invitation to the members of the Legislature to attend the eleventh annual Junior Ak-Sar-Ben Livestock Show to be held in the auditorium of the horse barn at the College of Agriculture at 7:30 p. m., Saturday, March 15, 1941.

A letter was read from Mr. O. L. Webb extending an invitation

to the members of the Legislature and their wives and the officers and their wives to attend the basket ball tournament in Lincoln this week.

NOTICE OF COMMITTEE HEARINGS

Revenue

L. B. No. 408, Thursday, March 20, 1941, 2:00 p. m.

L. B. No. 480, Thursday, March 27, 1941, 2:00 p. m.

Government

L. B. No. 449, Friday, March 21, 1941, 2:00 p. m.

L. B. No. 329, Wednesday, March 26, 1941, 2:00 p. m.

L. B. No. 404, Wednesday, March 26, 1941, 2:00 p. m.

Banking, Commerce & Insurance

L. B. No. 169, Tuesday, March 18, 1941, 2:00 p. m.

L. B. No. 175, Tuesday, March 18, 1941, 2:00 p. m.

L. B. No. 344, Tuesday, March 18, 1941, 2:00 p. m.

L. B. No. 122, Tuesday, March 18, 1941, 2:00 p. m.

Public Health & Miscellaneous Subjects

L. B. No. 140, Wednesday, March 19, 1941, 2:00 p. m.

L. B. No. 220, Wednesday, March 19, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL NO. 288. Placed on General File.

LEGISLATIVE BILL NO. 233. Placed on General File.

LEGISLATIVE BILL NO. 249. Placed on General File.

LEGISLATIVE BILL NO. 263. Placed on General File.

LEGISLATIVE BILL NO. 441. Placed on General File.

LEGISLATIVE BILL NO. 260. Indefinitely postponed.

LEGISLATIVE BILL NO. 457. Indefinitely postponed.

LEGISLATIVE BILL NO. 264. Placed on General File.

LEGISLATIVE BILL NO. 84. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 84:

1. Amend the bill, page 2, section 1, line 3, by striking therefrom the following:

"Subdivision 1.".

2. Amend the bill, page 2, section 1, line 18, by inserting after the word "days" therein the following:

";and for the second offense, every person so offending shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall make restitution as above provided, and shall be fined not less than twenty-five dollars nor more than one hundred or shall be imprisoned in the county jail not exceeding thirty days, or both; and for the third offense, every person so offending shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall make restitution as above provided, and shall be fined one hundred dollars or shall be imprisoned in the county jail not less than thirty days nor more than ninety days, or both; and, upon conviction for the fourth or any subsequent offense, every person so offending shall be deemed guilty of a felony, and shall be imprisoned in the penitentiary not less than one year nor more than two years; and in all cases shall pay the costs of prosecution".

3. Amend the bill, page 2, section 1, by striking that part of said section beginning with the word **"Subdivision"** in line 22 therein down to and including the word and punctuation "cause." in line 42 therein.

4. Amend the bill, page 1, title, line 4, by striking therefrom the word "habitual"; and in lines 5 and 6 of said title strike the words "and the method of proving their guilt as such".

LEGISLATIVE BILL NO. 246. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 246:

1. Amend the bill, page 7, Section 24, line 3, by striking out the word "therewith", and inserting in lieu thereof the word "herewith,".

LEGISLATIVE BILL NO. 265. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 265:

1. Amend the bill, page 3, Section 4, line 2, by striking therefrom the words "five hundred" following the word "than" and before the word "dollars" and inserting in lieu thereof the words "two hundred fifty".

2. Amend the bill, page 3, Section 4, line 4, after the punctuation comma "," following the word "bond" by inserting the word "either"; and in line 5 of said Section 4, by striking the punctuation comma "," after the word "bank" and inserting the words and punctuation "or authorize the purchaser of a certificate of deposit of a bank,".

3. Amend the bill, page 1, title, line 5, by striking therefrom the words "five hundred" before the word "dollars" and inserting in lieu thereof the words "two hundred fifty".

(Signed) Gantz, Chairman

Enrollment & Review

LEGISLATIVE BILL NO. 159. Placed on Select File with amendments.

E and R amendments to L. B. No. 159:

1. Amend the bill, title, line 8, by inserting after the word and punctuation "juries," the following:

"the cost of empanelling and summoning jurors; to provide for oral instructions of juries by municipal courts and that municipal judges may exercise the ordinary powers of trial courts to dismiss cases or to direct the verdicts of juries, in their discretion; to provide for time of trial, and for trial notice in certain cases; to provide for the time of".

2. Amend the bill, title, line 9, by striking the comma before the word "appointment" and insert in lieu thereof the punctuation and word "; the"; and in line 10, insert the word "the" before the word "adjournment".

LEGISLATIVE BILL NO. 180. Placed on Select File with amendments.

E and R amendments to L. B. No. 180:

1. Amend the bill, page 3, section 3, line 3 by inserting after the word "approval" therein the words and punctuation ", according to law".

2. Amend the bill, title, page 1, by striking that part of the title beginning with the word "to" in line 3, down to and including the word "commission" in line 5, and inserting in lieu thereof the following: "to authorize the Nebraska state railway commission by order to fix fees for registering public grain warehouse receipts, in the amount of fifty cents or less for one thousand or less bushels of grain but never in excess of fifty cents per one thousand or more bushels of grain".

LEGISLATIVE BILL NO. 390. Placed on Select File with amendments.

E and R amendments to L. B. No. 390:

1. Amend the bill, page 2, section 1, line 8 by striking therefrom the word "depositaries" and by inserting in lieu thereof the word "depositories".

2. Amend the bill, page 2, section 2, line 1, lines 13 and 14; page 3, section 2, lines 33, 43, 50 and 58; page 4, section 2, lines 61 and 67, by stirking the word "depositary" in each of said lines respectively, and, in each instance insert the word "depository".

LEGISLATIVE BILL NO. 323. Placed on Select File with amendments.

E and R amendments to L. B. No. 323:

1. Amend the bill, page 2, section 1, line 4, by striking therefrom the words "of the" and by inserting in lieu thereof the punctuation",".

2. Amend the Specific Amendments, Sorrell, (Legislative Journal, page 517) adopted March 5, 1941 by removing all underscoring in each of said seven amendments.

LEGISLATIVE BILL NO. 377. Placed on Select File with amendments.

E and R amendments to L. B. No. 377:

1. Amend the bill, page 3, section 1, line 35 by striking the punctuation ";" therein and by inserting in lieu thereof the punctuation ",".

2. Amend the bill, page 3, section 1, line 38 by striking the word "subdivisions" therein and by inserting in lieu thereof the words "subdivision subdivisions".

LEGISLATIVE BILL NO. 273. Placed on Select File with amendments.

E and R amendments to L. B. No. 273:

1. Amend the bill, title, line 5, by inserting after the word "agriculture" the words "and prohibiting proxy voting and limiting each delegate to one vote".

2. Amend the bill, title, line 7, by inserting after the word and punctuation "terms;" the words "to provide no person shall serve more than one year as president thereof and shall retire from the board at the end of such term; to provide that said board may elect a secretary-manager who is not a member of the board;".

LEGISLATIVE BILL NO. 134. Replaced on Select File with amendments.

E and R amendments to L. B. No. 134:

1. Amend the bill, page 3, section 1, line 52, by inserting after the word "account" therein the preposition "of".

2. Amend the bill, page 3, section 1, line 61, by striking the preposition "at" therein and by inserting in lieu thereof the word "of".

LEGISLATIVE BILL NO. 131. Replaced on Select File with amendments.

E and R amendments to L. B. No. 131:

1. Amend the initial enrollment and review amendments, amendment No. 1, line 3, by striking the word "as" therein.

2. Amend the initial enrollment and review amendments, amendment No. 2, line 3, by striking the second word "as" therein.

LEGISLATIVE BILL NO. 196 Replaced on Select File with amendments.

E and R amendments to L. B. No. 196:

1. Amend the initial enrollment and review amendments, amendment No. 4, by striking all of line 3 after and including the punctuation ";" and all of line 4, and insert a period after the word "firm", in line 3.

2. Amend the standing committee amendments, amendment 1, section 1, line 3, by inserting after the word and punctuation "assosociation," the word "co-partnership" and by underscoring the word **"copartnership".**

3. Amend the bill, page 2, section 1, line 16, by inserting after the conjunction "or" and before the word "both" the preposition "by".

LEGISLATIVE BILL NO. 182. Replaced on Select File with amendment.

E and R amendment to L. B. No. 182:

1. Amend the standing committee amendment, line 5, by striking the figures "20-1912" and inserting in lieu thereof the figures "20-1916".

Presented to Governor for Approval

Tuesday, March 11, 1941 at 4:10 p. m.

Legislative Bill No. 51

(Signed) Crosby, Chairman

MOTION—To Permit Introduction of Bill

Mr. President: I move that the rules be suspended and that the Committee on Agriculture be permitted to introduce a committee bill relating to agriculture; making funds available for the control of incipient or emergency outbreaks of insect pests or plant diseases.

(Signed) Neubauer, Chairman

The motion prevailed with 33 ayes, no nays, 10 not voting.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 499. By Committee on Agriculture.

A bill for an Act relating to agriculture; to accept on behalf of the state of Nebraska the conditions, purposes and terms of a joint resolution of the congress, known as public resolution, No. 91, 75th congress Chapter 192, 3d session, S. J. Res. 256, as approved May 9, 1938, by a joint resolution entitled "Joint Resolution making funds available for the control of incipient or emergency outbreaks of insect pests or plant diseases, including grasshoppers, Mormon crickets and chinch bugs"; to empower county boards of the several counties of the state of Nebraska to appropriate and to expend tax money for pest control; to amend Sec. 26-105, C. S. Supp., 1939; to repeal said original section; and to declare an emergency.

MOTION—To Read Second Time

Mr. President: I move that the rules be suspended and that L. B. No. 499 be read the second time now. (Signed) Neubauer

The motion prevailed with 30 ayes, no nays, 13 not voting.

BILLS ON SECOND READING

The following bill was read the second time by title.

(For title see Bills on First Reading)

LEGISLATIVE BILL NO. 499. By Committee on Agriculture.

MOTION—To Place on General File

Mr. President: I move that the rules be suspended and that L. B. No. 499 be placed on General File. (Signed) Neubauer

The motion prevailed with 31 ayes, no nays, 12 not voting.

MOTION—To Permit Introduction of Bill

Mr. President: I move that the rules be suspended and that the Legislature give consent to the introduction of a bill to provide for the issuance of birth certificates for adopted children.

(Signed) Brodahl

The motion prevailed with 35 ayes, no nays, 8 not voting.

BILLS ON FIRST READING (Continued)

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 500. By Brodahl of Saunders.

A bill for an Act relating to vital statistics; to provide for the issuance of birth certificates for adopted children upon the petition of an adoptive parent or of the adopted child; to define the duties of county judges and the director of health for the department of health in connection therewith; to establish procedure therefor; and to declare an emergency.

MOTION—To Read Second Time

Mr. President: I move that the rules be suspended and that L. B. No. 500 be read the second time now. Brodahl

The motion prevailed with 34 ayes, no nays, 9 not voting.

BILLS ON SECOND READING (Continued)

The following bill was read the second time by title:

(For title see Bills on First Reading)

LEGISLATIVE BILL NO. 500. By Brodahl of Saunders.

Referred to Committee on Judiciary.

MOTION—Committee on Congressional Districts

Mr. President: I move that the rules be suspended and the Speaker of the Legislature, R. M. Howard, be instructed and empowered to appoint a committee of eleven members, two from each Congressional District and a chairman, and that said committee is hereby instructed and empowered to hold a public hearing or hearings relative to re-districting the state of Nebraska into four Congressional Districts, and, within fifteen days from the date of their appointment, to report out and introduce in this Legislature a bill effecting such re-districting into four Congressional Districts.

(Signed) Greenamyre

MOTION—To Amend Greenamyre Motion

Mr. President: I move that the Greenamyre motion be amended

by substituting the "Committee on Committees" to appoint the committee of eleven members. (Signed) Sorrell

The Sorrell motion was lost with 6 ayes, 28 nays, 9 not voting.

The Greenamyre motion prevailed with 35 ayes, 5 nays, 3 not voting.

REQUEST—To Add Names as Co-introducers

Mr. Raecke asked unanimous consent to add the names of Robert B. Crosby and Otto Kotouc, Jr. as co-introducers of L. B. No. 196.

No objection was raised and the President so ordered.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 194. With emergency clause.

A bill for an Act to amend Section 30-205, Compiled Statutes of Nebraska, 1929, relating to wills; to provide for the execution of wills executed without the state of Nebraska; to promote uniformtiy of law among the states with respect to foreign executed wills; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions or law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

Adams, E. A.	Gantz	Matzke	Rakow
Adams, J. Jr.	Garber	Mekota	Reed
Asimus	Greenamyre	Mischke	Sorrell
Blome	Hanna	Murphy	Thomas, Ray
Bowman	Howard	Neubauer	Thornton
Brodahl	Jeppesen	Norman	Tvrdik
Carmody	Johnson	Peterson	Van Diest
Crosby	Knezacek	Price	Weborg
Crossland	Kotouc	Raecke	

Voting in the negative, 0.

Not voting, 8:

Bevins	Carlson	Metzger	Sullivan
Callan	Lambert	Mueller	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 285. With emergency clause.

A bill for an Act to amend Section 46-606, Compiled Statutes of Nebraska, 1929, relating to irrigation; to provide that the owner of any storage capacity for appropriating water may change the point of diversion of, or the line of any flume, ditch or aqueduct, or change a storage site with the approval of the department of roads and irrigation; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams, E. A.	Gantz	Matzke	Raecke
Adams, J. Jr.	Garber	Mekota	Rakow
Asimus	Greenamyre	Metzger	Reed
Blome	Hanna	Mischke	Sorrell
Bowman	Howard	Murphy	Sullivan
Brodahl	Jeppesen	Neubauer	Thomas, Ray
Carmody	Johnson	Norman	Thornton
Crosby	Knezacek	Peterson	Tvrdik
Crossland	Kotouc	Price	Van Diest
			Weborg

Voting in the negative, 0.

Not voting, 6:

Bevins	Carlson	Mueller	Thomas, Amos
Callan	Lambert		

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 173.

A bill for an Act to amend Section 24-604, Compiled Statutes of Nebraska, 1929, relating to corporations; to provide for the holding of real estate by charitable and fraternal corporations; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative

to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 39:

Adams, E. A.	Crossland	Matzke	Rakow
Adams, J. Jr.	Gantz	Mekota	Reed
Asimus	Garber	Metzger	Sorrell
Bevins	Hanna	Mischke	Sullivan
Blome	Howard	Murphy	Thomas, Ray
Bowman	Jeppesen	Neubauer	Thornton
Brodahl	Johnson	Norman	Tvrdik
Callan	Knezacek	Peterson	Van Diest
Carmody	Kotouc	Price	Weborg
Crosby	Lambert	Raecke	

Voting in the negative, 0.

Not voting, 4:

Carlson	Greenamyre	Mueller	Thomas, Amos

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 146. With emergency clause.

A bill for an Act relating to real property; to validate instruments affecting real estate; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Adams, E. A.	Crossland	Lambert	Raecke
Adams, J. Jr.	Gantz	Matzke	Rakow
Asimus	Garber	Mekota	Reed
Bevins	Greenamyre	Metzger	Sorrell
Blome	Hanna	Mischke	Sullivan
Bowman	Howard	Murphy	Thomas, Ray
Brodahl	Jeppesen	Neubauer	Thornton
Callan	Johnson	Norman	Tvrdik
Carmody	Knezacek	Peterson	Van Diest
Crosby	Kotouc	Price	Weborg

Voting in the negative, 0.

Not voting, 3:

Carlson	Mueller	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 144. With emergency clause.

A bill for an Act to repeal Sections 76-243, 76-245, 76-248, 76-249, 76-250, 76-260, 76-266 and 76-272, Compiled Statutes of Nebraska, 1929; to repeal Sec. 76-271, C. S. Supp., 1939, relating to instruments affecting real estate; to provide a saving clause; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams, E. A.	Crossland	Matzke	Rakow
Adams, J. Jr.	Gantz	Mekota	Reed
Asimus	Garber	Metzger	Sorrell
Bevins	Greenamyre	Mischke	Sullivan
Blome	Hanna	Murphy	Thomas, Ray
Bowman	Jeppesen	Neubauer	Thornton
Brodahl	Johnson	Norman	Tvrdik
Callan	Knezacek	Peterson	Van Diest
Carmody	Kotouc	Price	Weborg
Crosby	Lambert	Raecke	

Voting in the negative, 0.

Not voting, 4:

Carlson	Howard	Mueller	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 110. Laid over.

Approved by the Governor

March 12, 1941

To the President and Members of the Legislature

Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. No. 86 L. B. No. 114

L. B. No. 44 L. B. No. 51

L. B. No. 43

Respectfully submitted,

(Signed) Val Peterson
Secretary to the Governor.

SELECT FILE

LEGISLATIVE BILL NO. 80. Laid over. Retains place on File.

LEGISLATIVE BILL NO. 49. E and R amendments, found in the Legislative Journal for the Forty-fifth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 148. E and R amendments, found in the Legislative Journal for the Forty-fifth Day, were adopted.

Mr. Matzke moved that the bill be returned to General File for the following Specific amendments:

a. Strike Enrollment and Review amendment 4, mimeographed, adopted February 28, 1941.

b. Amend the bill, page 2, by striking all of section 1 thereon and by inserting in lieu thereof the following:

"Section 1. The control of the institution at one time known as the **"branch institution of the soldiers' and sailors' home at Milford"** is hereby transferred from the board of control of state institutions to the state board of vocational education, effective July 1, 1941 or as soon thereafter as this act is a law: **Provided** that the board of control of state institutions shall until July 1, 1941, and thereafter until such work shall be completed, have supervision over the drafting of plans, building construction, reconstruction and changes in the physical plant which, in the judgment of the members of the two

boards above named, may be necessary to convert the institution to a trade school. Thereafter the board of control of state institutions is authorized to make the facilities of the engineering and purchasing departments available to the state board of vocational education whenever the interests of the trade school may be advantageously served: **Provided,** the expenses of all such services must be paid from funds available to the trade school. The state board of vocational education is authorized to commence immediately the operation of the institution as a trade school as provided in this act by utilizing, during the reconstruction period, any space and facilities of the institution that may be suitable for such purposes. For the purpose of this act, the word "institution" as referred to in this section includes grounds, buildings, furniture, tools, motors, machinery and plant equipment now located on the premises at Milford, Nebraska, or listed on the inventory of the board of control of state institutions as belonging thereto.".

c. Amend the bill, page 3, section 6, by striking all of lines 14, 15, 16 and 17 therein and by inserting in lieu thereof the following:

"occupations and such administrative or supervisory experience dealing with trade and industrial training as the board shall deem necessary.".

d. Amend the specific amendments, mimeographed, adopted February 28, 1941, amendment 1, by striking all of lines 4, 5, 6 and 7 therein and by inserting in lieu thereof the following:

"tional education, consisting of **one member of the board of control of state institutions to be designated by the governor for a term of three years or until his term as a member of the board of control shall expire, if it expires less than three years from the date of his designation as a member of the state board of vocational education,** the dean of the college of agriculture, **university of Nebraska** and ~~one~~ woman **two persons** appointed by the governor for a term of three years, and the state superintendent **of public instruction.** The".

Also by inserting after the period in line 14 the following:

"The members of said board of vocational education shall receive their necessary expenses incurred in connection with this work on said board and shall receive no other compensation."

e. Amend the title, page 1, line 2, by striking the words "State institutions" and inserting the words "vocational education".

Amend the title, page 1a, line 48, by inserting after the word and punctuation "disbursed;" the following: "to provide that the state board of vocational education shall consist of one member of the board of control of state institutions to be designated by the

governor, the dean of the College of Agriculture, University of Nebraska and two persons appointed by the governor for a term of three years, and the state superintendent of public instruction; to preserve the term of the present appointee of the governor on said board; to amend Section 79-2203, Compiled Statutes of Nebraska, 1929; to repeal said original section;"

The motion prevailed.

Placed on General File.

LEGISLATIVE BILL NO. 59. E and R amendments, found in the Legislative Journal for the Forty-fifth Day, were adopted.

Referred to E and R for engrossment with 24 ayes, 8 nays, 11 not voting.

MOTION—Vote of Thanks

Mr. President: I move that the members of the Legislature express their thanks to Greater Lincoln Association and Lincoln University Club for the splendid dinner and entertainment of last evening, as well as the courtesy extended in making available to our members the facilities and services of the University Club for the remainder of this session; and that the Clerk of the Legislature be directed to communicate the contents of this motion to those who were our hosts on that occasion. (Signed) A. C. Van Diest

The motion prevailed.

GENERAL FILE

LEGISLATIVE BILL NO. 148. Mr. Matzke's Specific Amendments, found in this Day's Journal, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 278. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 65. Laid over. Retains place on File.

LEGISLATIVE BILL NO. 95. Read and considered.

Mr. Sullivan moved to indefinitely postpone.

The motion prevailed.

Speaker Howard presiding

LEGISLATIVE BILL NO. 125. Read and considered.

Referred to E and R for review.

Committee—Congressional Districts

Speaker Howard announced that he had appointed the following members to serve on the Committee concerning Congressional Districts in Nebraska:

H. G. Greenamyre, Chairman

John S. Callan	Richard N. Johnson
Stanley A. Matzke	John E. Mekota
Charles F. Tvrdik	J. Lyndon Thornton
Ernest A. Adams	L. B. Murphy
Tony Asimus	A. C. Van Diest

Mr. Crossland presiding

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 243. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 133. Read and considered.

Standing Committee amendment, found in the Legislative Journal for the Thirty-eighth Day, was adopted.

Mr. Sorrell offered the following amendments:

1. Amend the bill, page 2, section 1, line 34, by deleting the word **"five"** and by inserting in lieu thereof the word **"three"**.

2. Amend the bill, page 3, section 1, line 35, after the word **"furnishing"** by inserting the words **"irrigation and"**.

3. Amend the bill, page 3, section 1, line 40, after the words **"users of"** by inserting the words **"irrigation and"**.

4. Strike the standing committee amendment, February 28, 1941, from the bill.

Numbers 1 to 3 inclusive of the above amendments were adopted.

Mr. Sorrell moved that the Legislature reconsider its action in adopting the Standing Committee amendment.

No action was taken on the motion.

Laid over.

REQUEST—Memorial Committee

To the Members of the Legislature:

As Chairman of Committee on Memorials I request each member to furnish the committee, on or before March 15th, a list of persons deceased since January 1, 1939, who served in the Nebraska Legislature. This information is necessary to enable the committee to prepare the memorial. (Signed) Gantz, Chairman

Adjournment

At 12:04 p. m. on motion by Mr. Howard, the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

FORTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, March 13, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Carlson, Mueller and Amos Thomas, who were excused.

The Journal for the Forty-sixth Day was approved as corrected.

NOTICE OF COMMITTEE HEARINGS

Public Health & Miscellaneous Subjects

L. B. No. 174, Wednesday, March 19, 1941, 2:00 p. m.

Judiciary

L. B. No. 197, Wednesday, March 19, 1941, 2:00 p. m.

L. B. No. 314, Wednesday, March 19, 1941, 2:00 p. m.

L. B. No. 330, Wednesday, March 19, 1941, 2:00 p. m.

L. B. No. 491, Wednesday, March 19, 1941, 2:00 p. m.

L. B. No. 362, Friday, March 21, 1941, 2:00 p. m.

L. B. No. 363, Friday, March 21, 1941, 2:00 p. m.

L. B. No. 380, Friday, March 21, 1941, 2:00 p. m.

L. B. No. 400, Friday, March 21, 1941, 2:00 p. m.

L. B. No. 415, Friday, March 21, 1941, 2:00 p. m.

L. B. No. 458, Friday, March 21, 1941, 2:00 p. m.

Public Works

L. B. No. 421, Friday, March 21, 1941, 2:00 p. m. (Continued)

STANDING COMMITTEE REPORTS

Banking, Commerce & Insurance

LEGISLATIVE BILL NO. 430. Placed on General File.

LEGISLATIVE BILL NO. 467. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 467:

1. Amend the bill, page 2, section 1, by striking that part of said section commencing with the punctuation and word **", including"** in line 13 therein down to and including the word and punctuation **"persons:"** in line 17 therein.

2. Amend the bill, page 2, section 1, line 20 by striking therefrom the words **"otherwise qualified"**.

3. Amend the bill, page 1, title, by striking that part of said title commencing with the words "to grant" in line 4 therein down to and including the word and punctuation "commission;" in line 6 therein and by inserting in lieu thereof the following:

"to provide that persons other than attorneys at law may represent others in matters coming before the commission;".

(Signed) Thornton, Chairman

Education

LEGISLATIVE BILL NO. 463. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 463:

1. Amend the bill, page 3, section 5, by striking that part of said section commencing with the words "The state" in line 11 therein down to and including the word and punctuation "applicant." in line 15 of said section.

2. Amend the bill, pages 3 and 4, by striking all of section 6 thereon and by inserting in lieu thereof the following:

"Sec. 6. The school board of the school district wherein physically handicapped children reside shall include in its annual budget for each child not less than the regular per pupil cost in the school of the district.".

3. Amend the bill, page 2, section 2, line 2; page 2, section 4, line 1; and page 3, section 5, line 3, by inserting immediately after the word "education" wherever the same appears in each of said lines respectively the following: "or board of trustees".

4. Amend the bill, page 1, title, by striking that part of said title commencing with the words "to provide" in line 7 therein down to and including the word and punctuation "involved;" in line 8 therein.

(Signed) Lambert, Vice-Chairman

Public Works

LEGISLATIVE BILL NO. 202. Placed on General File.

(Signed) Lambert, Vice Chairman

Enrollment & Review

LEGISLATIVE BILL NO. 109. Correctly re-engrossed.

LEGISLATIVE BILL NO. 495. Correctly engrossed.

LEGISLATIVE BILL NO. 70. Correctly engrossed.

LEGISLATIVE BILL NO. 53. Correctly enrolled.

(Signed) Crosby, Chairman

President signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill No. 53.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 110. With emergency clause.

A bill for an Act to amend Sec. 32-209, C. S. Supp., 1939, as amended by section 1, legislative bill No. 32, fifty-fifth session, Nebraska state legislature, 1941, relating to elections; to provide for the election of county clerks in counties having a population of more than one hundred fifty thousand inhabitants in the year 1936 and every four years thereafter; to establish the amount of the bond to be given by registers of deeds in counties having a population of not less than sixteen thousand and not more than one hundred thousand; to establish the amount of bond to be given by registers of deeds in counties having a population of more than one hundred thousand inhabitants; to repeal said original section as amended; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Adams, J. Jr.	Gantz	Matzke	Raecke
Asimus	Garber	Metzger	Rakow
Bevins	Greenamyre	Mischke	Reed
Blome	Hanna	Murphy	Sorrell
Bowman	Jeppesen	Neubauer	Thomas, Ray
Callan	Johnson	Norman	Thornton
Carmody	Knezacek	Peterson	Tvrdik
Crosby	Kotouc	Price	Weborg
Crossland	Lambert		

Voting in the negative, 0.

Not voting, 9:

Adams, E. A.	Howard	Sullivan
Brodahl	Mekota	Thomas, Amos
Carlson	Mueller	Van Diest

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

SELECT FILE

LEGISLATIVE BILL NO. 80. Laid over. Retains place on File.

LEGISLATIVE BILL NO. 159. E and R amendments, found in the Legislative Journal for the Forty-sixth Day, were adopted.

Mr. Price asked unanimous consent to amend the bill as follows:

Page 2, Sec. 1, line 4, by adding after the word "criminal" the following: "except criminal cases arising under city or village ordinances".

Laid over, temporarily.

LEGISLATIVE BILL NO. 180. E and R amendments, found in the Legislative Journal for the Forty-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 390. E and R amendments, found in the Legislative Journal for the Forty-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 323. E and R amendments, found in the Legislative Journal for the Forty-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 377. E and R amendments, found in the Legislative Journal for the Forty-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 273. E and R amendments, found in the Legislative Journal for the Forty-sixth Day, were adopted.

Mr. Sorrell moved to refer to E and R for review.

Mr. Price moved to refer to General File for the following Specific amendment:

Amend by adding to Section 2 the following: "All accounts of the state board of agriculture shall be audited annually by the state auditor".

A call of the House was ordered.

The call was raised.

The motion prevailed with 16 ayes, 12 nays, 15 not voting.

Placed on General File with amendment.

LEGISLATIVE BILL NO. 134. E and R amendments, found in the Legislative Journal for the Forty-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 131. E and R amendments, found in the Legislative Journal for the Forty-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 196. E and R amendments, found in the Legislative Journal for the Forty-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 182. E and R amendment, found in the Legislative Journal for the Forty-sixth Day, was adopted.

Referred to E and R for engrossment.

L. R. No. 12—Permanent School Fund

Mr. Garber announced that he would like to have a meeting of the committee to investigate permanent trust funds and asked that the members of said committee be excused.

Recess

At 10:36 a. m. the President declared a recess.

After recess

The Legislature reconvened at 11:12 a. m. President Johnson presiding.

The roll was called. A quorum was present.

SELECT FILE (Continued)

LEGISLATIVE BILL NO. 159. Mr. Price's Specific Amendment, found in this Day's Journal, was adopted by unanimous consent.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL NO. 273. Passed over. Retains place on File.

LEGISLATIVE BILL NO. 65. Passed over. Retains place on File.

Mr. Metzger presiding

LEGISLATIVE BILL NO. 133. Passed over. Retains place on File.

LEGISLATIVE BILL NO. 130. Sections 1 to 34 inclusive read and considered.

No further action taken.

Adjournment

At 11:59 a. m. on motion by Mr. Crosby the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

FORTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, March 14, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Carlson, Garber, Mueller and Amos Thomas, who were excused.

The Journal for the Forty-seventh Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Kotouc, one, favoring tax exemption for gasoline used in farm motors; all members, one, favoring L. B. No. 187.

Communications

A letter was read from Claude R. Wickard, Secretary of the United States Department of Agriculture, acknowledging receipt of Legislative Resolution No. 7 regarding corn for drouth stricken areas.

Invitation

A letter was read from Barney Bruckner extending an invitation to the members of the Legislature who voted to make St. Patrick's Day a holiday to attend open house Monday March 17, 1941 at 3812 Q Street, Omaha.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce & Insurance

L. B. No. 409, Thursday, March 20, 1941, 2:00 p. m. (Deferred Hearing)

L. B. No. 410, Thursday, March 20, 1941, 2:00 p. m.

L. B. No. 411, Thursday, March 20, 1941, 2:00 p. m.

L. B. No. 412, Thursday, March 20, 1941, 2:00 p. m.

L. B. No. 389, Thursday, March 20, 1941, 2:00 p. m.

L. B. No. 472, Thursday, March 20, 1941, 2:00 p. m.

Revenue

L. B. No. 464, Thursday, March 27, 1941, 2:00 p. m.

L. B. No. 419, Thursday, March 27, 1941, 2:00 p. m.

L. B. No. 354, Tuesday, April 1, 1941, 2:00 p. m.

L. B. No. 355, Tuesday, April 1, 1941, 2:00 p. m.

L. B. No. 356, Tuesday, April 1, 1941, 2:00 p. m.

L. B. No. 357, Tuesday, April 1, 1941, 2:00 p. m.

L. B. No. 358, Tuesday, April 1, 1941, 2:00 p. m.

L. B. No. 359, Tuesday, April 1, 1941, 2:00 p. m.

Speaker Howard presiding.

STANDING COMMITTEE REPORTS

Revenue

LEGISLATIVE BILL NO. 107. Placed on General File.

LEGISLATIVE BILL NO. 186. Indefinitely postponed.

LEGISLATIVE BILL NO. 62. Indefinitely postponed.

LEGISLATIVE BILL NO. 117. Indefinitely postponed.

(Signed) Murphy, Chairman

Education

LEGISLATIVE BILL NO. 478. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 478:

1 Amend the bill, page 2, section 1, by striking that part of said section commencing with the preposition **"for"** in line 8 therein down to and including the definite article "the" in line 10 therein and by inserting in lieu thereof the following:

"for maintenance and operation of the schools and for the establishment of a building fund for the repair and alteration of buildings, which fund when so established shall be used for no other purpose and shall accumulate from year to year until expended: Provided, that the provisions for the building fund, as herein authorized, shall be construed as supplemental to and cumulative with Secs. 79-133 to 79-137, C. S. Supp., 1939. The

2. Amend the bill, page 1, title by striking that part of said title commencing with the words "to fix" in line 3 therein, down to and including the word and punctuation "fund;" in line 7 therein and by inserting in lieu thereof the following:

"to provide for the establishment of a building fund for the repair and alteration of buildings in school districts containing a city having a population of one thousand inhabitants or more; to provide that the authority to establish the building fund above provided shall be cumulative with and supplemental to Secs. 79-133 to 79-137, inclusive, C. S. Supp., 1939;".

(Signed) Matzke, Chairman

Public Works

LEGISLATIVE BILL NO. 289. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 289:

1. Amend the bill, page 2, section 1, line 10, by inserting after the word and punctuation "bidder." therein the following: "The state of Nebraska and its governmental subdivisions herein mentioned shall be empowered to accept and use contributions from or participation in the construction or repair of such buildings from the federal government or any of its agencies and may enter into agreements with reference to the use and acceptance of such contributions

or participations, and, in such cases, the bid, proposal or contract contemplated under this section shall take such contributions or participations into account.".

2. Amend the bill, page 1, title, by striking that part of said title commencing with the words "to provide" in line 2 down to and including the word and punctuation "bidding;" in line 4 therein and by inserting in lieu thereof the following: "to provide procedure for the letting of contracts for the construction or repair of public buildings, the estimated cost of which will exceed the sum of five thousand dollars;".

LEGISLATIVE BILL NO. 272. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 272:

1. Amend the bill, page 2, section 1, line 18, by striking therefrom the word **"three"** therein and by inserting in lieu thereof the word **"five"**.

2. Amend the bill, page 1, title, line 5, by striking the word "three" and by inserting in lieu thereof the word "five".

(Signed) Lambert, Vice Chairman

Judiciary

LEGISLATIVE BILL NO. 212. Placed on General File

LEGISLATIVE BILL NO. 331. Placed on General File.

LEGISLATIVE BILL NO. 241. Placed on General File.

LEGISLATIVE BILL NO. 370. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 370:

1. Amend the bill, page 2, Section 2, line 6, by inserting after the words "United States" and before the comma "," the following: "or by any country with which the United States shall then maintain friendly relations,"; and in line 12, Section 2, after the words "United States" and before the comma "," by inserting the following: "or by any country with which the United States shall then maintain friendly relations,"

2. Amend the bill, page 2, Section 3, line 5, by adding after the words "United States" and before the comma "," the following: "or any of the states for defense or for war, or for the prosecution of war by the United States or by any country with which the United States shall then maintain friendly relations"; and in line 13 of said section 3, after the words "United States" and before the comma "," by adding the following: "or by any country with which the United States shall then maintain friendly relations".

3. Amend the bill, page 4, Section 7, line 4, by inserting after the word "in" the following: "the manufacture, transportation or storage of any product to be used in the preparation of the United States or any of the States for defense or for war or in the prosecution of war by the United States or by any country with which the United States shall then maintain friendly relations, or".

4. Amend the bill, page 5, Section 9, line 7, by adding after the words "United States" and before the comma "," the following: "or by any country with which the United States shall then maintain friendly relations".

LEGISLATIVE BILL NO. 214. Placed on General File with amendments.

Standing Committee amendments to L. B. No 214:

1. Amend the bill, page 2, Section 1, line 7, by adding a comma "," after the word "credit" and inserting the following: "other than merchandising credit in the ordinary course of business for a period not to exceed thirty days,"

2. Amend the bill, page 2, Section 1, line 21, by inserting after the word "credit" the following: "except such merchandising credit".

LEGISLATIVE BILL NO. 452. Placed on General File with amendment.

Standing Committee amendment to L. B. No. 452:

1. Amend the bill, page 2, Section 1, line 7, by striking therefrom the word "thirty" therein, and inserting in lieu thereof the word "sixty".

LEGISLATIVE BILL NO. 147. Indefinitely postponed.

LEGISLATIVE BILL NO. 124. Indefinitely postponed.

LEGISLATIVE BILL NO. 188. Indefinitely postponed.

(Signed) Gantz, Chairman

Banking, Commerce & Insurance

LEGISLATIVE BILL NO. 271. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 271:

1. Amend the bill, page 3, section 1, by striking that part of said section commencing with the words "it shall" in line 40 down to and including the word "banking" in line 44 and by inserting in lieu thereof the following: **"any loan made to a member shall be from funds not applicable for payment to withdrawing members, and shall not exceed one-half of the credit value of the member's stock, unless secured also by the pledge of real estate. If the only security for such a loan be a pledge of the member's stock, the association shall take from the borrower a note for the payment thereof with interest, payable on demand, and a notice for withdrawal of sufficient of the stock to pay such note and interest unless such notice is already on file, and the association shall not demand payment of such note until it has funds available for the payment of the withdrawal notice in the sequence of its filing".**

2. Amend the bill, page 4, section 1, line 72, by inserting after the word "earnings" therein the following: **", and the association shall, at least sixty days before so retiring any shares, send written notice to each person shown by the books of the association to be an owner of such shares, mailed to such person's last known address, which notice shall inform such persons of the intent of the association to make the retirement on a designated date".**

(Signed) Thornton, Chairman

Enrollment & Review

Correctly enrolled

L. B. No. 110 L. B. No. 146 L. B. No. 144

Correctly engrossed

L. B. No. 59 L. B. No. 182 L. B. No. 131
L. B. No. 134 L. B. No. 196

LEGISLATIVE BILL NO. 49. Correctly re-engrossed.

LEGISLATIVE BILL NO. 148. Placed on Select File with amendments.

E and R amendments to L. B. No. 148:

1. Strike specific amendment No. 3, February 28, 1941.

2. Amend the specific amendments, Matzke, March 12, 1941, amendment e, line 14 by inserting after the word "Nebraska" therein the following: ", 1929".

3. Amend the specific amendments, Matzke, page 1, amendment b, line 6 by inserting after the word **"Provided"** the punctuation ",".

4. Amend the specific amendments, Matzke, March 12, 1941, page 2, amendment d, by underscoring all subject matter in lines 17, 18, 19 and 20 therein.

LEGISLATIVE BILL NO. 46. Placed on Select File with amendments.

E and R amendments to L. B. No. 46:

1. Amend the bill, page 2, section 3, by striking the punctuation ";" wherever the same appears in lines 5 and 6 and by inserting in lieu thereof in each of said lines respectively the punctuation ",".

2. Amend the bill, pages 2 and 3, section 3, lines 21 and 22, by striking the punctuation ";" wherever the same appears in each of said lines respectively and insert in lieu thereof the punctuation ",".

3. Amend the bill, page 3, section 3, line 48, by striking therefrom the figure "3" therein and by inserting in lieu thereof the figure "2".

4. Renumber the sections now comprising the bill to conform with all amendments adopted.

5. Amend the bill, page 1, title, lines 7 and 8, by striking therefrom the words and punctuation "to establish penalties therefor; to provide a validity clause;".

LEGISLATIVE BILL NO. 150. Placed on Select File with amendments.

E and R amendments to L. B. No. 150:

1. Strike all of standing committee amendments 1 and 2 and insert in lieu thereof the following: "1. Amend the bill, page 2,

section 1, by striking that part of said section commencing with the preposition "to" in line 15 therein down to and including the word and punctuation "more," in line 16 therein and by inserting in lieu thereof the following: **", the game, forestation and parks commission shall have authority to move said beaver to other parts of the state, and may, when deemed necessary, sell live beaver to other states or may trap beaver for the pelts, when such pelts are prime, and shall credit all money so received to the game, forestation and parks commission funds, or".**

2. Amend the standing committee amendments by striking all of amendments No. 3 and by inserting in lieu thereof the following: "2. Amend the bill, page 2, section 1, line 29, by striking therefrom the words "one dollar" and by inserting in lieu thereof the words **"two dollars".**

3. Amend the bill, page 2, section 1, line 21, by striking the first definite article "the" therein.

4. Amend the bill, page 1, title, by striking that part of said title commencing with the words "to provide" in line 3 therein down to and including the word "more" in line 6 therein and by inserting in lieu thereof the following: "to provide special open seasons and regulations concerning beaver".

LEGISLATIVE BILL NO. 243. Placed on Select File.

Presented to Governor for Approval

Thursday, March 13, 1941 at 3:30 p. m.

Legislative Bill No. 53.

(Signed) Crosby, Chairman

Speaker signs

While the Legislature was in session and capable of transacting business, the Speaker signed:

L. B. No. 110 L. B. No. 146 L. B. No. 144

RESOLUTION

LEGISLATIVE RESOLUTION NO. 13. Furniture for Governor's Mansion.

Introduced by John S. Callan of Gage

Resolution authorizing purchase of furniture and furnishings for Governor's mansion.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-FIFTH SESSION ASSEMBLED:

1. That the purchasing agent in the office of the tax commissioner is hereby specifically directed forthwith to contract for the emergency purchase of necessary furniture and furnishings for the governor's mansion in an amount not exceeding three thousand dollars; and, upon presentation of proper vouchers, approved by the governor, the auditor of public accounts shall issue his warrant against the purchasing department revolving fund, Aud. Acct. No. 700 for the vouchers thus approved and the state treasurer shall pay the same as other warrants are paid out of the purchasing department revolving fund.

2. That for the amount of the emergency purchases authorized in the preceding section of this resolution, the purchasing department revolving fund shall be reimbursed from appropriations for the administration of the state government to be made at the present legislative session.

Mr. Callan moved that the rules be suspended and that Legislative Resolution No. 13 be considered at once.

The motion prevailed with 29 ayes, no nays, 14 not voting.

Mr. Callan moved that Legislative Resolution No. 13 be adopted.

The motion prevailed with 33 ayes, no nays, 10 not voting.

The President declared the resolution adopted.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 167. With emergency clause.

A bill for an Act to amend Sec. 20-523, C. S. Supp., 1939, relating to civil procedure in district court; to define a legal newspaper; to legalize certain legal publications; to legalize certain newspapers; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Adams, E. A.	Crossland	Kotouc	Price
Asimus	Gantz	Lambert	Raecke
Bevins	Greenamyre	Matzke	Rakow
Blome	Hanna	Mekota	Sorrell
Bowman	Howard	Metzger	Thomas, Ray
Brodahl	Jeppesen	Mischke	Thornton
Callan	Johnson	Neubauer	Tvrdik
Carmody	Knezacek	Peterson	Van Diest
Crosby			Weborg

Voting in the negative, 0.

Not voting, 9:

Adams, J. Jr.	Mueller	Norman	Sullivan
Carlson	Murphy	Reed	Thomas, Amos
Garber			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 39. With emergency clause.

A bill for an Act to amend Sec. 11-409, C. S. Supp., 1939, relating to internal improvement bonds; to provide the maximum amount of internal improvements bonds that may be levied by precincts for highway purposes; to prescribe the requisite number or percentage of votes cast to carry proposals for internal improvement bonds when submitted to the electors; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 30:

Adams, J. Jr.	Gantz	Lambert	Price
Bevins	Greenamyre	Matzke	Rakow
Blome	Hanna	Metzger	Reed
Bowman	Howard	Mischke	Sullivan
Callan	Jeppesen	Murphy	Thomas, Ray
Carmody	Johnson	Norman	Tvrdik
Crosby	Kotouc	Peterson	Van Diest
Crossland			Weborg

Voting in the negative, 6:

Brodahl	Mekota	Raecke	Sorrell
Knezacek			Thornton

Not voting, 7:

Adams, E. A.	Carlson	Mueller	Thomas, Amos
Asimus	Garber	Neubauer	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

REPORT OF SELECT COMMITTEE

Congressional Districts

Mr. President: For the information of the Legislature, your Special Committee for the redistricting of the Congressional Districts of the State of Nebraska reports the following transactions of business:

E. A. Adams selected Secretary of the Committee.

A. C. Van Diest selected Vice President of the Committee.

H. A. Galloway appointed Clerk of the Committee.

Public hearings to be held Wednesday evening, Thursday evening and Friday evening beginning at seven thirty; meetings to be held in the Old Senate Chamber. The dates of the above days being March 19, 20 and 21.

Respectfully submitted,

(Signed) Greenamyre, Chairman

Mr. Gantz presiding

SELECT FILE

LEGISLATIVE BILL NO. 80. Laid over.

GENERAL FILE

LEGISLATIVE BILL NO. 273. Laid over at request of Mr. Sorrell. Placed at foot of General File.

Mr. Lambert moved to place at head of General File.

The motion was lost with 14 ayes, 1 nay, 28 not voting.

LEGISLATIVE BILL NO. 65. Laid over. Retains place on File.

President Johnson presiding

LEGISLATIVE BILL NO. 130. Sections 35 to 42 read and considered.

Standing Committee amendment, found in the Legislative Journal for the Thirty-eighth Day, was adopted.

Mr. Ray Thomas offered the following amendment, which was adopted:

Amend the bill by striking March 1, 1942 wherever it appears and insert in lieu thereof July 1, 1942.

Mr. Peterson offered the following amendment, which was adopted:

That the figures "130" be inserted at all places in L. B. No. 130 where blanks are left to describe this bill.

Referred to E and R for review.

Special Order of the Day—11:00 a. m.

LEGISLATIVE BILL NO. 152. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-eighth Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 133. Laid over. Retains place on File.

LEGISLATIVE BILL NO. 31. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 451. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 336. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 133. Mr. Murphy moved that the Legislature reconsider its action in adopting amendments numbered 2 and 3, found in the Legislative Journal for the Forty-sixth Day.

The motion prevailed with 31 ayes, no nays, 12 not voting.

No further action taken.

LEGISLATIVE BILL NO. 168. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-ninth Day, were adopted.

Referred to E and R for review.

Approved by Governor

March 14, 1941.

To the President and Members of the Legislature
Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that on March 13, 1941, he approved the following bills, viz:

L. B. No. 77	L. B. No. 262
L. B. No. 198	L. B. No. 53
L. B. No. 85	

Respectfully submitted,
(Signed) Val Peterson
Secretary to the Governor

Approved by Governor

March 14, 1941.

To the President, the Speaker and Members of the Legislature

Gentlemen:

I am directed by Governor Dwight Griswold to inform your hon-

orable body that he has this day approved the following bills:

L. B. No. 69 L. B. No. 120

L. B. No. 63 L. B. No. 137

Respectfully submitted,

(Signed) Val Peterson
Secretary to the Governor

COMMITTEE—Congressional Districts

Speaker Howard announced that Mr. Mekota had asked to be excused from serving on the committee in regard to redistricting Nebraska for congressional representation; that the request had been granted and that Mr. Neubauer had been appointed to serve in his stead.

MESSAGE FROM THE GOVERNOR

Legislative Bill No. 234

March 14, 1941

To the President, the Speaker and Members of the Legislature

Gentlemen:

I have before me L. B. No. 234 and find some defects in the form in which it is drawn. In the enrolled bill in line 5 of section 1 before the word "food" there should be inserted the words "through the". Without the addition of these two words the section is not in proper form.

In section 2 line 5, I would suggest that there be an amendment to show that the "distribution of commodities" which is authorized is to be "through the food stamp plan, etc." As the section is drawn, this might give county boards authority to carry on the distribution of bulk commodities, and this would involve a division of authority between the State Board of Control and the various county boards. I understand that this section is not intended to give this authority to the county boards, but I feel that the wording needs some amendment.

Section 3 is also poorly worded. The last two lines in the enrolled bill really having no meaning whatsoever. I suggest that

this bill be recalled from the Governor's office, properly amended, and then again passed.

Respectfully submitted,

(Signed) Dwight Griswold
Governor

Adjournment

At 12:07 p. m. Mr. Johnson moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Monday, March 17, 1941.

The motion prevailed with 31 ayes, 4 nays, 8 not voting.

Hugo F. Srb,
Clerk of the Legislature.

FORTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, March 17, 1941.

Pursuant to adjournment, the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Amos Thomas and A. C. Van Diest who were excused, and except Mr. Price who was excused until 11:30 a. m.

The Journal for the Forty-eighth Day was approved as corrected.

PETITIONS AND MEMORIALS

Mr. Howard introduced a petition asking the Legislature to memorialize Congress to pass H. R. 1036.

A petition was received through the Governor's office opposing L. B. No. 489.

Communications

A letter was read from Congressman Karl Stefan regarding Legislative Resolution No. 7 concerning corn for drouth stricken areas.

Invitation

A letter was read extending an invitation to the members of the Legislature to attend the annual St. Patricks Ball of Capitol Lodge No. 170 of the Brotherhood of Railroad Trainmen at the Cornhusker Hotel.

Visitor

Speaker Howard introduced the Reverend H. M. Veenschoten, of Changchow, Fukien, China, who addressed the Legislature briefly.

STANDING COMMITTEE REPORTS

Appropriations

LEGISLATIVE BILL NO. 340. Placed on General File.

LEGISLATIVE BILL NO. 418. Placed on General File.

LEGISLATIVE BILL NO. 432. Placed on General File.

LEGISLATIVE BILL NO. 161. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 161:

1. Amend the bill, page 2, section 1, line 9, by striking the "." after the word "commission" and inserting in lieu thereof the following, "**: Provided, that said commission shall at no time own more than two aircraft.**"

2. Amend the bill, page 2, section 2, line 9, by striking the "." after the word "aircraft" and inserting in lieu thereof the following, "**as provided in section 1, herein.**"

3. Amend the bill, page 2, section 3, lines 2 and 3, by striking "; and that Sec. 3-216, C. S. Supp., 1939, is hereby repealed".

4. Amend the bill, title lines 6 and 7, by striking the words "to repeal Sec. 3-216, C. S. Supp., 1939;" following the word "sections" in line 6 and before the conjunction "and" in line 7.

LEGISLATIVE BILL NO. 221. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 221:

1. Amend the bill, pages 2, 3, 4, 5 and 6 by striking all of sections 1 to 6 inclusive thereon and by inserting in lieu thereof the following:

"Section 1. There is hereby specifically appropriated out of the general fund of the state of Nebraska, not otherwise appropriated the sum of four hundred thousand dollars, as a revolving fund to be used for the purchase of county warrants by the state treasurer as

provided in Sec. 77-2501, C. S. Supp., 1939, as amended by section 3, legislative bill No. 221, fifty-fifth session, Nebraska state legislature, 1941, to promote the expansion of the surplus commodity stamp plan, school lunch program and such other similar purposes by facilitating the distribution of surplus commodity stamps used in the distribution of surplus commodities. The sum herein appropriated shall be used solely for the purposes herein set forth and shall be immediately available.

Sec. 2. The sum specifically appropriated for the purposes set forth in section 1, legislative bill No. 221, fifty-fifth session, Nebraska state legislature, 1941, shall be held and kept by the state treasurer in a fund to be known as **"state surplus agricultural revolving fund".** Upon application by a county treasurer for a loan to be made to the county from the **state surplus agricultural revolving fund,** the state treasurer shall purchase county warrants issued upon the **county food or cotton stamp revolving fund,** as established in legislative bill No. 375, fifty-fifth session, Nebraska state legislature, 1941, for the amount of the loan so requested, but never in excess of the amount to the credit of the **state surplus agricultural revolving fund: Provided,** the county warrants purchased by the state treasurer shall be redeemed by the county from the first funds received thereafter in the county from any source, notwithstanding any provision in Chapter 26, Article 21, C. S. Supp., 1939, as now existing or as hereafter amended.

Sec. 3. That Sec. 77-2501, C. S. Supp., 1939, be amended to read as follows:

77-2501. The State Treasurer **state treasurer** shall deposit, and at all times keep in **on** deposit for safe keeping, in the state or national banks, or some of them doing business in this state and of approved standing and responsibility, the amount of money in his hands belonging to the several current funds in the state treasury, ; and any such bank may apply for the privilege of keeping on deposit such funds or some part thereof; all. **All** such deposits shall be subject to payment when demanded by the State Treasurer **state treasurer** on his check; and **shall be** subject also to such regulations as are imposed by law and the rule adopted by the State Treasurer **state treasurer** in receiving and holding such deposits.: **Provided,** that the State Treasurer **state treasurer** may invest not more than 60% **sixty per cent** of the money of said funds in warrants of this state or of any county, or of any irrigation district situated in the State **state** of Nebraska thereof at par whenever he deems it proper, and carry the same at their value as cash: Provided ; **and provided further, the state treasurer may invest money appropriated to the "state surplus agricultural revolving fund" in county warrants as provided in sections 1 and 2, legislative bill No. 221, fifty-fifth session, Nebraska state legislature, 1941; and provided further,** that the State Treasurer

state treasurer may invest such current funds not needed for daily needs in United States Bonds **bonds.**

Sec. 4. That said original Sec. 77-2501, C. S. Supp., 1939 is hereby repealed; and that Secs. 68-337, 68-338 and 68-339, C. S. Supp., 1939, are hereby repealed.

Sec. 5. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.".

2. Amend the bill, page 1, title, by striking all of said title after the word "ACT" in line 2 therein and by inserting in lieu thereof the following:

"relating to public welfare, public health and social security; to establish a **state surplus agricultural revolving fund;** to promote the expansion of the surplus commodity stamp plan for facilitating the distribution of surplus commodity stamps used in the distribution of surplus commodities; specifically to appropriate from the general fund of the state of Nebraska the sum of four hundred thousand dollars for the uses and purposes of said revolving fund; to empower the state treasurer to invest the moneys appropriated to said revolving fund in county warrants issued upon the **county food or cotton stamp revolving fund** of the several counties; to provide the method of redeeming county warrants so purchased; to amend Sec. 77-2501, C. S. Supp., 1939; to repeal said original section; to repeal Secs. 68-337, 68-338 and 68-339, C. S. Supp., 1939; and to declare an emergency.".

LEGISLATIVE BILL NO. 334. Placed on General File.

LEGISLATIVE BILL NO. 425. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 425:

1. Amend the bill, page 3, section 1, line 56, by inserting after the word **"months"** therein the following: **", if the application be accompanied by an offer to pay the cost of diagnosis and treatment".**

2. Amend the bill, page 3, section 1, line 63, by striking the word **"actual"** therein.

3. Amend the bill, page 1, title, lines 6 and 7, by striking the words "actual expenses for such patients" therein and by inserting in lieu thereof the following: "the cost of diagnosis and treatment of such patients".

(Signed) Callan, Chairman

Government

LEGISLATIVE BILL NO. 372. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 372:

1. Amend the bill, page 3, section 6, line 2, by inserting after the conjunction "and" and before the word "build" therein the following: "to purchase or".

2. Amend the bill, pages 3 and 4, section 7, lines 7, 15, 23 and 30; and page 8, section 9, line 8 by inserting after the word **"guard"** in each of said lines and sections respectively the following: **"and state guard".**

LEGISLATIVE BILL NO. 368. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 368:

1. Amend the bill, page 2, section 1, line 12, by inserting after the word and punctuation "law." therein the following:

"No one may be commissioned as an officer who has been convicted of a felony. Fingerprints of all officers and enlisted men shall be taken and forwarded to the federal bureau of investigation in Washington, D. C., for examination.".

2. Amend the bill, page 3, section 4, line 2, by inserting after the word "requisition" and before the word "from" therein the words "or purchase".

3. Amend the printed bill only, page 3, section 5, line 19, by striking the word "capture" therein and by inserting in lieu thereof the word "captured".

4. Amend the bill, page 3, section 5, line 21, by striking the preposition "to" therein and by inserting in lieu thereof the preposition "of".

5. Amend the printed bill only, page 4, section 6, line 12, by striking the word "by" therein and by inserting in lieu thereof the word "be".

6. Amend the bill, page 4, section 7, line 5, by striking the word "this" therein and by inserting in lieu thereof the word "his".

7. Amend the bill, page 5, section 13, line 1, by striking the word "act" therein and by inserting in lieu thereof the word "acts".

8. Amend the bill, page 5, by inserting immediately after line 2, section 14, therein a new section as follows: "Sec. 15. That Article 2, Chapter 55, Compiled Statutes of Nebraska, 1929, relating to home guards, is hereby repealed.".

9. Amend the bill, page 6, section 15, line 1, by striking the figures "15" therein and by inserting in lieu thereof the figures "16".

10. Amend the bill, page 1, title, line 3, by inserting immediately after the word and punctuation "title;" therein the following: "to repeal Article 2, Chapter 55, Compiled Statutes of Nebraska, 1929, relating to home guards;".

LEGISLATIVE BILL NO. 304. Indefinitely postponed.

LEGISLATIVE BILL NO. 303. Placed on General File.

LEGISLATIVE BILL NO. 177. Placed on General File.

LEGISLATIVE BILL NO. 64. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 64:

1. Amend the bill, page 2, section 1, line 9 by inserting after the word and punctuation **"Provided,"** therein the following:

"in cities of the first class having a population of not less than eighteen thousand inhabitants nor more than twenty-five thousand inhabitants, the local governing body is empowered to borrow money and pledge the property and credit of the city in an amount not exceeding the sum of three hundred thousand dollars for the purpose of constructing or aiding in the construction of such public buildings; and provided further,".

2. Amend the bill, title, page 1, line 4 by striking the word "five" therein and by inserting in lieu thereof the word "eighteen".

3. Amend the bill, title, page 1, line 7 by inserting after the noun "issues" and before the preposition "for" the words "of such cities".

LEGISLATIVE BILL NO. 392. Placed on General File.

LEGISLATIVE BILL NO. 255. Placed on General File.

(Signed) Sorrell, Chairman

Public Works

LEGISLATIVE BILL NO. 165. Indefinitely postponed.

LEGISLATIVE BILL NO. 494. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 494:

1. Amend the bill, page 2, section 1, lines 4 and 12, by striking the word "running" wherever the same appears therein and by inserting in lieu thereof the word **"natural"**.

2. Amend the bill, page 2, section 1, line 11, by inserting after the word "dam" and before the word "across" therein the following: **"for reservoir purposes or"**.

3. Amend the bill, page 2, section 1, line 13, by inserting the punctuation "," after the word "misdemeanor" and before the conjunction "and" therein.

4. Amend the bill, page 2, section 1, lines 19 and 24, by striking the word **"empounding"** wherever the same appears in each of said lines respectively and by inserting in lieu thereof the word **"impounding"**.

5. Amend the bill, page 2, section 1, line 23, by striking the word **"wildlife"** and by inserting in lieu thereof the words **"wild life"**.

(Signed) Mischke, Chairman

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL NO. 375. Placed on General File.

LEGISLATIVE BILL NO. 35. Indefinitely postponed.

LEGISLATIVE BILL NO. 253. Indefinitely postponed.

LEGISLATIVE BILL NO. 92. Indefinitely postponed.

LEGISLATIVE BILL NO. 99. Indefinitely postponed.

LEGISLATIVE BILL NO. 187. Placed on General File.

(Signed) Ray Thomas, Chairman

Enrollment & Review

Presented to Governor for approval

Friday, March 14, 1941 at 4:50 p. m.

L. B. No. 144	L. B. No. 146	L. B. No. 110

Correctly enrolled

L. B. No. 194	L. B. No. 173	L. B. No. 39
L. B. No. 285	L. B. No. 167	

(Signed) Crosby, Chairman

President signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 194	L. B. No. 173	L. B. No. 39
L. B. No. 285	L. B. No. 167	

MOTION—Not to Concur in Report

Mr. President: I move that we do not concur in the recommendation of the Committee on Judiciary that L. B. No. 147 be indefinitley postponed. (Signed) Mischke, Blome

The motion was lost with 13 ayes, 9 nays, 21 not voting.

MOTION—To Place on Select File

Mr. President: I move that L. B. No. 49 be returned to Select File for the following Specific amendment:

Amend the engrossed bill, title, line 19, page 1, by striking therefrom the word "not" after the word "for" and before the word "more".

(Signed) Crosby

The motion prevailed.

MOTION—To Recall L. B. No. 234

Mr. President: I move that L. B. No. 234 be recalled from the Governor's office. (Signed) Thornton

The motion prevailed.

MOTION—To Place on Passage

Mr. President: I move that the rules be suspended and that L. B. No. 495 be read on Third Reading today. (Signed) Metzger

The motion prevailed with 33 ayes, no nays, 10 not voting.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 495. With emergency clause.

A bill for an Act relating to health, public welfare and public safety; to provide for the consolidation of cities, villages or counties or portions or combinations of them into state zoning districts under the general control of a state zoning agency, an executive department of the state functioning under the governor, and composed of the **Nebraska advisory defense committee,** created by legislative bill No. 232, fifty-fifth session, Nebraska state legislature, 1941, if and when a federal fort, airport, manufacturing plant or assembly plant for the construction or assembly of military equipment for the manufacture of explosives, arms or munitions is or is about to be located within or near the corporate limits of cities, villages or counties or portions or combinations of them; to find and declare that the establishment of state zoning districts embracing territory used or to be used for the activities described above is a matter of general state concern; to prescribe the duties of the state zoning agency; to enumerate its powers; to provide for the creation, management and support of the **"state zoning agency fund"**; to amend Sec. 26-105, C. S. Supp., 1939; to amend Section 19-901, Compiled Statutes of Nebraska, 1929; to provide that county boards shall be empowered to pass, adopt and publish zoning resolutions which shall have the force and effect of law and which may include therein by reference only the provisions, limitations and terms of plumbing, electrical, fire prevention or other standard published codes; to empower the local governing bodies of cities, villages and counties to pay out of their general funds their proportionate share of the costs of technical and other services furnished them by the state zoning agency; to provide rules and regulations governing and controlling zoning of territory beyond the corporate limits of cities or villages by county boards under certain conditions; to repeal said original sections; to state a validity clause; to provide penalties for the violation of this act and for the violation of the provisions of resolutions adopted by the county board for the administration and enforcement thereof; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Adams, E. A.	Crosby	Kotouc	Peterson
Adams, J. Jr.	Crossland	Lambert	Price
Asimus	Gantz	Matzke	Raecke
Bevins	Garber	Mekota	Rakow
Blome	Greenamyre	Metzger	Reed
Bowman	Hanna	Mischke	Sorrell
Brodahl	Howard	Mueller	Sullivan
Callan	Jeppesen	Murphy	Thomas, Ray
Carlson	Johnson	Neubauer	Thornton
Carmody	Knezacek	Norman	Tvrdik
			Weborg

Voting in the negative, 0.

Not voting, 2.

Thomas, Amos Van Diest

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MESSAGE FROM THE GOVERNOR

L. B. No. 234

March 17, 1941.

To the President, the Speaker and Members of the Legislature

Gentlemen:

In accordance with your request, I am returning herewith Legislative Bill No. 234.

Respectfully submitted,

(Signed) Dwight Griswold
Governor.

MOTION—To Reconsider Action

Mr. President: I move that we reconsider our action in passing L. B. No. 234 on Third Reading. (Signed) Lambert

The motion prevailed with 37 ayes, no nays, 6 not voting.

MOTION—To Place on Select File

Mr. President: I move that we return L. B. No. 234 to Select File for the following Specific amendments:

Sec. 1, line 6, after the word "commodities" and comma, the words "through the" be inserted before the word "food".

Sec. 2, line 6, after the word "commodities" before the word "through" insert a comma.

Sec. 3, line 1, after the word "commission" and before the word "of" insert the words "of the various counties".

In line 6 strike the words "the obtaining and" after the word "for" and before the word "participating".

(Signed) Lambert

The motion prevailed.

Placed on Select File.

MESSAGE FROM GOVERNOR

Veto L. B. No. 29

March 14, 1941.

To the President, the Speaker and Members of the Legislature

Gentlemen:

I am returning without my signature L. B. No. 29. My judgment is that the demand and need today is for changes in the law which will cause a better collection of taxes rather than to make it easier to postpone or evade the payment of those taxes. L. B. No. 29 is another one of those acts which invite the non-payment, or at least the delayed payment, of the obligation of the citizen to his government.

The history of this act is that a number of years ago, all real estate taxes were due in the spring and if not paid by October 1st, the fact was advertised and it was possible for tax certificates to be sold, with a penalty being inflicted upon the delinquent taxpayer.

In order to ease the burden of the taxpayer, it was provided by the Legislature in 1933 that taxes could be paid in two install-

ments, thus giving the property owner the benefit of several months additional time in the payment of one-half of his tax.

There might be some objection to the present law inasmuch as the second half of the real estate tax begins to draw interest September 1st, and if not paid, the tax certificates are advertised for sale in October.

If it be thought that one month is too short a time, then I would state that the provisions of L. B. No. 29 provide for thirteen months delay in this advertising, which is certainly too long a time. It might be well to delay this advertising for a month or two, but I do not believe that it should be delayed for twelve additional months.

If L. B. No. 29 is enacted, it would provide that if the second half of the 1940 real estate taxes is not paid it would not be advertised until October of 1942.

For the above reasons, I am declining to sign this bill.

Respectfully submitted,

(Signed) Dwight Griswold
Governor.

Member excused

Mr. Gantz was excused from the sessions on March 19, 20 and 21, 1941.

Adjournment

At 12:06 p. m. on motion by Mr. Greenamyre the Legislature adjourned.

Hugo F. Srb,
Clerk of the Leigslature.

FIFTIETH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, March 18, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Amos Thomas and A. C. Van Diest who were excused, and except Mr. Price who was excused until 11:00 a. m.

The Journal for the Forty-ninth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Mueller, 13, Mr. Gantz, one, favoring the exemption from taxation of gasoline used in farm motors.

NOTICE OF COMMITTEE HEARINGS

Labor & Public Welfare

L. B. No. 293, Monday, March 24, 1941, 2:00 p. m.

L. B. No. 403, Monday, March 24, 1941, 2:00 p. m.

Judiciary

L. B. No. 310, Monday, March 24, 1941, 2:00 p. m.

L B.. No. 373, Monday, March 24, 1941, 2:00 p. m.

L. B. No. 387, Monday, March 24, 1941, 2:00 p. m.

L. B. No. 397, Monday, March 24, 1941, 2:00 p. m.

L. B. No. 500, Monday, March 24, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Labor & Public Welfare

LEGISLATIVE BILL NO. 163. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 163:

1. Amend the bill, pages 2, 3, 4, 5, 6 and 7 by striking all of sections 1 to 19 inclusive thereon and by inserting in lieu thereof the following:

"Section 1. **Subdivision 1.** In the absence of a written agreement, signed as a separate document by both employer and each employee, that provides for some other method of payment of the wages of employee, every person, firm, association, or partnership doing business in this state, and every corporation organized under or acting by virtue of the laws of the state of Nebraska, shall pay at least every two weeks to each and every employee engaged in his, their or its business, or to the duly authorized representatives of such employee, the full amount of wages earned and unpaid up to and within fourteen days of such payment: **Provided,** that if at any time of payment, any employee shall be absent from his or her regular place of labor and shall not receive his or her wages through a duly licensed representative, he or she shall be entitled to said payment at any time thereafter upon demand; **and provided further,** that the provisions of this section shall not apply to the employees mentioned in Sections 74-574 and 74-575, Compiled Statutes of Nebraska, 1929, nor to agricultural, domestic or public employees. **Subdivision 2.** Any such person, firm, association, partnership or corporation violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not exceeding one hundred dollars or shall be imprisoned in the county jail not exceeding thirty days, or both, in the discretion of the court.

Sec. 2. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.".

2. Amend the bill, page 1, title, by striking all of said title after the word "ACT" in line 2 therein, and by inserting in lieu thereof the following:

"relating to labor; to provide for the payment by employers of the full amount of wages due to each and every one of his employees at least every two weeks, in the absence of a written agreement between employer and employee for a different method of settlement; to provide a penalty for the violation thereof; and to declare an emergency.".

(Signed) Sullivan, Chairman

Public Health & Miscellaneous Subjects

LEGISLATIVE BILL NO. 236. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 236:

1. Amend the bill, page 2, section 1, line 17 by striking the word **"one"** therein and by inserting in lieu thereof the word **"three"**.

2. Amend the bill, page 2, section 1, line 18 by striking therefrom the words **"and surgery"**.

3. Amend the bill, page 2, section 1, by striking that part of said section commencing with the word "No" in line 21 therein down to and including the word **"members"** in line 23 and by inserting in lieu thereof the word **"Members"**.

4. Amend the bill, page 2 by striking all of section 3 thereon.

5. Amend the bill, page 1, title, line 6 by striking therefrom the words "one member" and by inserting in lieu thereof the words "three members".

6. Amend the bill, page 1, title, by striking all of said title after the word and punctuation "sciences;" therein and by inserting in lieu thereof the following:

"and to repeal said original section.".

LEGISLATIVE BILL NO. 274. Placed on General File with amendment.

Standing Committee amendment to L. B. No. 274:

1. Amend the bill, page 2, section 1, line 4 by striking therefrom the words **"six thousand"** therein and by inserting in lieu thereof the words **"thirty-five hundred"**.

(Signed) Ray Thomas, Chairman

Public Works

LEGISLATIVE BILL NO. 471. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 471:

1. Amend the bill, page 2, by striking all of section 2 thereon and by inserting in lieu thereof the following:

"Sec. 2. There is hereby created a board to be known as the **state of Nebraska, water conservation board,** hereinafter called **board.** The board shall consist of seven members. The governor, the state engineer, and the director of conservation and survey division, university of Nebraska shall be **ex officio** members. All members of the board shall be qualified electors of the state and the members other than the governor, state engineer and the director of conservation and survey division, university of Nebraska, shall be appointed by the governor, one from each of the four congressional districts of Nebraska as now existing.

Sec. 3. The term of office of the appointed members of the board shall be fixed as follows: The governor shall appoint one member whose term of office shall expire on January 2, 1942, another member whose term of office shall expire on January 2, 1943, and another member whose term of office shall expire on January 2, 1944 and another member whose term of office shall expire on January 2, 1945; and their successors shall be appointed for a term of four years. Any person who is appointed to fill a vacancy shall be eligible for reappointment. Any of the appointed members of the board may be removed by the governor at any time for any reason which the governor may deem to be sufficient; and any vacancy caused by the death, removal, resignation or disqualification of any appointed member shall be filled by appointment as hereinbefore provided.

Sec. 4. The board shall hold regular quarterly meetings during the first month of each quarter at a date to be set by the board and at such other times and places within the state as the board shall find necessary for the transaction of its business. At the first meeting of the board, and thereafter at the regular meeting in January of each year, the board shall elect one of its members as president, one of its members as vice president; and such officers shall hold their respective offices for a period of one year. Should a vacancy occur in the office of president, or vice president, the board shall appoint to fill such vacancy a member of the board for the remainder of the term. The board may appoint a suitable person to act as secretary of the board and may from time to time employ such further assistants and employees as may be necessary. The board may also receive

temporary assistance and services of employees of the state serving under other state officers, boards or commissions upon a certification of the governor and the repective officer, board or commission wherein any such employee is regularly employed, that such assistance and service may be given without detriment to the regular work from which such employee may be temporarily assigned or transferred. The secretary shall conduct the correspondence, keep the records of the board and shall perform such other duties as directed by the board or by the president of the board. The president of the board shall approve all vouchers, which vouchers shall be presented to the auditor of public accounts for approval and payment as provided by law. The board shall be empowered to adopt from time to time suitable rules and regulations for the administration of this act.

Sec. 5. The members of the board, except the governor, the state engineer, and the director of conservation and survey division, university of Nebraska shall receive as compensation the sum of eight dollars per day for each day actually engaged in the performance of the duties of his office, including time of travel between his home and the place at which he performs such duties, together with actual travel and subsistence expense while away from his home in the performance of the duties of his office. The state engineer shall exercise such powers and perform such duties in addition to his regular duties as may be required by the board. The attorney general shall render such legal services in connection with the work of the board as the board may require and shall receive his actual travel and subsistence expense when engaged in the performance of such services for the board. The board may employ such technical and other assistants and employees as may be necessary to enable it to perform its duties and to carry out the purposes of this act. The compensation of the secretary and of all employees shall be fixed by the board.

Sec. 6. The powers and duties of the board shall be to receive, initiate, investigate, consider and recommend as hereinafter provided, projects, plans and proposals for orderly and planned development, improvement and extension of public works and private works as related to soil and water resources; including specifically, but not exclusively, plans, projects and proposals for (a) conducting adequate surveys and tests of surface, subsurface or ground and other waters wherever found, both within and beyond the state boundaries, if such survey shall not be prohibited by the law of another jurisdiction; to conduct examinations, studies, tests and estimates of costs relating to the conservation, storage, distribution and use of water; to prepare and compile all such information and data so obtained, and make the same available to any and all local, state or federal agencies, departments or subdivisions, irrigation, drainage or power districts and to the general public; to cooperate in all water conservation work or activities and make contracts with any irrigation, drainage or power district,

county, city, state, federal or other agency in the development and beneficial use of the state's water resources: **Provided,** that such acts of cooperation or contracts shall not involve the conclusion of any interstate water compact until authorized by the legislature of Nebraska. (b) To formulate and recommend to the governor prior to each session of the legislature the enactment of such legislation as may be necessary to effectuate a definite program or plan for the proper conservation, development and most beneficial utilization of the water resources of the state.

Sec. 7. The board shall, from time to time, or when requested to do so, make reports and recommendations to the governor, and to officers, boards and commissions of this state having jurisdiction of the subject matter, and to the **national resources committee** or proper department or bureau of the federal government, exhibiting the board's data and findings upon projects, plans and proposals theretofore considered by, or pending before, the board; and it shall assist an cooperate with state and federal, and Nebraska county, municipal and other local planning or similar organizations, officers and bodies, within the general scope of its duties.

Sec. 8. When the authority in this section granted is not otherwise vested in the state of Nebraska, or in any of its county, municipal or other governmental subdivisions or official units, or in officers, boards or legal bodies thereof, the board is hereby authorized and empowered to receive assistance and moneys donated, contributed, or allotted by the **national resources committee** or other federal agency, by other states, or from any other source, to be used in the investigation, furtherance or construction of any works within the general duties of said board. Moneys so received shall be deposited with the state treasurer in a special fund, to be known as the **water conservation fund** and shall be expended only in compliance with the purpose for which received, and upon approval of the governor of this state.

Sec. 9. The **water conservation fund,** to be used and administered by the board in carrying out the uses and purposes of this act, shall be kept intact so far as may be, by gifts or grants from any source or by reimbursements which the board in its discretion receives or requires from agencies, organized or unorganized groups, districts, subdivisions of state, county or city governments, public or private organizations or other beneficiaries of the surveys, studies, plans or estimates made by the board in carrying out the purposes of this act: **Provided,** that any reimbursement required shall be limited to the cost of such preliminary study, survey, plan or estimate exclusive of any and all other costs which may be incurred by such beneficiary either separately or in cooperation with the board. Such reimbursement shall be credited to the **water conservation fund.**

Sec. 10. The legislature shall appropriate such money, from time to time, as it deems necessary to carry out the provisions of this act.

Sec. 11. If any division, section, subsection, sentence, clause, phrase or requirement of the ten preceding sections of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of said sections. The legislature hereby declares that it would have passed the ten preceding sections of this act, and each division, section, subsection, sentence, clause, phrase, or requirement thereof irrespetive of the fact that any one or more divisions, sections, subsections, sentences, clauses, phrases or requirements thereof be declared unconstitutional.

Sec. 12. It is hereby declared to be the primary function of this board to further the development and conservation of the waters of this state.

Sec. 13. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.".

2. Amend the bill, page 1, title, by striking all of said title after the word "ACT" in line 2 therein, and by inserting in lieu thereof the following:

"relating to water conservation; to establish the division of water conservation within the department of roads and irrigation; to prescribe its powers and duties; to prescribe that the titular head thereof shall be the chief of water conservation; to prescribe his powers and duties; to establish the state of Nebraska water conservation board; to provide for its membership and to fix the terms and compensation of its members; to define its powers, duties and functions; to define terms; to state a validity clause; and to declare an emergency.".

(Signed) Mischke, Chairman

Agriculture

LEGISLATIVE BILL NO. 207. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 207:

1. Amend the bill, pages 5 and 6, by striking that part of said section commencing with the conjunction "or" in line 11 on page 5, down to and including the word and punctuation "shells)" in line 16 on page 6.

2. Amend the bill, page 6, section 6 line 28 by inserting after the word "commission" therein the following:

"; (i) No person, except as permitted by law, shall have or carry any shotgun in or on any vehicle on any public highway, unless such shotgun is unloaded".

3. Amend the bill, page 6, by inserting immediately after section 6, line 28 thereon a new section as follows:

"Sec. 7. That Sec. 37-502, C. S. Supp., 1939, be amended to read as follows:

37-502. It is hereby declared unlawful to take, catch, kill, destroy, or attempt to take or catch any game fish by any means other than angling with hook and line. ~~Fishing~~ **Angling** with a line having more than five hooks thereon, **or any permittee angling in any inland stream with more than fifteen hooks in the aggregate** or with artificial bait having thereon more than three triple-gang hooks, or by snagging fish externally with hook and line, is declared unlawful: **Provided,** that carp, suckers or other non-game fish may be taken by spearing between sunrise and sunset from April first to December first: ~~Provided, however,~~ **; and provided further,** seines, ~~hoopnets~~, **hoop-nets and or** trammel-nets, the meshes of which are one and one-half inches square, or larger, may be used in the Missouri river south and west of the middle of the channel of said **the** river, and not less than three hundred yards in any direction from the mouth of any stream emptying into said **the** river upon procuring **, if the person who proposes to use any such nets, applies to and secures** from the Secretary of The Game, Forestation and Parks Commission **secretary of the game, forestation and parks commission** an annual license **permit** for the use of such nets and seines. Before any such license **permit** shall be issued to a nonresident **non resident** of the state, the applicant therefor shall execute and deliver to the Secretary of The Game, Forestation and Parks Commission **secretary of the game, forestation and parks commission a personal surety** bond running to the State **state** of Nebraska in the penal sum of two hundred dollars with two sureties **or a corporate surety bond,** to be approved by the Commission **commission,** conditioned that the license **permittee** shall faithfully comply with all the laws of this state regulating the use of nets and **or** seines for fishing purposes. The following fees shall be collected by the Secretary **secretary** of the Commission **commission** for all licenses **permits** issued: (a) For each five hundred lineal feet of seine or fraction thereof, five dollars. (b) For each five hundred feet of trammel-net or fraction thereof, two dollars and fifty cents. (c) For each hoop-net, fifty cents. All seine and net licenses **permits** shall expire on the first day of January following their issuance: **Provided,** however, the charge for any license issued subsequent to July first during any one

year shall be one-half of the regular ~~license~~ **permit** fee. The ~~Commission~~ **commission** shall furnish to any ~~licensee~~ **permittee** at an expense not to exceed ten cents each a metal tag, numbered and stamped so as to show the year of issuance, and for what issued, for each net and each five hundred feet of seine; and it shall be unlawful to use **any** seines or nets without first having procured such tag and fastened same thereto.".

4. Renumber the sections of the bill to conform with all amendments adopted.

5. Amend the bill, page 8, section 10, line 2 by striking the conjunction "and" therein and by inserting in lieu thereof the punctuation ","; and in said line 2 after the section symbol "37-501" insert "and 37-502".

6. Amend the bill, page 2, section 1, line 9 by striking the punctuation "," after the word "animals" therein.

7. Amend the bill, page 1, title, by striking all of said title after the word "ACT" therein and by inserting in lieu thereof the following:

"relating to game and fish; to amend Secs. 37-101, 37-211, 37-213, 37-309, 37-405, 37-501 and 37-502, C. S. Supp., 1939; to amend Sections 37-208, 37-306 and 37-609, Compiled Statutes of Nebraska, 1929; to provide that the term "fur-bearing animals" shall include skunks; to prescribe the annual fee to be charged and collected for the issuance of permits to buy and sell raw furs; to prescribe penalties for trapping fur-bearing animals without permit; to prescribe penalties for possessing raw furs except as specified and permitted by order of the commission; to empower the game, forestation and parks commission to close lakes or streams or designated portions thereof for fishing therein when the same is stocked with game fish; to prohibit the carrying of any shotgun in or on any vehicle on any public highway unless such shotgun is unloaded; to establish rules regulating angling, spearing, seining or taking fish by means of nets; to prohibit any person from borrowing or using the hunting, fishing or other game permit of another; to prescribe regulations pertaining to cold storage of game and fish; to prohibit possession of unlawful nets or other devices for taking game or fish; to provide penalties for the violation thereof; to repeal said original sections; to repeal Secs. 37-419, 37-423, 37-424, 37-425 and 37-426, C. S. Supp., 1939; and to repeal Sections 37-420 and 37-421, Compiled Statutes of Nebraska, 1929.".

(Signed) Neubauer, Chairman

Enrollment & Review

Presented to Governor for Approval

Monday, March 17, 1941 at 4:20 p. m.

L. B. No. 194	L. B. No. 173	L. B. No. 39
L. B. No. 285	L. B. No. 167	

Correctly engrossed

L. B. No. 180	L. B. No. 390	L. B. No. 159

Correctly enrolled

L. B. No. 495

(Signed) Crosby, Chairman

President signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill No. 495.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 109.

A bill for an Act to amend Secs. 60-328 and 39-1193, C. S. Supp., 1939, relating to motor vehicles; to establish the license fee for motor vehicles engaged in the transportation for hire of school children and school teachers to school activities away from the school; to define the words **"semi-trailer"** and **"truck-tractor"**; to provide the amount of annual motor vehicle registration fees to be paid on semi-trailers or truck-tractors; to provide that no truck-tractor shall be operated on the highways of this state with a load of more than twenty per cent in addition to the load for which such truck-tractor is licensed; and to repeal said original sections.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 29:

Bevins	Gantz	Matzke	Raecke
Bowman	Garber	Mischke	Reed
Brodahl	Greenamyre	Mueller	Sorrell
Callan	Hanna	Murphy	Thomas, Ray
Carlson	Howard	Neubauer	Thornton
Carmody	Jeppesen	Norman	Tvrdik
Crosby	Johnson	Peterson	Weborg
Crossland			

Voting in the negative, 1:

Asimus

Not voting, 13:

Adams, E. A.	Kotouc	Metzger	Sullivan
Adams, J. Jr.	Lambert	Price	Thomas, Amos
Blome	Mekota	Rakow	Van Diest
Knezacek			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 70. With emergency clause.

A bill for an Act to amend Secs. 66-405, 66-411 (A) and 66-416, C. S. Supp., 1939, relating to the excise tax levied on the sale and use of motor vehicle fuels; to provide that, commencing with the effective date of this act and ending June 30, 1943, one cent per gallon of said tax of five cents per gallon so levied and collected shall be credited to the state assistance fund; to repeal said original sections; to repeal Sec. 66-411 (B), C. S. Supp., 1939; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Adams, E. A.	Crossland	Lambert	Peterson
Asimus	Gantz	Matzke	Raecke
Bevins	Garber	Mekota	Rakow
Blome	Greenamyre	Metzger	Reed
Bowman	Hanna	Mischke	Sorrell
Brodahl	Howard	Mueller	Sullivan
Callan	Jeppesen	Murphy	Thomas, Ray
Carlson	Johnson	Neubauer	Thornton
Carmody	Knezacek	Norman	Tvrdik
Crosby			Weborg

Voting in the negative, 0.

Not voting, 5:

Adams, J. Jr. Price Thomas, Amos Van Diest
Kotouc

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 14. Permanent State School Fund

Introduced by Tom Lambert of Platte

Preamble

WHEREAS, the constitution of the state of Nebraska commands that the fund of the state of Nebraska generally known as the **permanent state school fund** shall be deemed a trust fund, held by the state, and that the state shall supply all losses thereof so that the same shall remain **forever inviolate and undiminished,** and

WHEREAS, admittedly the **permanent state school fund** has been diminished throughout the years, which diminution has been ignored by previous legislatures, and

WHEREAS, a special committee of the members of the fifty-fifth session, Nebraska state legislature, 1941, has been appointed to investigate such losses, to determine the sum total thereof and to make report thereon, NOW THEREFORE,

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-FIFTH REGULAR SESSION ASSEMBLED:

1. That this legislature hereby declares its purpose and intent to be that its members shall remain in session until affirmative action is taken which definitely provides for the restoration of the **permanent state school fund** to the condition in which the constitution of Nebraska commands that it shall forever remain,—inviolate and undiminished.

SELECT FILE

LEGISLATIVE BILL NO. 49. The Specific amendment, found in the Legislative Journal for the Forty-ninth Day, was adopted by unanimous consent.

Referred to E and R for re-engrossment.

LEGISLATIVE BILL NO. 234. The Specific amendments, found in the Legislative Journal for the Forty-ninth Day, were adopted by unanimous consent.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 80. Mr. Raecke offered the following Specific Amendment, which was adopted by unanimous consent.

Amend the bill, page 3, section 1, line 46, by striking the specific amendment March 4, 1941 (Greenamyre) as amended, and inserting in lieu thereof the following: "that the provisions of this section shall never be construed to permit or allow the transfer of a child or children from or to a city or village school district, however classified, located wholly or partly within the boundaries of any city or village; and provided further,".

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 148. E and R amendments, found in the Legislative Journal for the Forty-eighth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 46. E. and R amendments, found in the Legislative Journal for the Forty-eighth Day, were adopted.

Mr. Tvrdik moved to refer to E and R for engrossment.

Mr. Johnson moved to refer to General File for the following Specific amendment:

Page 2, Section 3, line 19 of the printed bill, strike the word "invoice" and insert in lieu thereof the word "actual".

The motion prevailed with 17 ayes, 14 nays, 12 not voting.

Referred to General File.

LEGISLATIVE BILL NO. 150. E and R amendments, found in the Legislative Journal for the Forty-eighth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 243. Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL NO. 46. Mr. Johnson's Specific amendment, found in this Day's Journal, was adopted.

Mr. Garber moved to strike the enacting clause.

The motion was lost with 10 ayes, 17 nays, 16 not voting.

Mr. Tvrdik moved to refer to E and R for review.

The motion was lost. Retains place on File.

LEGISLATIVE BILL NO. 65. Laid over. Retains place on File.

LEGISLATIVE BILL NO. 133. Mr. Sorrell's General File amendments numbered 2, 3 and 4, found in the Legislative Journal for the Forty-sixth Day, were withdrawn.

Mr. Carlson offered the following amendments, which were adopted:

a. Amend the bill, page 3, section 1, line 35, by striking therefrom the words and punctuation as follows:

"in furnishing electricity to rural customers,"

and by inserting in lieu thereof the following:

"in furnishing electric light and power to rural customers, or engaged in furnishing electric light and power to rural customers and in the business of owning and operating irrigation works,".

b. Amend the bill, page 3, section 1, line 40 by inserting after the word **"electricity"** and before the word **"in"**, the following:

"or of users of irrigation water service".

Mr. Sorrell offered the following amendment, which was adopted:

c. Amend the bill, page 1, title, line 3, by inserting after the word "to" and before the word "public" therein, the following:

"public power districts and to";

and in line 2 of said title strike the word "relative" and insert the word "relating".

Referred to E and R for review.

LEGISLATIVE BILL NO. 153. Read and considered.

Referred to E and R for review.

Mr. Murphy presiding

LEGISLATIVE BILL NO. 213. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-ninth Day, were adopted.

Mr. Johnson offered the following amendments, which were adopted:

1. Amend the standing committee amendments, mimeographed, page 1, section 1, line 6 by striking therefrom the words **"the state of Nebraska as a whole or".**

2. Amend the standing committee amendments, mimeographed, page 1, section 1, line 7 by inserting after the word **"county"** therein the words **"or counties".**

3. Amend the standing committee amendments, mimeographed, page 1, section 1, lines 11 and 12 by striking therefrom the words **"the state of Nebraska or".**

4. Amend the standing committee amendments, mimeographed, page 1, section 1, line 12 by inserting after the word **"county"** the words **"or counties."**

5. Amend the standing committee amendments, mimeographed, page 2, section 2, by striking that part of said section commencing with the word **"shall"** in line 47 therein down to and including the syllable **"der"** in line 48 and by inserting in lieu thereof the words **"must be sold in such a manner as the governing body of the county may determine to be for the best interests of the county".**

6. Amend the standing committee amendments, mimeographed, page 4, section 4, line 2 by striking therefrom the words "governor of the state of Nebraska or any".

7. Amend the standing committee amendments, mimeographed, page 4, section 4, line 6 by striking the word "which" therein and by inserting in lieu thereof the word "and".

8. Amend the standing committee amendments, mimeographed, page 4, section 4, line 7 by striking the punctuation "," after the word "politic" therein and by inserting in lieu thereof the punctua-

tion "."; and in lines 7 and 8 of said section strike the words "under the manner of said bridge commission" and by inserting in lieu thereof the following:

"Said bridge commission shall be known as (designate the name of bridge commission),"

9. Amend the standing committee amendments, mimeographed, section 4, page 5, line 51 by striking therefrom the words "governor of the state of Nebraska or".

10. Amend the standing committee amendments, mimeographed, page 1, section 1, line 12 by striking the word "thereof" after the word "county".

11. Amend the Standing Committee amendments, mimeographed, page 1, section 2, line 3 by inserting after the section symbol and punctuation "39-2107." the following:

"Subdivision 1."; and on page 3, section 3, line 1 strike "Sec. 3" and insert in lieu thereof the following:

"Sudivision 2".

12. Amend the Standing Committee amendments, mimeographed, page 3, section 3 by striking that part of said section commencing with the words "No bridge" therein down to and including the word "thereon" in line 18 of said section and by inserting in lieu thereof the following:

"That no bridge revenue refunding bonds shall be delivered in an amount exceeding the amount necessary to provide funds sufficient for refunding the principal amount of outstanding bridge revenue bonds and accrued interest thereon together with an amount required to produce the sum necessary to provide the redemption premium on any outstanding bonds to be refunded and any expenses incidental thereto".

13. Amend the Standing Committee amendments, mimeographed, page 4, section 4, line 1 by striking therefrom "Sec. 4" therein and by inserting in lieu thereof the following: **"Subdivision 3".**

14. Amend the Standing Committee amendments, mimeographed, page 5, section 5, line 1 by striking therefrom "Sec. 5" therein and by inserting in lieu thereof the following: **"Subdivision 4".**

15. Amend the Standing Committee amendments, mimeographed, page 5, section 6, line 1 by striking therefrom "Sec. 6" therein and by inserting in lieu thereof the following: **"Subdivision 5".**

16. Amend the Standing Committee amendments, mimeographed, page 5, section 7, line 1 by striking therefrom the first figure "7" therein and by inserting in lieu thereof the figure "3".

17. Amend the Standing Committee amendments, mimeographed, page 5, section 8, line 1 by striking therefrom the figure "8" and by inserting in lieu thereof the figure "4".

18. Underscore all subject matter in section 2 of the bill, subsections 1 and 5 inclusive, as amended, to conform with the foregoing amendments.

19. Amend the Standing Committee amendments, mimeographed, page 5, amendment 2, line 10 by striking therefrom the words "a bridge commission" and by inserting in lieu thereof the words "bridge commissions".

Permission was granted to add the name of Otto Kotouc, Jr. and William J. Norman as co-introducers.

Referred to E and R for review.

LEGISLATIVE BILL NO. 211. Laid over.

LEGISLATIVE BILL NO. 145. Read and considered.

Standing Committee amendment, found in the Legislative Journal for the Fortieth Day, was adopted.

Mr. Gantz offered the following amendment, which was adopted:

Sec. 2, line 8, strike the word "or" after the word "state" and before the word "any" in said line and insert the word "of" in lieu thereof.

Referred to E and R for review.

LEGISLATIVE BILL NO. 210. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 225. Read and considered.

Standing Committee amendment, found in the Legislative Journal for the Fortieth Day, was adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 226. Read and considered.

Standing Committee amendment, found in the Legislative Journal for the Fortieth Day, was adopted.

Mr. Gantz offered the following amendment, which was adopted:

Sec. 1, line 18, amend by inserting after the word "case," and before the word "they" the words "and upon written notice to the attorneys of record,".

Referred to E and R for review.

LEGISLATIVE BILL NO. 251. Read and considered.

Referred to E and R for review.

MOTION—Not to Concur in Report

Mr. President: I move that the Legislature do not concur in the committee report and that L. B. No. 253 be placed on General File.

(Signed) Sullivan

The motion prevailed with 23 ayes, 7 nays, 13 not voting.

Placed on General File.

STANDING COMMITTEE REPORT

Enrollment & Review

Presented to Governor for approval

Tuesday, March 18, 1941 at 10:00 a. m.

Legislative Bill No. 495

(Signed) Crosby, Chairman

Member Excused

Mr. Sullivan was excused from the session on Wednesday, March 19, 1941.

Adjournment

At 12:06 p. m. on motion by Mr. Reed the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

FIFTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, March 19, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Gantz, Greenamyre, Van Diest and Amos Thomas, who were excused, and except Mr. Price, who was excused until 10:00 a. m.

The Journal for the Fiftieth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Rakow, one, opposing L. B. No. 381 and L. B. No. 483 and favoring L. B. No. 27; Mr. Raecke, two, asking that the funds from the hog serum fund be used for a new foods and nutrition building at the Agricultural College.

The following petitions were received through the Governor's office: one, opposing L. B. No. 38, L. B. No. 381 and L. B. No. 483; one, favoring a sales tax; one, favoring a tax exemption for gasoline used in farm motors.

Visitor

Mr. Bowman introduced Congressman Carl T. Curtis, who addressed the Legislature briefly.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce & Insurance

L. B. No. 335, Tuesday, March 25, 1941, 2:00 p. m.

L. B. No. 339, Tuesday, March 25, 1941, 2:00 p. m.

L. B. No. 342, Tuesday, March 25, 1941, 2:00 p. m.

L. B. No. 396, Tuesday, March 25, 1941, 2:00 p. m.

L. B. No. 127, Tuesday, March 25, 1941, 2:00 p. m.

L. B. No. 282, Tuesday, March 25, 1941, 2:00 p. m.

Public Health & Miscellaneous Subjects

L. B. No. 295, Wednesday, March 26, 1941, 2:00 p. m.

L. B. No. 351, Wednesday, March 26, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL NO. 218. Indefinitely postponed.

LEGISLATIVE BILL NO. 406. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 406:

1. Amend the bill, page 2, section 1, line 3 by inserting after the section symbol and punctuation "37-406." therein the following: **"Subdivision 1.".**

2. Amend the bill, page 3, section 1, line 47 by inserting after the word **"obstructions"** and before the word **"shall"** the following: **"that impound water and return the same directly to the bed of the stream from which it was originally taken without providing for the passage of said water through some canal or other intermediate body of water at all times,".**

3. Amend the bill, page 3, by striking all of section 2 thereon and by inserting in lieu thereof immediately after the word and punctuation **"river."** in line 50 of section 1 the following: **"Subdivision**

2. Any person, firm or corporation violating any of the provisions of subdivision 1 of this section shall be deemed guilty of a misdemeanor, and, upon conviction thereof shall be fined in any sum not less than fifty dollars nor more than one hundred dollars for each offense.".

4. Amend the bill, page 3, section 3, line 1 by striking therefrom the first figure "3" therein and by inserting in lieu thereof the figure "2".

5. Amend the bill, page 1, title, by striking all of said title after the word "obstructions" in line 5 therein and by inserting in lieu thereof the following:

"that impound water and return the same directly to the bed of the stream from which it was originally taken without providing for the passage of said water through some canal or other intermediate body of water at all times, in order to preserve fish life; to provide penalties for the violation thereof; and to repeal said original section.".

(Signed) Neubauer, Chairman

Appropriations

LEGISLATIVE BILL NO. 151. Placed on General File.

(Signed) Callan, Chairman

Education

LEGISLATIVE BILL NO. 376. Indefinitely postponed.

(Signed) Matzke, Chairman

Public Works

LEGISLATIVE BILL NO. 424. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 424:

1. Amend the bill, page 2 by striking all of section 1 thereon and by inserting in lieu thereof the following:

"Section 1. **Subdivision 1.** Upon filing with the governor a petition signed by one hundred qualified electors of any county

wherein is situated in whole or in part an abandoned federal fort suitable for preservation as an historical site for memorial and state park purposes, praying for the creation and establishment of **Fort .....Preservation, Restoration and Development Board,** hereinafter called **board,** the governor shall, within thirty days after receiving such petition, select two residents of the county wherein the fort site or a major portion of the fort site is located and one resident of an adjoining county who shall act as trustees on said board: **Provided,** the governor shall notify in writing forthwith the first trustees selected by him to serve on the board by communication addressed through the mail to each of them; **and provided further,** the governor shall forward a copy of his letters of appointment to the county treasurer of the county in which the fort or a major portion of the fort site is located, who acts as treasurer ex-officio of the board as provided in subdivision 3 of this section. The term of office of the trustees on the board shall be for a period of three years, except the first trustees on said board who shall be appointed by the governor as follows: One trustee for one year; one trustee for two years and one trustee for three years. Each of the trustees first or thereafter appointed shall be a person who is interested in the preservation, restoration and development of the fort property as a memorial to Nebraska pioneers and as a reservation to preserve the ideals of Nebraska's early settlers as a state park or other appropriate historical memorial site. **Subdivision 2.** When the respective terms of office of the first trustees appointed to the board shall expire, their successors shall be selected by the county board of the county wherein the fort site or a major portion of the fort site is located; and the trustees appointed to the board shall each hold office until his successor is appointed and qualified. **Subdivision 3.** The board shall keep a minute book of their proceedings which shall be open at all reasonable times to public inspection. Vacancies appearing on the board shall be filled by the county board in like manner as regular appointments to the board are made. The treasurer of the county in which the fort site or a major portion thereof lies, shall be treasurer of the board, ex-officio, and, shall be liable on his official bond for the safekeeping of board funds as in the case of other county funds entrusted to his care.

Sec. 2. **Subdivision 1.** The board shall maintain its office or principal place of business in the office of the county clerk of the county where its treasurer has his office and shall hold its meetings, which shall be open to the public, in the district court room of such county. The minute book of the board and all other papers, records or correspondence shall be kept on file and preserved by its secretary in the office of the county clerk. **Subdivision 2.** The first board shall organize within ten days after the date of their written notice of appointment by the governor. The county treasurer shall,

upon receipt of his copy of the letters of appointment from the governor, issue call for the initial meeting of the trustees for a day and hour certain, shall call the meeting to order, shall act as temporary chairman and shall examine and verify the credentials of governor's appointees to the board with his copy thereof and shall deliver all documents of credentials to the secretary of the board when he is later chosen. The appointees shall select from their own number a chairman and a secretary whose terms of office shall be for a period of one year: **Provided,** the county treasurer shall act as treasurer of the board. Each year thereafter the board shall hold its annual meeting, shall meet and organize for the ensuing year at the place designated in this act for holding its regular meetings on the day and hour prescribed by the by-laws: **Provided,** notice of the time and place of holding the annual meeting of the board shall be given by the secretary by publication one time in a legal newspaper published in and of general circulation in the county not less than ten days before the day when the annual meeting is held. The chairman and secretary shall hold office until their successors are selected and qualified. **Subdivision 3.** All trustees comprising the board shall take an oath in writing in such form as the county attorney of the county shall provide and approve, faithfully to execute the duties and trusts committed to their care and management and to dispose of the funds and income and corpus of such trusts in conformity with this act and the wishes expressed in the instruments creating the trust estates.

Sec. 3. The boards created and governed by this act shall be bodies corporate and politic and may sue and be sued, may contract or be contracted with; may acquire, hold, mortgage and convey property, real or personal, directly or indirectly for the purpose of acquiring abandoned federal fort sites and preserving, restoring or developing the same in keeping with the intent and purpose of this act; may take private property for public use in acquiring such fort sites; may exercise the power of eminent domain so granted in the manner provided for condemnation proceedings by railroad or railway companies; may exercise all ancillary powers to carry into force and effect all powers granted in general terms; may adopt by-laws not inconsistent with this act to assist them in carrying out their functions and duties specifically granted herein; may receive and safeguard donations, gifts in cash or its equivalent and donations in trust subservient to the uses stipulated by donors; may cooperate with and enter into contracts with the United States of America or any of its bureaus, divisions or agencies for the acquisition, restoration, development and maintenance of abandoned fort sites, for the repair of existing buildings and for the construction of buildings and other improvements thereon; may issue membership or foundation certificates and receive the proceeds thereof under such terms

and conditions as provided in the by-laws; and may issue revenue bonds for the purpose of effectuating the intent of this act in such method or manner as the by-laws shall provide.

Sec. 4. Full and complete acceptance and assent is hereby made and given by the state of Nebraska to all and every one of the terms and conditions set forth in the acts of congress which offer aid to the state for the agencies of the state government, including boards created by this act, by way of grants in aid of construction of public buildings for the preserving, restoring and developing of abandoned federal fort sites.

Sec. 5. The board of trustees shall have power to pass by-laws for the regulation of its business and affairs, and, in such by-laws shall provide for the appointment or employment of such agents, servants and employees subject to the order of the board, as it may find necessary or expedient in the conduct of its affairs and business and shall fix the compensation and term or terms of service of the agents, servants and employees so appointed.

Sec. 6. The secretary of the board shall keep the minutes of the board and shall perform such other services as may be required by him of the board and may receive such compensation as may be fixed by the board from time to time.

Sec. 7. The treasurer of the county in which the board has its principal place of business and operates, shall act as treasurer of the board and he shall receive such compensation for such services as may be fixed from time to time by the board; and his bond as county treasurer shall be increased or diminished from time to time as the condition, amount and safety of the funds of the board in his hands may require.

Sec. 8. The board shall cause to be kept full and complete minutes of all transactions occurring at its meetings, the same to be kept in a well-bound book which shall be open to the inspection of the public at all reasonable times, and it shall also cause to be kept a well-bound book, or books in which shall be recorded all instruments, documents, resolutions, by-laws or other writings under which title to money or property is given, granted, taken or held for the use of the board and the same shall be a public record. The board shall also cause to be kept books of account that show all receipts and disbursement and the true condition of the funds and trusts committed to its charge, and such books of account shall be audited by the auditor of public accounts and by the county clerk whenever, and as often as, an audit is made of all accounts of the county: **Provided,** an audit of the board's books of account may be ordered by the county board at any time it deems that such an audit is advisable.

Sec. 9. The county attorney of the county in which the board operates shall act as legal advisor for said board without extra compensation: **Provided,** the board may employ from time to time for special pieces of legal work additional counsel whenever it deems such employment necessary for the administration of its affairs and business.

Sec. 10. The trustees composing the board shall serve without compensation, but may appropriate and disburse sufficient of the funds in their control by filing a claim against such trust funds to be ordered, sworn to and allowed by said trustees as other claims against said county, to pay the expenses of administering their trusts.

Sec. 11. The trustees composing the board shall each give a surety bond in the sum of one thousand dollars running to the county as obligees, conditioned upon the faithful performance of their duties and responsibilities as provided in this act and under the by-laws adopted pursuant to this act; and such bond, when approved by the county attorney of the county as to form and substance, shall be filed and kept current in the office of the county clerk. All donations or gifts or other moneys that come into the hands of the board under the terms of this act shall be forthwith delivered to the county treasurer who shall deposit, safeguard and disburse the same from a fund of the county to be known as the **Fort.....fund: Provided,** the county treasurer shall make disbursements from said fund only upon receipt of proper warrant or voucher signed by the chairman and attested by the secretary of the board; **and provided further,** that the board shall issue no voucher for the payment of any money from such fund unless there shall be presented to them claims duly verified by the oath of the claimant and unless the claim so verified shall be approved by the affirmative action of two-thirds of the members-elect of the board at a regular meeting.

Sec. 12. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.".

2. Amend the bill, pages 1 and 1a by striking all of the PREAMBLE thereon and by striking all of the title on page 1 after the word "ACT" in line 2 therein and by inserting in lieu thereof the following:

"relating to abandoned federal forts; to provide for their acquisition, preservation, restoration and development as hisorical sites for memorial and state park purposes; to create and establish boards of trustees for such purposes; to provide for the appointment, organization, powers and duties of such boards; and to declare an emergency.".

(Signed) Mischke, Chairman

Revenue

LEGISLATIVE BILL NO. 401. Placed on General File.

(Signed) Murphy, Chairman

Enrollment & Review

LEGISLATIVE BILL NO. 323. Replaced on Select File with amendments.

E and R amendments to L. B. No. 323:

1. Amend the bill with all amendments thereto, by striking the word "grand stand" wherever the same appear therein and by inserting in lieu thereof the word "grandstand".

2. Amend the bill, page 3, section 2, line 30, by striking therefrom the words "semi-annually" and by inserting in lieu thereof the word "semiannually".

3. Amend the bill, page 3, section 2, line 46, by striking therefrom the words "out of".

4. Amend the bill, page 3, section 2, line 53, by striking therefrom the word "days" and by inserting in lieu thereof the word and punctuation "days' ".

LEGISLATIVE BILL NO. 377. Replaced on Select File with amendments.

E and R amendments to L. B. No. 377:

1. Amend the bill, page 2, section 1, line 6, by inserting the punctuation "," after the word "district" and before the word "such" therein.

2. Amend the bill, page 3, section 1, line 39, by striking the word "Sections" therein and by inserting in lieu thereof the abbreviation and punctuation "Secs."; and in line 41 on said page 3 of section 1, insert after the figures "1939" therein the following:

", as now existing or as hereafter amended".

3. Amend the bill, page 1, title, line 5, by striking therefrom the word "their" therein and by inserting in lieu thereof the word "its".

LEGISLATIVE BILL NO. 275. Placed on Select File with amendments.

E and R amendments to L. B. No. 275:

1. Amend the bill, by striking all of Sections 16, 17 and 20, and by inserting in lieu thereof a new section 20, as follows:

"Sec. 20. Any person who falsely makes or forges any brand inspection certificate or any permit provided for in this act, shall be deemed guilty of a felony, and upon conviction thereof, shall be imprisoned in the penitentiary for not less than one year nor more than seven years; any person, persons, firms, railroad company or other carrier or corporation, who shall violate any other provision of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than five hundred dollars or imprisoned in the county jail not to exceed one year, or both, in the discretion of the court."

2. Amend the bill, by inserting the word **"the"** before the word "state" wherever the words "secretary of state" appear in the bill.

3. Amend the standing committee amendments, amendment No. 1, page 1, section 3, line 5, by striking the punctuation "," after the word "years" and before the word "one" and by inserting in lieu thereof the punctuation ";".

4. Amend the general file amendments (March 7, 1941), Carmody, by removing the underscoring under the word "branded" wherever the same appears therein.

5. Amend the standing committee amendments, page 10, amendment No. 2, line 14, by striking the word "fee" after the word "inspection" and before the word "for" therein.

6. Renumber all sections of the bill to conform with all amendments.

LEGISLATIVE BILL NO. 278. Placed on Select File with amendments.

E and R amendments to L. B. No. 278:

1. Amend the bill, page 2, section 1, lines 1 and 2, by striking the words and figures as follows: "54-149 **54-140**, C. S. Supp., 1939" and insert in lieu thereof the words and figures as follows: "54-140, C. S. Supp., 1939, erroneously compiled as Sec. 54-149, C. S. Supp., on page 476 thereof, and being section 17 of chapter 7, laws of Nebraska, 1933".

2. Amend the bill, page 3, section 3, lines 1 and 2, by striking therefrom the words and figures as follows: "54-149 **54-140,** C. S. Supp., 1939", and insert in lieu thereof the words and figures as follows: "54-140, C. S. Supp., 1939, erroneously compiled as Sec. 54-149, C. S. Supp., 1939, on page 476 thereof, and being section 17 of chapter 7, laws of Nebraska, 1933".

3. Amend the bill, title, page 1, line 2, by striking the words and figures as follows: "54-149 **54-140,** C. S. Supp., 1939" and insert in lieu thereof the words and figures as follows: "54-140, C. S. Supp., 1939, erroneously compiled as Sec. 54-149, C. S. Supp., 1939, on page 476 thereof, and being section 17 of chapter 7, laws of Nebraska, 1933".

4. Amend the bill, title, line 6, page 1, by inserting after the word "section" the following: ", as identified and correctly numbered".

5. Amend the bill, title, line 4, page 1, by striking the word "requirement" and insert in lieu thereof the word "requirements".

6. Amend the bill, page 2, section 1, line 11, by striking the words "head of" therein; and in line 15 of same section, strike the word "so" and insert after the word "violating" the words **"this article"**; and in line 21, strike the word "proven" and insert in lieu thereof the word **"proved"**.

7. Amend the bill, page 2, section 1, line 14, by striking the word "other" therein.

LEGISLATIVE BILL NO. 128. Placed on Select File with amendments.

E and R amendments to L. B. No. 128:

1. Amend the standing committee report, amendment No. 2 by striking all of said amendment commencing with the word "provided" in line 2 therein, and by inserting in lieu thereof the following:

" :Provided, that in counties having a population of more than one hundred and fifty thousand inhabitants, such reports shall be made and such moneys shall be paid over to the county treasurer not later than the fifteenth day of the month following the calendar month during which such fees are received".

2. Amend the standing committee amendment, amendment No. 3, by striking all of said amendment commencing with the word "provided" in line 2 therein, and by inserting in lieu thereof:

"; and provided further, that, in counties having a population of more than one hundred and fifty thousand inhabitants, such reports shall be made and such funds shall be paid over to the county treasurer not later than the fifteenth day of the month following the calendar month during which such funds are received".

3. Amend the bill, page 2, section 1, line 26, by striking therefrom the words "pro rata," and by inserting in lieu thereof the following: "pro-rata **pro rata**"; and in line 27 of said section 1, page 2, strike the word and punctuation "further," therein.

4. Amend the bill, page 1, title, line 6 by inserting after the word "treasurer" therein, the following: "in counties having a population of more than one hundred and fifty thousand inhabitants".

5. Amend the bill, page 2, section 1, line 3, by striking the word "report" and inserting in lieu thereof the word "reports".

LEGISLATIVE BILL NO. 336. Placed on Select File with amendment.

E and R amendment to L. B. No. 336:

1. Amend the bill, page 2, section 1, line 4, by inserting the punctuation "," after the word "disease" and before the word "or" therein.

LEGISLATIVE BILL NO. 31. Placed on Select File with amendments.

E and R amendments to L. B. No. 31:

1. Amend the bill, page 2, section 2, line 1, by striking the word "Section" therein and by inserting in lieu thereof the abbreviation and punctuation "Sec.".

2. Amend the bill, page 2, section 1, lines 17 to 19 by striking all the words beginning with "but" in line 17, down to and including the word "each" in line 19, and insert in lieu thereof the following: **"and during each year thereafter one member shall be appointed for a term of office of five years".**

LEGISLATIVE BILL NO. 75. Placed on Select File with amendments.

E and R amendments to L. B. No. 75:

1. Amend the bill, title, line 7, page 1, by striking therefrom

the following: "Sec. 8-194 (b)" and insert in lieu thereof the following: "Sec. [b] 8-194".

2. Amend the bill, section 3, line 4, page 3, by striking therefrom the following: "Sec. 8-194 (b)" and insert in lieu thereof the following: "Sec. [b] 8-194".

LEGISLATIVE BILL NO. 451. Placed on Select File with amendment.

E and R amendment to L. B. No. 451:

1. Amend the bill, page 2, section 2, line 6 by inserting after the figures and punctuation "1939," the following: "as now existing or as hereafter amended,"

LEGISLATIVE BILL NO. 125. Placed on Select File with amendments.

E and R amendments to L. B. No. 125:

1. Amend the bill, page 3, section 1, line 38, by striking therefrom the word **"inviolable"** therein, and by inserting in lieu thereof the word **"inviolate".**

2. Amend the bill, page 3, section 1, line 68, by inserting the word **"the"** before the word "perpetual".

3. Amend the bill, title, page 1, line 11, by inserting after the word and punctuation "therein;" the following: "to provide for the "perpetual care funds" of cemetery associations; to provide for the "perpetual special care trusts" of cemetery associations;".

4. Amend the bill, title, page 1, line 12, by inserting quotation marks before the word "perpetual" and after the word "funds" and by inserting after the word and punctuation ' "funds" ' the words and punctuation "and 'perpetual special care trusts' ".

LEGISLATIVE BILL NO. 168. Placed on Select File with amendments.

E and R amendments to L. B. No. 168:

1. Amend the standing committee amendments, amendment No. 1, by underscoring the words "twenty-five" and "twenty".

2. Amend the standing committee amendments, by striking amendment No. 2 and inserting in lieu thereof the following:

"2. Amend the bill, page 1, title, line 4, by striking the following: "$25,000" therein and by inserting in lieu thereof the words "twenty thousand dollars".

(Signed) Crosby, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 14. Permanent State School Fund.

Mr. Lambert moved that the resolution be adopted.

Mr. Garber moved that it be indefinitely postponed.

Mr. Lambert moved that action thereon be postponed until April 1, 1941.

The motion prevailed.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 501. By Sullivan, Tvrdik of Douglas. Requested by Governor Dwight Griswold.

A bill for an Act relating to public health and welfare; to provide for housing cooperation; to authorize housing auhorities to undertake the development or administration of projects to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the federal government in the development and administration of such projects of the federal government, to acquire or lease such projects and to sell certain projects to the federal government; to authorize public bodies to assist such projects of housing authorities and of the federal government; to declare valid all bonds, notes and obligations of housing authorities issued for projects heretofore undertaken to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities; to provide that the provisions of this act shall be cumulative with and supplemental to other laws pertaining to housing; to state a validity clause; and to declare an emergency.

MOTION—To Read Second Time

Mr. President: I move that the rules be suspended and that L. B. No. 501 be read the second time now. (Signed) Bevins

The motion prevailed with 31 ayes, no nays, 12 not voting.

BILLS ON SECOND READING

The following bill was read the second time by title:

(For title see Bills on First Reading)

LEGISLATIVE BILL NO. 501. By Sullivan, Tvrdik

Referred to Committee on Public Health & Miscellaneous Subjects.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 59. With emergency clause.

A bill for an Act specifically to appropriate the sum of three thousand six hundred dollars for the uses and purposes of the **"department of agriculture and inspection, egg inspection fund"** from moneys arising under Secs. 81-1028 to 81-1033, inclusive, C. S. Supp., 1939, Aud. Acct. No. 125 from the effective date of this act to and including June 30, 1941; to provide that the moneys so appropriated shall be immediately available; to provide for the administration of the moneys so appropriated; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

A call of the House was ordered.

The call was raised.

Voting in the affirmative, 31:

Adams, E. A.	Carmody	Mischke	Rakow
Adams, J. Jr.	Crosby	Mueller	Reed
Bevins	Crossland	Murphy	Sorrell
Blome	Hanna	Neubauer	Thomas, Ray
Bowman	Howard	Norman	Thornton

Brodahl	Jeppesen	Peterson	Tvrdik
Callan	Johnson	Price	Weborg
Carlson	Matzke	Raecke	

Voting in the negative, 1:

Metzger

Not voting, 11:

Asimus	Greenamyre	Lambert	Thomas, Amos
Gantz	Knezacek	Mekota	Van Diest
Garber	Kotouc	Sullivan	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 134.

A bill for an Act to amend Sec. 79-1902, C. S. Supp., 1939, relating to schools; to provide that claims for transportation allowance shall be paid only if and when the child actually travels from his or her residence to school house by means of the nearest practicable traveled road actually traveled; to provide that all claims for transportation allowance shall be filed for payment monthly and that no action for recovery on such transportation claims shall be brought after twelve months from the last day of any month of actual attendance for which attendance is claimed; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 38:

Adams, E. A.	Crosby	Lambert	Peterson
Adams, J. Jr.	Crossland	Matzke	Price
Asimus	Garber	Mekota	Raecke
Bevins	Hanna	Metzger	Rakow
Blome	Howard	Mischke	Reed
Bowman	Jeppesen	Mueller	Sorrell
Brodahl	Johnson	Murphy	Thomas, Ray
Callan	Knezacek	Neubauer	Thornton
Carlson	Kotouc	Norman	Tvrdik
Carmody			Weborg

Voting in the negative, 0.

Not voting, 5:

Gantz	Sullivan	Thomas, Amos	Van Diest
Greenamyre			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 182.

A bill for an Act to amend Sections 20-1912, 20-1914 and 33-105, Compiled Statutes of Nebraska, 1929, relating to civil procedure, district court; to provide proceedings for reversal, vacation or modification by the supreme court of judgments, decrees or final orders of district courts; to regulate details concerning notices, transcripts and undertakings on such appeals, and fees of the clerk of the supreme court; to prescribe the methods by which appeals shall be perfected; and to repeal said original sections.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 38:

Adams, E. A.	Crosby	Lambert	Peterson
Adams, J. Jr.	Crossland	Matzke	Price
Asimus	Garber	Mekota	Raecke
Bevins	Hanna	Metzger	Rakow
Blome	Howard	Mischke	Reed
Bowman	Jeppesen	Mueller	Sorrell
Brodahl	Johnson	Murphy	Thomas, Ray
Callan	Knezacek	Neubauer	Thornton
Carlson	Kotouc	Norman	Tvrdik
Carmody			Weborg

Voting in the negative, 0.

Not voting, 5:

Gantz	Sullivan	Thomas, Amos	Van Diest
Greenamyre			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 196. With emergency clause.

A bill for an Act to amend Sec. 39-1037, C. S. Supp., 1939, relating to rules of the road and registration and licenses for motor

vehicles; to provide penalties for the violation thereof; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 33:

Adams, E. A.	Crossland	Mekota	Raecke
Adams, J. Jr.	Garber	Metzger	Rakow
Asimus	Hanna	Mischke	Reed
Bevins	Howard	Murphy	Sorrell
Bowman	Jeppesen	Neubauer	Thomas, Ray
Brodahl	Johnson	Norman	Thornton
Carlson	Kotouc	Peterson	Tvrdik
Carmody	Matzke	Price	Weborg
Crosby			

Voting in the negative, 0.

Not voting, 10:

Blome	Greenamyre	Lambert	Sullivan
Callan	Knezacek	Mueller	Thomas, Amos
Gantz			Van Diest

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 131.

A bill for an Act to amend Secs. 68-266, 68-410 and 43-518, C. S. Supp., 1939, as all of said sections were amended by sections 1, 2 and 3, chapter 5, Session Laws of Nebraska, 1940, fifty-fourth (Extraordinary) session, relating to public welfare and social security; to provide that the amount to be paid for funeral and burial expenses upon the death of persons receiving old age assistance, blind assistance or assistance for dependent children shall be a matter of contract between the county and the person furnishing the funeral and burial in each case; and to repeal said original sections as amended.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 36:

Adams, E. A.	Carmody	Matzke	Price
Adams, J. Jr.	Crosby	Mekota	Raecke
Asimus	Crossland	Metzger	Rakow
Bevins	Hanna	Mischke	Reed
Blome	Howard	Mueller	Sorrell
Bowman	Jeppesen	Murphy	Thomas, Ray
Brodahl	Johnson	Neubauer	Thornton
Callan	Knezacek	Norman	Tvrdik
Carlson	Kotouc	Peterson	Weborg

Voting in the negative, 1:

Garber

Not voting, 6:

Gantz	Lambert	Sullivan	Thomas, Amos
Greenamyre			Van Diest

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

REQUEST—To Add Names as Co-introducers

Mr. Carlson asked unanimous consent to add the names of C. Petrus Peterson and John S. Callan as co-introducers of L. B. No. 33.

No objection was raised and the President so ordered.

MESSAGE FROM GOVERNOR

Emergency Clause

March 19, 1941

To the President, the Speaker and Members of the Legislature

Gentlemen:

I notice that most of the bills passed by you carry the "emergency clause." I feel that this should not be done unless there is truly an emergency, even though there are sufficient votes for the bill to pass in that form.

Under ordinary conditions the people are entitled to due notice before a new law takes effect, and I am taking this opportunity to call this condition to your attention.

I realize that in some cases the emergency clause is needed, but more often it should be stricken from the bill.

Respectfully submitted,

(Signed) Dwight Griswold

MOTION—To Place at Head of General File

Mr. President: I move that L. B. No. 401 be placed at the head of General File. (Signed) Murphy

The motion prevailed with 27 ayes, no nays, 16 not voting.

SELECT FILE

LEGISLATIVE BILL NO. 323. E and R amendments, found in this Day's Journal, were adopted by unanimous consent.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL NO. 401. Read and considered.

Mr. Murphy offered the following amendment, which was adopted:

Amend the title by striking in line 7 the words "for the biennium ending June 30, 1943,".

Referred to E and R for review.

LEGISLATIVE BILL NO. 46. Mr. Tvrdik moved to refer to E and R for review.

Mr. Garber raised a point of order under Rule XVIII.

The Chair ruled that the motion was in order.

Mr. Garber appealed from the decision of the Chair.

The President put the question, "Shall the Chair be sustained?"

Vote was taken thereon and the Chair was sustained with 24 ayes, 11 nays, 8 not voting.

Vote was taken and Mr. Tvrdik's motion prevailed with 18 ayes, 12 nays, 13 not voting.

Referred to E and R for review.

LEGISLATIVE BILL NO. 65. Mr. Raecke moved that consideration of the bill be made a Special Order for Tuesday, March 25, 1941 at 11:00 a. m.

The motion prevailed.

LEGISLATIVE BILL NO. 257. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Fortieth Day, were adopted.

Referred to E and R for review.

STANDING COMMITTEE REPORTS (Continued)

Enrollment & Review

LEGISLATIVE BILL NO. 323. Correctly engrossed.

(Signed) Crosby, Chairman

REQUEST—To Withdraw Report

Mr. Matzke requested unanimous consent to withdraw the report of the Committee on Education on L. B. No. 376.

No objection was raised and the President so ordered.

Adjournment

At 11:58 a. m. on motion by Mr. Howard the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

FIFTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, March 20, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by Dr. E. Merle Adams, State Superintendent of Congregational Churches in Nebraska.

The roll was called and all members were present except Messrs. John Adams, Jr., Bowman, Gantz, Van Diest and Amos Thomas, who were excused, and except Mr. Price who was excused until 11:00 a. m.

The Journal for the Fifty-first Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Garber, one, favoring L. B. No. 470; all members, one, opposing L. B. No. 138; Mr. Asimus, four, opposing L. B. No. 481.

NOTICE OF COMMITTEE HEARINGS

Appropriations

L. B. No. 281, Monday, March 24, 1941, 2:00 p. m. (Continued)

Claims & Deficiencies

L. B. No. 398, Monday, March 31, 1941, 2:00 p. m.

L. B. No. 426, Monday, March 31, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Education

LEGISLATIVE BILL NO. 379. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 379:

1. Amend the bill, page 5, section 4, by striking that part of said section commencing with the punctuation and word ", but" in line 33, down to and including the word "annum" in line 34.

2. Amend the bill, page 10, section 6, line 9 by inserting after the word "system" therein the following: "or since the year 1921".

3. Amend the bill, page 11, section 6, line 52 by inserting after the word "certificate" therein the following: "since the year 1921".

4. Amend the bill, page 12, section 8, line 12 by inserting after the word "certificate" therein the following: "not to exceed twenty years".

5. Amend the bill, pages 12, 13 and 14 by striking all of section 9 thereon and by renumbering the succeeding sections to correspond with this amendment.

6. Amend the bill, page 14, section 10, line 5 by striking therefrom the words "accumulated contributions" and by inserting in lieu thereof the words "accumulated refund".

7. Amend the bill, page 16, section 12, by striking that part of said section commencing with the punctuation "," at the end of line 20 therein down to and including the word "annum" in line 22 therein.

8. Amend the bill, page 21, section 17, line 9 by striking therefrom the words "accumulated contributions" therein and by inserting in lieu thereof the words "accumulated refund".

9. Amend the bill, page 21, section 17, line 13 by striking the words "accumulated contributions" therein and by inserting in lieu thereof the words "accumulated refund".

10. Amend the bill, page 7, section 4, by striking that part of said section commencing with the word "County" in line 95 therein down to and including the word and punctuation "act." in line 96.

11. Amend the bill, page 7, section 4, by inserting immediately after the word and punctuation "member." in line 101 the following: "Accumulated refund means the required deposit standing to the credit

of the teacher's individual account in the teachers' savings fund, less a surrender charge which shall be the equivalent of all the required deposits made during the first two years of membership in the retirement system.".

12. Amend the bill, page 8, section 5, by striking all of subsection (1) therein commencing with the word "The" in line 1 therein down to and including the word and punctuation "person." in line 30 thereon and by inserting in lieu thereof the following: "The membership of the retirement system shall be composed of all teachers employed in the public schools of this state, except those specifically excluded under subsections 3 and 4 of this section. A county school official or state school official shall not be required to be a member of the retirement system, but may elect membership in the system at any time by filing notice of such election with the retirement board and by directing his employer to deduct the required deposit from the compensation of such person.".

13. Amend the bill, page 9, section 5, line 45, by striking therefrom the words "accumulated contributions" and by inserting in lieu thereof the words "accumulated refund".

14. Amend the bill, page 9, section 5, line 55, by striking therefrom the words "accumulated contributions" and by inserting in lieu thereof the words "accumulated refund".

15. Amend the bill, page 11, section 6, line 43, by striking therefrom the words "accumulated contributions" and by inserting in lieu thereof the words "accumulated refund".

16. Amend the bill, page 14, section 10, line 8, by striking therefrom the words "accumulated contributions" and by inserting in lieu thereof the words "accumulated refund".

17. Amend the bill, page 14, section 10, lines 18 and 19, by striking therefrom the words "accumulated contributions" and by inserting in lieu thereof the words "accumulated refund".

18. Amend the bill, page 15, section 10, line 20, by striking therefrom the words "accumulated contributions" and by inserting in lieu thereof the words "accumulated refund".

19. Amend the bill, page 15, section 10, lines 24 and 25, by striking therefrom the words "accumulated contributions" and by inserting in lieu thereof the words "accumulated refund".

20. Amend the bill, page 15, section 11, lines 11 and 12, by striking therefrom the words "or his disability retirement allowance".

21. Amend the bill, page 18, section 13, by striking that part

of said section commencing with the word "All" in line 4 therein down to and including the word and punctuation "contracts." in line 8 therein and by inserting in lieu thereof the following:

"All present teachers shall be deemed as consenting to deduction of the required deposit from their compensation as teachers under their present contracts.".

22. Amend the bill, page 19, section 14, by striking that part of said section commencing with the punctuation and word "; and" in line 9 down to and including the word "persons" in line 14.

23. Amend the bill, page 21, section 17, line 14, by striking the second preposition "of" and by inserting in lieu thereof the word "or".

24. Amend the bill, page 21, section 17, line 20 by striking therefrom the words "or a disability retirement allowance".

25. Amend the bill, page 21, section 17, lines 24 and 25 by striking the words "or disability retirement allowance" therein.

26. Amend the bill, page 22, section 17, by striking that part of said section commencing with the word "Should" in line 32 therein down to and including the word and punctuation "therein." in line 36.

27. Amend the bill, page 22, section 17, line 57, by inserting after the word and punctuation "fund." therein the following: "Whenever a contributor withdraws his accumulated refund the amount retained by the retirement system as a surrender charge shall be paid into the guarantee fund.".

28. Amend the bill, page 22, section 17, line 57, by inserting after the word and punctuation "fund." therein the following: "Any surplus accumulated in the guaranty fund shall as of July first of each year be paid into the state's accumulation fund for the purpose of paying the state annuity as required under the provisions of this act.".

29. Amend the bill, page 24, section 18, line 20, by striking therefrom the words "junior teachers and senior".

30. Amend the bill, page 24, section 18, line 35, by striking therefrom the word "senior".

31. Amend the bill, page 24, section 18, by striking that part of said section commencing with the word "Such" in line 41 down to and including the word and punctuation "teachers." in line 44.

32. Amend the bill, page 26, section 21, line 11, by inserting after the word "board" in line 11 therein the following: ": **Provided**, that said sum shall be considered a loan to the teachers retirement

system and provided that one-tenth of said amount shall be repaid each year out of the expense fund established by this act; **and provided further,** that additional amounts may be repaid each year as may be determined by the retirement board".

33. Amend the bill, page 5, section 4, lines 22 to 25, inclusive, by striking all of subsection "(7)" therein; and by renumbering all succeeding subsections in said section to comply with the within amendment.

34. Amend the bill, page 6, section 4, line 59, by striking therefrom the words "or disability".

35. Amend the bill, page 15, section 11, line 22, by striking therefrom the words "or disability" therein; and then strike commencing with the punctuation and words "; **and provided**" in line 22 therein down to and including the word "act" in line 24 therein.

36. Amend the bill, page 19, section 15, line 16, by striking therefrom the word and punctuation "disability,".

37. Amend the bill, page 5, section 4, by striking all of subsection (11) commencing in line 34 down to and including the word and punctuation "preceding." in line 37 therein; and renumber all subsections in said section 4 to conform with the within amendment.

38. Amend the bill, page 5, section 4, line 40, by striking the word "senior" wherever the same appears therein.

39. Amend the bill, page 6, section 4, by striking all of subsection (21) commencing in line 74 therein down to and including the word and punctuation "preceding." in line 76 therein; and renumber all succeeding subsections to comply with the within amendment.

40. Amend the bill, page 10, section 6, line 15, by striking therefrom the word "senior".

41. Amend the bill, page 24, section 18, line 35, by striking the word "senior" therein.

42. Amend the bill, page 24, section 18, line 44, by striking the word "senior" therein.

(Signed) Matzke, Chairman

Public Works

LEGISLATIVE BILL NO. 315. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 315:

1. Amend the bill, page 2, section 1, line 10, by restoring all stricken matter therein; and in line 11, by striking the words "said certificate" therein and by inserting in lieu thereof the words **"the original certificate of title".**

2. Amend the bill, page 2, section 1, lines 12 and 13, by striking therefrom the words **"a copy of the"** therein and by inserting in lieu thereof the words **"the original".**

3. Amend the bill, page 2, section 1, line 14, by inserting after the word "issuance" therein the following:

"and one duplicate original certificate of title shall be delivered or mailed to the applicant on the day of issuance".

4. Amend the bill, page 2, section 1, line 17, by inserting after the word "thereon" therein the following:

": Provided, the county clerk shall, upon request, use the special seal which he is directed to adopt by the terms of this section, in taking all acknowledgments pertaining to or in any way relating to the administration of this article; and provided further, the county clerk, when so requested, shall make no charge for the use of the special seal for taking any such acknowledgment".

5. Amend the bill, page 2, by striking all of section 2 thereon and by inserting in lieu thereof the following:

"Sec. 2. That Sec. 60-1014, C. S. Supp., 1939, be amended to read as follows:

60-1014. The clerks of the various counties shall charge a fee of twenty cents for each memorandum certificate and thirty cents for each certified copy of a certificate of title: **Provided, the county clerk shall, upon request, use the special seal which he is directed to adopt by the terms of this section, in taking all acknowledgments pertaining to or in any way relating to the administration of this article, as required in Sec. 60-1006, C. S. Supp., 1939, as amended by section 1, legislative bill No. 315, fifty-fifth session, Nebraska state legislature, 1941.** Such fees shall be retained by the said clerks. In addition to the foregoing fees, the clerks of the various counties shall charge a fee of fifty cents for each certificate of title, a fee of twenty-five cents for each notation of any lien on a certificate of title and twenty-five cents for each cancellation of notation of any lien on a certificate of title. The clerks of the various counties shall retain twenty **thirty** cents of the fifty cents charged for each certificate of title; ten **fifteen** cents for each notation of lien; and ten **fifteen** cents for each cancellation of notation of lien. The remaining thirty **twenty** cents charged for the certificate of title, the remaining fifteen **ten** cents charged for

notation of any lien on a certificate of title and the remaining ~~fifteen~~ **ten** cents charged for any cancellation of notation of lien shall be paid to the state treasurer to be credited to the state general fund, and, if and when specifically appropriated by the ~~Legislature~~ **legislature** for that purpose, shall be used during any biennium solely by the ~~Department of Roads and Irrigation~~ **department of roads and irrigation** to pay the cost of administering this ~~Act~~ **act.** The clerks of the various counties shall remit all funds due the state treasurer under this ~~Act~~ **act** monthly and not later than the fifth day of the month following the collection thereof. The clerks of the various counties shall use all funds derived from fees specified herein for the administration of this ~~Act~~ **act** in their respective counties.

Sec. 3. That said original Secs. 60-1006 and 60-1014, C. S. Supp., 1939, are hereby repealed.".

6. Amend the bill, page 1, title, by striking all of said title after the word "ACT" in line 2 therein and by inserting in lieu thereof the following:

"to amend Secs. 60-1006 and 60-1014, C. S. Supp., 1939, relating to motor vehicles; to provide that certificates of title shall be issued in quadruplicate; to provide that the original certificate of title shall be delivered to the first lien holder, if any; to provide that one quadruplicate original certificate of title shall be delivered to the applicant on the day of issuance; to provide that the county clerk shall, upon request, use the special seal which he is directed to adopt in taking all acknowledgments pertaining to or in any way relating to the administration of the motor vehicle title law; to provide that the county clerk, when so requested, shall make no charge for the use of the special seal for taking any such acknowledgment; to provide for the allocation and disposition of all fees collected in the administration of the motor vehicle title law; and to repeal said original sections.".

(Signed) Mischke, Chairman

Enrollment & Review

Correctly enrolled

L. B. No. 109	L. B. No. 131	L. B. No. 182
L. B. No. 70	L. B. No. 196	L. B. No. 134
L. B. No. 59		

(Signed) Crosby, Chairman

President signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 109	L. B. No. 131	L. B. No. 182
L. B. No. 70	L. B. No. 196	L. B. No. 134
L. B. No. 59		

SELECT FILE

LEGISLATIVE BILL NO. 377. E and R amendments, found in the Legislative Journal for the Fifty-first Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 275. E and R amendments, found in the Legislative Journal for the Fifty-first Day, were adopted.

Mr. Hanna offered the following amendments, which were adopted by unanimous consent:

Section 5, after the word "state" in line 4, add: "Where the brand has been certified by the Nebraska Brand Committee or its agent or agents, and in reliance upon such certification a loss should be suffered by reason of such sale, purchase or otherwise handling of such cattle, the Nebraska Brand Committee shall under its power to make rules and regulations, specify a suitable bond and the amount to indemnify such person, persons, firm or corporation against any such loss."

Section 9, line 4, after the word "any" and before "cattle" strike the word "branded".

Section 12, in line 8 after the word "brand" insert the words "inspection and theft prevention".

Section 13, in line 9, strike beginning with the word ": Provided" and down to and including the word "animal" in line 11.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 278. E and R amendments, found in the Legislative Journal for the Fifty-first Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 128. Laid over one day.

LEGISLATIVE BILL NO. 336. E and R amendments, found in the Legislative Journal for the Fifty-first Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 31. E and R amendments, found in the Legislative Journal for the Fifty-first Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 75. E and R amendments, found in the Legislative Journal for the Fifty-first Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 451. E and R amendments, found in the Legislative Journal for the Fifty-first Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 125. E and R amendments, found in the Legislative Journal for the Fifty-first Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 168. E and R amendments, found in the Legislative Journal for the Fifty-first Day, were adopted.

Referred to E and R for engrossment.

Approved by Governor

March 19, 1941.

To the President and Members of the Legislature

Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. No. 144
L. B. No. 146
L. B. No. 110
L. B. No. 495

Respectfully submitted,

(Signed) Val Peterson
Secretary to the Governor.

GENERAL FILE

LEGISLATIVE BILL NO. 258. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Fortieth Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 337. Passed over. Retains place on File.

Mr. Mischke presiding

LEGISLATIVE BILL NO. 89. Read and considered.

Mr. Ray Thomas moved to refer to E and R for review.

Mr. Sullivan moved that the bill be laid over.

The motion prevailed.

Unanimous consent granted to retain place on File.

LEGISLATIVE BILL NO. 200.

Mr. Tvrdik moved to lay the bill over until Monday, March 24, 1941 at 11:00 a. m. as Special Order.

The motion was lost with 6 ayes, 12 nays, 25 not voting.

Read and considered.

Mr. Greenamyre moved to strike the enacting clause.

Mr. Crosby moved to lay the bill over until 10:30 a. m. Tuesday, March 25, 1941, as Special Order.

The motion was lost with 15 ayes, 19 nays, 9 not voting.

Vote was taken on Mr. Greenamyre's motion.

A call of the House was ordered.

The call was raised.

The motion prevailed with 20 ayes, 12 nays, 11 not voting.

Approved by Governor

March 20, 1941.

To the President and Members of the Legislature

Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bill, viz:

Legislative Bill No. 285.

Respectfully submitted,

(Signed) Val Peterson
Secretary to the Governor.

Visitors

Governor Dwight Griswold, accompanied by Ralph L. Carr, Governor of Colorado and Nels Smith, Governor of Wyoming, were escorted to the rostrum.

Mr. Mischke introduced Governor Griswold who in turn presented Governor Smith and Governor Carr to the Legislature. Governor Carr addressed the Legislature briefly.

MESSAGE FROM THE GOVERNOR

Republican River Compact

State of Nebraska Executive Office

Lincoln, Nebraska

March 20, 1941

Hon. William E. Johnson, Lieutenant Governor

and Members of the Legislature:

Pursuant to and as provided by Sections 46-633 to 46-636, inclusive, C. S. Supp., 1939, the commissioner appointed to represent

the State of Nebraska has negotiated with commissioners from the states of Kansas and Colorado relative to the utilization and disposition of the waters of the north fork of the Republican, the south fork of the Republican, and the Arickaree rivers and all streams tributary thereto and have fixed and determined the rights of each of said states to the use, benefit and disposition of the waters of said streams. They have agreed upon and signed the compact herewith transmitted to you for your consideration. I request that a bill be introduced by the proper committee of the Legislature for the approval and ratification of the compact as provided by the Constitution of the United States, the State of Nebraska and the laws thereof.

(Signed) Dwight Griswold
Governor of Nebraska

Mr. Neubauer announced that L. B. No. 429 had been introduced and deals with the subject mentioned in the Governor's communication.

Members excused

Messrs. Ray Thomas and L. B. Murphy were excused from the session on Friday, March 21, 1941.

Adjournment

At 11:56 a. m. on motion by Mr. Blome the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

FIFTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Friday, March 21, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Bowman, Brodahl, Gantz, Murphy, Price, Amos Thomas, Ray Thomas and Van Diest, who were excused.

The Journal for the Fifty-second Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Blome, seven, favoring a tax exemption for gasoline used in farm motors; Mr. Mischke, three, favoring L. B. No. 470; Mr. Greenamyre, six, opposing L. B. No. 284.

A petition was received through the Governor's office opposing L. B. No. 140.

NOTICE OF COMMITTEE HEARINGS

Public Works

L. B. No. 429, Wednesday, April 2, 1941, 2:00 p. m. (Continued)

L. B. No. 423, Wednesday, April 2, 1941, 2:00 p. m.

Revenue

L. B. No. 408, Thursday, March 27, 1941, 2:00 p. m. (Continued)

L. B. No. 183, Thursday, April 3, 1941, 2:00 p. m.

L. B. No. 320, Thursday, April 3, 1941, 2:00 p. m.

L. B. No. 419, Thursday, April 3, 1941, 2:00 p. m.

Government

L. B. No. 440, Friday, March 28, 1941, 2:00 p. m.

L. B. No. 469, Friday, March 28, 1941, 2:00 p. m.

L. B. No. 438, Friday, March 28, 1941, 2:00 p. m.

L. B. No. 407, Friday, March 28, 1941, 2:00 p. m.

L. B. No. 413, Friday, March 28, 1941, 2:00 p. m.

L. B. No. 416, Wednesday, April 2, 1941, 2:00 p. m.

L. B. No. 417, Wednesday, April 2, 1941, 2:00 p. m.

L. B. No. 436, Wednesday, April 2, 1941, 2:00 p. m.

L. B. No. 465, Wednesday, April 2, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL NO. 154. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 154:

A BILL

FOR AN ACT to provide for the organization of cooperative farm land companies to facilitate the acquisition of title to agricultural lands by those who till the soil **of agricultural and grazing lands;** to prescribe the powers and functions of such companies; and to declare an emergency.

Section 1. Any number of persons, not less than **five,** may form and organize a cooperative farm land company, **with or without capital stock,** for the purpose of facilitating the acquisition of title to

agricultural lands by those who till the soil of **agricultural and grazing lands by farmers and stock-raisers** by the adoption of articles of incorporation in the same manner and with like powers and duties as other corporations, except as herein provided.

Section 2. Every such cooperative farm land company shall provide in its articles of incorporation: (a) That the word "**cooperative**" shall be included in its corporate name and that it proposes to organize as a cooperative farm land company; (b) **If organized with capital stock,** that no one person shall own either directly or indirectly more than five per cent of the capital stock of the company; (c) **If organized without capital stock whether the property rights and interest of each member shall be equal or unequal; and if unequal, the articles shall set forth the general rule or rules applicable to all members by which the property rights and interests, respectively, of each member may and shall be determined and fixed; and the association shall have the power to admit new members who shall be entitled to share in the property of the association with the old members, in accordance with such general rule or rules:** (d) that dividends on the capital stock shall be fixed by the company, but shall in no event exceed six per cent per annum of the amount actually paid thereon.

Section 3. Every cooperative corporation that shall organize under this act shall have power: (a) To have succession by its corporate name; (b) to sue and be sued; (c) to make and use a common seal and alter the same at its pleasure; (d) to regulate and limit the right of stockholders to transfer their stock; (e) to appoint such subordinate officers and agents as the business of the corporation shall require and to allow them suitable compensation; (f) to adopt by-laws for the management and regulation of the affairs of the company; (g) to purchase, hold, sell, assign, or transfer the shares of the capital stock of other cooperative companies which it may own and while owner of such stock to exercise all the rights, powers, and privileges of ownership, including the right to vote thereon; (h) to provide that each individual stockholder may be limited to one vote per person regardless of the number of shares of stock which he may own; (i) to enter into any and all forms of agreements for the purchase of agricultural lands, to mortgage or otherwise encumber the same; **to prohibit proxy voting and to permit voting by mail under such regulations as shall be provided for in the by-laws; (j) to engage in any activity in connection with the purchase, lease or acquisition of agricultural and grazing lands and to improve or develop such land and to mortgage or otherwise encumber the same;** (j) (k) to contract with its members and with other cooperative organizations organized hereunder for the sale, and purchase **or lease** of such agricultural lands with such provisions for periodical payments, reserves, reamortization, supervision of the use of the lands, crop programming, and other factors as shall be agreed upon by such contracting parties;

(l) to make contracts with the United States or the State of Nebraska or any agency thereof for the purpose of effectuating any plan for rural rehabilitation or with any non-profit corporation organized for such purpose; {k} (m) to provide that continued membership in such cooperative farm land company shall be dependent upon the performance by members of contracts entered into between themselves and said cooperative farm land company; {l} (n) to purchase, own, sell, mortgage, lease or otherwise acquire and convey real or personal property or any interest therein; (o) to borrow money necessary or convenient to the accomplishment of the purposes of this corporation and to secure the payment thereof by mortgage, pledge or conveyance in trust, of the whole or any part of the property of the corporation; and (p) to do each and everything necessary, suitable or proper for the accomplishment of any one of the purposes or the attainment of any one or more of the objects herein enumerated and to contract accordingly and in addition to exercise and possess all powers, rights and privileges granted by the laws of this state or ordinary corporations and to corporations organized under Article 13 and Article 14 of Chapter 24 of the Compiled Statutes of Nebraska (1929) and any amendments thereto.

Section 4. Same as in original bill.

Section 5. Same as in original bill.

Section 6. Same as in original bill.

Section 7. Same as in original bill.

Section 8. Same as in original bill.

LEGISLATIVE BILL NO. 462. Returned to the Legislature with the recommendation that it be referred to Committee on Appropriations.

(Signed) Neubauer, Chairman

Public Health & Miscellaneous Subjects

LEGISLATIVE BILL NO. 174. Placed on General File.

LEGISLATIVE BILL NO. 220. Placed on General File.

(Signed) Ray Thomas, Chairman

Enrollment & Review

Correctly engrossed

L. B. No. 234 L. B. No. 150 L. B. No. 49

LEGISLATIVE BILL NO. 101. Placed on Select File with amendments.

E and R amendments to L. B. No. 101:

1. Amend the bill, page 3, section 2, by striking that part of said section commencing with the punctuation and word ", **created**" in line 23 down to and including the word "**fund**" in line 26 therein and by inserting in lieu thereof the following: **"and shall be expended for the benefit of the profession of pharmacy, as provided in Sec. 71-701, C. S. Supp., 1939, as now existing or as hereafter amended".**

2. Amend the bill, page 6, section 4, line 45, by striking therefrom the punctuation ":" therein and by inserting in lieu thereof the punctuation ";".

3. Amend the bill, page 11, section 12, line 2, by striking therefrom the words "this article"; and in lines 2 and 3 of said section 12 on page 11, remove all underscoring therein.

4. Amend the bill, page 13, section 14, line 51, by striking therefrom the definite article "the".

5. Amend the bill, page 13, section 14, line 55, by striking therefrom the word "days" therein and by inserting in lieu thereof the word and punctuation "days' ".

6. Amend the general file amendments, Howard, adopted March 4, 1941, line 3, by striking the punctuation "." after the word "medicine" therein.

7. Amend the bill, page 15, line 106, by striking therefrom the word and figure "**subdivision 2**" and by inserting in lieu thereof the following:

"subdivision 2".

8. Amend the bill, page 19, section 17, line 1, by inserting after the preposition "of" therein the word "this".

9. Amend the bill, page 20, by inserting immediately after section 18, line 12, a new section as follows:

"Sec. 19. That Section 81-909, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

81-909. Any article of food or drug which is adulterated or misbranded within the meaning of this article, **Article 9, Chapter 81, Compiled Statutes of Nebraska, 1929, as amended,** and which is sold,

offered for sale or delivered within this state shall be liable to be proceeded against where the same is found and seized for confiscation by a process of libel for condemnation. If such article is condemned as being adulterated or misbranded or of a poisonous or deleterious character, within the meaning of this **said** article, the same shall be disposed of by destruction or sale as the court may direct, the proceeds thereof, if sold, less the legal costs and charges, shall be paid into the treasury of this state and such goods shall not be sold in any jurisdiction contrary to the provisions of this article or the laws of that jurisdiction. Any libel proceeding or proceeding **in rem**, under the provisions of this section, may be joined with any criminal prosecution **in personam** or may be prosecuted separately.".

10. Amend the bill, page 21, section 20, line 4, by striking therefrom the section symbol "91-909" and by inserting in lieu thereof the section symbol "81-909".

11. Renumber all sections of the bill to conform with all amendments.

12. Amend the bill, pages 1 and 1a, title, by striking that part of said title commencing with the words "to create" in line 21 on page 1 down to and including the word and punctuation "subsistence;" in line 40, page 1a.

13. Amend the bill, page 2, section 1, lines 12, 20 and 25, by inserting the word **"the"** before the word "District".

14. Amend the bill, page 5, section 3, line 53, by inserting the article **"a"** before the word "product".

15. Amend the bill, page 6, section 4, line 31, by striking "an other" and inserting the word **"another"**.

16. Amend the bill, page 8, section 4, line 89, by inserting the word **"the"** before the word "package".

17. Amend the bill, page 8, section 6, line 13, by inserting the conjunction **"and"** before the second word "such".

18. Amend the bill, page 9, section 8, line 3, by striking "no....." and inserting in lieu thereof **"No. 101"**.

19. Amend the bill, page 10, section 10, line 8, by striking the punctuation ";" and inserting ":" and capitalizing the word "if".

20. Amend the bill, page 11, section 12, lines 9 and 20, by striking the word "article" therein and inserting the word "act"; and in line 10 of section 12, insert the word **"and"** before the word "the" and after the word and punctuation "direct,".

21. Amend the bill, page 12, section 14, line 16; also page 13, lines 43, 45, 51, and 53, by striking the word "article" and inserting the word **"act"**.

22. Amend the bill, page 13, section 14, line 47, by inserting the conjunction **"and"** before the word "said".

23. Amend the bill, page 14, section 14, line 66, by inserting the punctuation "," after the word "Nebraska".

24. Amend the General File Amendments by striking all of the second amendment offered by Gantz, amending subdivision 8 of section 14.

25. Amend the bill, page 14, section 14, line 88; also page 15, line 95 and page 16, line 139, by striking the word "article" and inserting the word **"act"**.

26. Amend the bill, page 15, section 14, line 114, by striking the word "Label" and inserting in lieu thereof the word **"Labelling"**.

27. Amend the bill, page 21, section 19, line 10, by inserting after the word "founded" the words and punctuation "on," and in line 10, insert a comma after the word "criminal".

LEGISLATIVE BILL NO. 21. Placed on Select File with amendments.

E and R amendments to L. B. No. 21:

1. Amend the bill, page 2, section 1, line 3 by inserting after the section symbol "14-1015." therein the following: **"Subdivision 1.".**

2. First strike standing committee amendments 1 and 2; then strike all general file amendments to the bill; and then amend the bill, pages 2 and 3, section 1, by striking the rest of said section after the word and punctuation "expedient." in line 29 and by inserting in lieu thereof the following:

"Subdivision 2. The board of directors of any metropolitan water or metropolitan utilities district may also provide benefits for and insurance of the present and future employees and appointees of the district, except officers, executives, attorneys or members of the board of directors, as to accident, disease, death, disability or retirement, under such terms and conditions as the board may deem proper and expedient. The board is also empowered to establish and maintain reserves and funds and provide for premiums for the purposes authorized in this section and to adopt plans under which the beneficiaries shall contribute. Such employees may be retired between the ages of fifty-five and sixty-five if they have served as employees for a period of not less than twenty years. Equal con-

tributions shall in the future be made by the district and the employees, and in such amounts as actuarial facts warrant. Employees who have served for not less than twenty years before a contributory plan becomes effective or who are retired by reason of disability before the end of twenty years' service shall nevertheless be eligible to retirement income within the limits herein specified: Provided, such employees last mentioned shall receive a sum of money not greater in amount than forty per cent of their present monthly salaries by way of retirement income, and, in no event, shall the amounts so received exceed one hundred dollars per month. No employee shall receive a retirement income greater than one hundred dollars per month."

3. Amend the bill, title, line 10, by inserting after the word "board" the words ", and to empower such board of directors to establish and maintain reserves and funds and provide for premiums for the foregoing purposes and to adopt plans for beneficiaries' contributions; to provide retirement ages for employees and appointees and limits of retirement income for retired and disabled employees and appointees".

(Signed) Crosby, Chairman

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 180. With emergency clause.

A bill for an Act to amend Sec. 88-224, C. S. Supp., 1939, relating to public grain warehouses; to authorize the Nebraska state railway commission by order to fix fees for registering public grain warehouse receipts, in the amount of fifty cents or less for one thousand or less bushels of grain but never in excess of fifty cents per one thousand or more bushels of grain; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

A call of the House was ordered.

The call was raised.

Voting in the affirmative, 31:

Adams, E. A.	Garber	Lambert	Rakow
Asimus	Greenamyre	Matzke	Reed
Bevins	Hanna	Metzger	Sorrell
Blome	Howard	Mueller	Sullivan
Callan	Jeppesen	Neubauer	Thornton
Carlson	Johnson	Norman	Tvrdik
Carmody	Knezacek	Peterson	Weborg
Crossland	Kotouc	Raecke	

Voting in the negative, 1:

Mischke

Not voting, 11:

Adams, J. Jr.	Crosby	Murphy	Thomas, Ray
Bowman	Gantz	Price	Van Diest
Brodahl	Mekota	Thomas, Amos	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 390. With emergency clause.

A bill for an Act relating to revenue; to provide procedure concerning the deposit in banks of funds of public power districts, public irrigation districts and public power and irrigation districts; to provide for duties and responsibilities of treasurers and other competent officers of such districts in the handling of district funds; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 31:

Adams, E. A.	Greenamyre	Matzke	Raecke
Adams, J. Jr.	Hanna	Mekota	Rakow
Asimus	Howard	Metzger	Reed
Bevins	Jeppesen	Mischke	Sullivan
Blome	Johnson	Mueller	Thornton
Carlson	Knezacek	Neubauer	Tvrdik
Carmody	Kotouc	Norman	Weborg
Garber	Lambert	Peterson	

Voting in the negative, 0.

Not voting, 12:

Bowman	Crosby	Murphy	Thomas, Amos
Brodahl	Crossland	Price	Thomas, Ray
Callan	Gantz	Sorrell	Van Diest

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 159. With emergency clause.

A bill for an Act relating to municipal courts; to amend Sections 22-903, 22-911, 22-1002 and 22-1004, Compiled Statutes of Nebraska, 1929; to amend Sec. 22-703, C. S. Supp., 1939; to amend Section 27-520, Compiled Statutes of Nebraska, 1929; to provide civil and criminal procedure in municipal courts concerning empanelling and conduct of juries, the cost of empanelling and summoning jurors; to provide for oral instructions of juries by municipal courts and that municipal judges may exercise the ordinary powers of trial courts to dismiss cases or to direct the verdicts of juries, in their discretion; to provide for time of trial, and for trial notice in certain cases; to provide for the time of rendering judgments; the appointment of constables and substitute constables and the adjournment of causes; to repeal said original sections; to repeal Section 22-405, Compiled Statutes of Nebraska, 1929; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

Adams, E. A.	Crossland	Lambert	Raecke
Adams, J. Jr.	Garber	Matzke	Rakow
Asimus	Greenamyre	Mekota	Reed
Bevins	Hanna	Metzger	Sorrell
Blome	Howard	Mischke	Sullivan
Callan	Johnson	Mueller	Thornton
Carlson	Jeppesen	Neubauer	Tvrdik
Carmody	Knezacek	Norman	Weborg
Crosby	Kotouc	Peterson	

Voting in the negative, 0.

Not voting, 8:

Bowman	Gantz	Price	Thomas, Ray
Brodahl	Murphy	Thomas, Amos	Van Diest

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Member excused

Mr. Knezacek was excused for the remainder of the day and for Monday, March 24, 1941.

GENERAL FILE

LEGISLATIVE BILL NO. 337. Passed over. Retains place on File.

LEGISLATIVE BILL NO. 89. Passed over. Retains place on File.

LEGISLATIVE BILL NO. 461. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Forty-second Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 239. Passed over. Retains place on File.

LEGISLATIVE BILL NO. 341. Read and considered.

Standing Committee amendment, found in the Legislative Journal for the Forty-second Day, was adopted.

Referred to E and R for review.

Mr. Tvrdik presiding

LEGISLATIVE BILL NO. 283. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 215. Passed over. Retains place on File.

LEGISLATIVE BILL NO. 270. Read and considered.

Mr. Peterson offered the following amendment, which was adopted by unanimous consent:

Amend Committee amendment No. 6 by striking the words "it is" and substitute the words "they are".

The Standing Committee amendments, found in the Legislative Journal for the Forty-fourth Day, were adopted as amended.

Referred to E and R for review.

LEGISLATIVE BILL NO. 57. Read and considered.

Mr. Kotouc offered the following amendments, which were adopted:

1. Amend Section 1 by striking the following words in lines 3 and 4 thereof to wit: "in full to the Pawnee Royalty Company for" and insert in lieu thereof the word "of".

2. Amend by striking all of Section 2 and renumber the remaining section.

3. Amend the title, line 3, by striking therefrom the words: "to the Pawnee Royalty Company" and amend line 4 of the title by inserting after the word "oil" and before the ";" the following: "provided for in Section 57-102, Compiled Statutes of Nebraska, 1929."

Referred to E and R for review.

LEGISLATIVE BILL NO. 231. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Forty-fourth Day, were adopted.

Mr. Peterson offered the following amendment, which was adopted:

That Section 1 of L. B. No. 231 be stricken and the title amended to conform.

Referred to E and R for review.

Visitor

Mr. Tvrdik introduced former State Senator Sam J. Howell, who addressed the Legislature briefly.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 12. Read and considered.

Mr. Lambert moved that the Standing Committee amendments, found in the Legislative Journal for the Forty-fourth Day, be adopted.

President Johnson presiding

Mr. Peterson moved that the bill be laid over until Wednesday, March 26, 1941 at 11:00 a. m. and made Special Order.

The motion prevailed.

LEGISLATIVE BILL NO. 171. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Forty-fourth Day, were adopted.

Referred to E and R for review.

Approved by Governor

March 21, 1941.

To the President, the Speaker and Members of the Legislature

Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. No. 59 L. B. No. 70

Respectfully submitted,

(Signed) Val Peterson
Secretary to the Governor.

MESSAGE FROM THE GOVERNOR

Veto L. B. No. 39

March 21, 1941.

To the President, the Speaker and Members of the Legislature

Gentlemen:

I am returning without my signature Legislative Bill No. 39. This bill was urged in order to meet the demand from one certain precinct in this state, but when the law is amended it affects the situation in all precincts and in all sections of Nebraska.

I feel that it is wrong to permit any precinct to bond itself up to eight per cent of the actual value of the property to aid in building highways. The bill provides for a seventy per cent vote in favor of the issuance of such bonds, but we must remember that a minority is entitled to protection also, and it is sometimes easy to get a large percentage majority when the property is held by only a few people.

Respectfully submitted,

(Signed) Dwight Griswold
Governor.

Member excused

Mr. Callan was excused from the session on Monday, March 24, 1941.

Adjournment

At 11:56 a. m. Mr. Kotouc moved that the rules be suspended and that the Legislature adjourn until Monday, March 24, 1941 at 10:00 a. m.

A call of the House was ordered.

The call was raised.

The motion prevailed with 30 ayes, no nays, 13 not voting.

Hugo F. Srb,
Clerk of the Legislature.

FIFTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, March 24, 1941.

Pursuant to adjournment, the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Reverend R. D. Reisdorph of Aberdeen, South Dakota.

The roll was called and all members were present except Messrs. Callan and Weborg, who were excused.

The Journal for the Fifty-third day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Carlson, nine, Mr. Greenamyre, two, Mr. Crossland, one, all favoring a tax exemption for gasoline used in farm motors; Mr. Greenamyre, one, opposing Legislative Bills numbered 274, 27, 38, 80, 244, 284, 377, 379, 245, 381, 483, 402, 456, 463, 485 and 492; all members, one, opposing L. B. No. 497.

STANDING COMMITTEE REPORTS

Appropriations

LEGISLATIVE BILL NO. 192. Placed on General File.

LEGISLATIVE BILL NO. 252. Placed on General File.

LEGISLATIVE BILL NO. 360. Indefinitely postponed.

LEGISLATIVE BILL NO. 361. Indefinitely postponed.

(Signed) Garber, Vice Chairman

Banking, Commerce & Insurance

LEGISLATIVE BILL NO. 122. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 122:

1. Amend the bill, pages 2 and 3, section 1 by striking out all new matter commencing with the words **"or if"** in line 20 on page 2 down to and including the word and punctuation **"census,"** in line 37 on page 3; and also amend the bill, pages 5 and 6 by striking all new matter commencing with the words **"or if"** in line 20 on page 5 down to an including the word and punctuation **"census,"** in line 35 on page 6 and by inserting in lieu thereof in each of said sections respectively the following:

"or if from and after the effective date of legislative bill No. 122, fifty-fifth session, Nebraska state legislature, 1941, application for certificate of convenience and necessity to become a common carrier to transport property, shall contain a statement to the effect that applicant proposes to furnish such continuous service as necessary over the route he proposes to operate, and shall be accompanied with a request for granting such certificate from one patron of applicant's proposed service from each incorporated or unincorporated village, proposed to be served by said truck line, that contains a population of less than five hundred inhabitants, as determined by the 1940 or last federal census and from two patrons of applicant's proposed service from each incorporated or unincorporated village, proposed to be so served by said truck line that contains a population of more than five hundred and less than one thousand inhabitants, as determined by the 1940 or last federal census, and from each municipality proposed to be so served by said truck line, that contains a population of more than one thousand and less than five thousand inhabitants, a request from two patrons plus one patron for each one thousand additional inhabitants in excess of one thousand inhabitants, as determined by the 1940 or last federal census, shall accompany the application, and a request from six or more patrons of applicant's proposed service from each municipality, proposed to be so served by said truck line that contains a population of more than five thousand inhabitants, as determined by the 1940 or last federal census, shall accompany the application,".

LEGISLATIVE BILL NO. 345. Placed on General File.

(Signed) Thornton, Chairman

Government

LEGISLATIVE BILL NO. 287. Placed on General File with amendment.

Standing Committee amendment to L. B. No. 287:

1. Amend the bill, page 2, section 1, by striking the remainder of section 1, beginning with the word "not" in line 20.

LEGISLATIVE BILL NO. 427. Placed on General File.

LEGISLATIVE BILL NO. 280. Placed on General File with amendment.

Standing Committee amendment to L. B. No. 280:

1. Amend the bill, page 2, section 1, line 6, by inserting after the word "be" and before the article "a" the words "a graduate or a college of engineering or".

LEGISLATIVE BILL NO. 301. Placed on General File.

LEGISLATIVE BILL NO. 325. Indefinitely postponed.

LEGISLATIVE BILL NO. 449. Indefinitely postponed.

(Signed) Sorrell, Chairman

Public Works

LEGISLATIVE BILL NO. 158. Indefinitely postponed.

LEGISLATIVE BILL NO. 433. Indefinitely postponed.

LEGISLATIVE BILL NO. 382. Indefinitely postponed.

LEGISLATIVE BILL NO. 448. Indefinitely postponed.

LEGISLATIVE BILL NO. 439. Indefinitely postponed.

(Signed) Mischke, Chairman

Judiciary

LEGISLATIVE BILL NO. 268. Placed on General File.

LEGISLATIVE BILL NO. 300. Placed on General File.

LEGISLATIVE BILL NO. 308. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 308:

1. Amend the bill, page 2, Section 2, line 3, by inserting the words "or persons" after the word "person".

2. Amend the bill, page 3, Section 2, line 8, by striking the word "two" before the word "hundred" and inserting in lieu thereof the word "one".

LEGISLATIVE BILL NO. 327. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 327:

1. Amend the bill, page 2, section 1, line 2, by striking therefrom the word "retailer's"; and on page 2, section 1, line 20 by striking therefrom the word "retail".

2. Amend the bill, page 2, section 2, line 1, by striking therefrom the word "retail"; page 2, section 2, line 6, by striking therefrom all of the line after the word "premises", except the punctuation semi-colon ";"; and page 2, section 2, line 9, by striking therefrom the punctuation colon ":" and inserting in lieu thereof a period "."; and by striking all of lines 10, 11 and 12.

3. Amend the bill, page 3, section 3, lines 1 and 2, by striking therefrom the word "retail".

LEGISLATIVE BILL NO. 477. Placed on General File.

LEGISLATIVE BILL NO. 479. Indefinitely postponed.

LEGISLATIVE BILL NO. 299. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 299:

1. Amend the bill, page 2, section 2, lines 9 and 10 by striking out the words "to appoint and employ" and by inserting in lieu thereof the word "with";

Page 2, section 2, line 11, by inserting the words "or appoint and employ the same" after the word "both";

Page 2, section 2, line 13 by inserting the words "and to assist in the preparation of the report hereinafter referred to" after the word "publication,";

Page 2, section 2, line 14 by adding the words "or corporations contracted with" after the word "individuals".

2. Amend the bill, page 5, section 8, line 1, by striking the word "compilation" and inserting in lieu thereof the word "publication";

Page 5, section 8, line 23, by inserting the words "the Board of Commissioners for educational lands and funds," after the words and punctuation "accounts,";

Page 6, section 8, line 44 by striking therefrom the word "three" before the word "in" and inserting in lieu thereof the words "more than two".

3. Amend the bill, page 6, section 10, line 3 by striking therefrom the word "state" after the figures "1943" and inserting in lieu thereof the word "statute"; and in line 7 of said section 10 by striking the word "state" and inserting in lieu thereof the word "statute".

4. Amend the bill, page 6, section 11, by striking all of Section 11.

5. Amend the bill, title, line 2 by inserting the word and punctuation "revision," after the word "recompilation,"; and in line 3 by adding after the word "Nebraska;" the following; "to provide for the 1943 statute commission, and to prescribe its duties and to appropriate money therefore;" and in lines 4 and 5 by striking therefrom the words "to repeal Article 4, Chapter 49, Compiled Statutes of Nebraska, 1929;".

(Signed) Gantz, Chairman

Enrollment and Review

LEGISLATIVE BILL NO. 153. Placed on Select File.

LEGISLATIVE BILL NO. 210. Placed on Select File.

LEGISLATIVE BILL NO. 46. Placed on Select File.

LEGISLATIVE BILL NO. 278. Replaced on Select File with amendment.

E and R amendment to L. B. No. 278:

1. Amend the Enrollment and Review amendments, Amendment No. 1, line 5, by inserting the figures and punctuation "1939," after the word and punctuation "Supp.,".

LEGISLATIVE BILL NO. 275. Replaced on Select File with amendments.

E and R amendments to L. B. No. 275:

1. Amend the standing committee amendments, amendment 1, section 10, line 8, page 3, by striking the figure "9" and inserting in lieu thereof the figure "8".

2. Amend the standing committee amendments, amendment 1, section 11, page 4, line 4, by striking the words "bill of lading" and inserting in lieu thereof the word "permits".

Correctly engrossed

L. B. No. 31	L. B. No. 148	L. B. No. 336
L. B. No. 75	L. B. No. 168	L. B. No. 377
L. B. No. 80	L. B. No. 243	L. B. No. 451
L. B. No. 125		

Presented to Governor for approval

Thursday, March 20, 1941, at 4:15 p. m.

L. B. No. 109	L. B. No. 131	L. B. No. 182
L. B. No. 70	L. B. No. 196	L. B. No. 134
L. B. No. 59		

(Signed) Crosby, Chairman

Approved by the Governor

March 21, 1941.

To the President, the Speaker and Members of the Legislature

Gentlemen:

I am directed by Governor Dwight Grsiwold to inform your honorable body that he has this day approved the following bills, viz:

L. B. No. 134 L. B. No. 167 L. B. No. 194
L. B. No. 109 L. B. No. 173

Respectfully submitted,

(Signed) Val Peterson
Secretary to the Governor.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 502. By Committee on Public Works. (Substitute for L. B. No. 471)

A bill for an Act relating to water conservation; to establish the state of Nebraska water conservation board; to provide for its membership and to fix the terms and compensation of its members; to define its powers, duties and functions; to define terms; to state a validity clause; and to declare an emergency.

MOTION—To Suspend Rules and Read Second Time

Mr. President: I move that the rules be suspended and that L. B. No. 502 be read the second time now. Mischke.

The motion prevailed with 36 ayes, no nays, 7 not voting.

BILLS ON SECOND READING

The following bill was read the second time by title:

(For title see Bills on First Reading)

LEGISLATIVE BILL NO. 502. Placed on General File.

REQUEST—To Withdraw L. B. No. 471

Mr. Neubauer asked that unanimous consent be granted to withdraw L. B. No. 471.

No objection was raised and the President so ordered.

MOTION—To Replace L. B. 502

Mr. Mischke moved that L. B. No. 502 be given the position held by L. B. No. 471 on General File when withdrawn.

The motion prevailed with 33 ayes, no nays, 10 not voting.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 323. With emergency clause.

A bill for an Act relating to agriculture; to authorize the Nebraska state board of agriculture to refund **"Nebraska state fair grandstand debentures"** heretofore issued by an issue of **"Nebraska state fair grandstand bonds"** in an amount not exceeding two hundred fifty-six thousand dollars; to provide that the refunding bonds authorized to be issued shall be paid solely out of moneys derived from earnings arising out of general and reserved seat admissions paid for admittance to the grandstand at the Nebraska state fair grounds and from no other source; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Adams, E. A.	Garber	Matzke	Raecke
Asimus	Greenamyre	Mekota	Rakow
Blome	Hanna	Metzger	Reed
Bowman	Howard	Mueller	Sorrell
Brodahl	Jeppesen	Murphy	Sullivan
Carlson	Johnson	Neubauer	Thomas, Amos
Carmody	Knezacek	Norman	Thomas, Ray
Crosby	Kotouc	Peterson	Thornton
Crossland	Lambert	Price	Tvrdik
Gantz			Van Diest

Voting in the negative, 1:

Mischke

Not voting, 4:

Adams, J. Jr.	Bevins	Callan	Weborg

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Visitor

Mr. H. C. Foster, a member of the House of Representatives of the Iowa Legislature, was introduced and addressed the Legislature briefly. Upon the request of Mr. Garber he discussed briefly the Iowa sales tax as a replacement tax.

SELECT FILE

LEGISLATIVE BILL NO. 128. Mr. Crosby asked unanimous consent to withdraw the E and R amendments found in the Legislative Journal for the Fifty-first Day.

No objection was raised and the President so ordered.

The following substitute amendments were offered by Mr. Crosby and adopted:

1. Amend the bill, page 2, section 1, line 26, by striking therefrom the words "pro rata", and by inserting in lieu thereof the following: "pro-rata **pro rata**".

2. Amend the bill, page 2, section 1, line 27 by striking therefrom the word and punctuation "further,".

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 101. Laid over until Wednesday.

LEGISLATIVE BILL NO. 21. E and R amendments, found in the Legislative Journal for the Fifty-third Day, were adopted.

Mr. Tvrdik offered the following amendments:

1. Amend the bill, page 2, section 1 by striking that portion of said section after the word and punctuation "expedient." in line 29 therein and by inserting in lieu thereof the following:

"The board of directors of any metropolitan water or metropolitan utilities district may also provide benefits for and insurance of the present and future employees and appointees of the district, as to accident, disease, death, disability or retirement, under such terms and

conditions as said board may deem proper and expedient. To be eligible for retirement not caused by disability, each person shall have been employed by the district, whether wholly or partly before or after the passage of this act, for the period of twenty years, and shall have attained the age of not less than sixty years, at which time retirement shall be optional with the employee, but retirement shall be compulsory at the age of seventy years: Provided, employees and appointees who become disabled may be retired after fifteen years' service, regardless of attained age. Any retirement plan adopted by the board of directors shall be upon a contributory basis, requiring contributions by both the district and the employee or appointee, and no retirement plan adopted shall provide for the payment of more than one hundred dollars per month as retirement benefit, nor more than forty per cent of average compensation during the last three years of employment. To effectuate any plan adopted pursuant to this authority, the board of directors of the district is empowered to establish and maintain reserves and funds and provide for premiums, and otherwise generally to perform all such acts as may be necessary to carry into execution the general powers granted by this act. Payments made to employees and appointees under the authority of this act shall be exempt from attachment or other legal process, and shall not be assignable. No new plan adopted pursuant to the authority granted in this act shall be made effective prior to January 1, 1942, and on that date any plan which has existed prior thereto may be continued only in so far as it conforms to the requirements of this act.".

2. Amend the bill, page 1, title, to conform with the preceding amendment, if required.

Laid over until Thursday, March 27, 1941.

GENERAL FILE

LEGISLATIVE BILL NO. 337.

The substitute bill (title found in the Legislative Journal for the Fortieth Day) was read and considered, and the same was adopted as Standing Committee amendments.

Mr. Kotouc offered the following amendments, which were adopted:

That section 7, page 3 be stricken; and that the semicolon and all following matter on page 4 be stricken and a "." be substituted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 89. Read and considered.

Mr. Matzke offered the following amendments, which were adopted:

1. Amend the bill, page 1, section 1, line 1, by inserting immediately after the Arabic numeral and punctuation "1." therein the following:

"Subdivision 1.".

2. Amend the bill, page 2, section 1, line 4, by inserting immediately after the word and punctuation "repealed." therein the following:

"Subdivision 2. From and after the effective date of this act, any claim in favor of a county, pending or hereafter filed, against the estate of any recipient of old age assistance or against the estate of any recipient of blind assistance and arising out of the payment of old age assistance or blind assistance, shall be fully released and satisfied of record; and the county judges of the various counties are authorized and directed fully to release and satisfy all claims filed against such estates in their respective counties. Any lien, now filed or hereafter filed, in favor of a county upon real estate which was owned by the recipient of old age assistance or of blind assistance, and which arose out of the payment of old age assistance or blind assistance, shall be released and satisfied of record; and the county clerks of the various counties are hereby authorized and directed forthwith to release any such liens upon real estate which are filed for record in their respective counties.

Sec. 2. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.".

3. Amend the bill, page 1, title, by striking all of said title after the words "relating to" in line 5 therein and by inserting in lieu thereof the following:

"assistance; to abolish procedure for recovery of payments from estates and real estate of deceased recipients of old age assistance and of blind assistance; to abolish procedure for the enforcement of said claims and liens; to provide for the release and satisfaction of all such claims and liens, pending or existing, and of all such claims and liens hereafter filed; to prescribe the duties of the various county judges and county clerks with respect thereto; and to declare an emergency.".

Mr. Ray Thomas moved to refer to E and R for review.

Mr. Carmody moved to adjourn.

The motion was lost.

Mr. Metzger moved to lay the bill over until Tuesday, March 25, 1941.

The motion prevailed.

MOTION—To Reconsider Action

Mr. President: I move that we reconsider our action by which L. B. No. 200 was indefinitely postponed. (Signed) Peterson

A call of the House was ordered.

The call was raised with 20 ayes, 15 nays, 8 not voting.

The motion to reconsider was lost with 17 ayes, 10 nays, 16 not voting.

Adjournment

At 12:37 p. m. on motion by Mr. Metzger the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

FIFTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, March 25, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Price and Thornton, who were excused.

The Journal for the Fifty-fourth Day was approved as corrected.

PETITIONS AND MEMORIALS

Mr. Mueller introduced five petitions asking that the lien clause of the old age assistance law be repealed.

A petition was received through the Governor's office opposing L. B. No. 140.

NOTICE OF COMMITTEE HEARINGS

Labor & Public Welfare

L. B. No. 292, Monday, March 31, 1941, 2:00 p. m.

L. B. No. 486, Monday, March 31, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Education

LEGISLATIVE BILL NO. 332. Indefinitely postponed.

LEGISLATIVE BILL NO. 483. Indefinitely postponed.

(Signed) Matzke, Chairman

Enrollment & Review

Correctly enrolled

L. B. No. 159 L. B. No. 390

L. B. No. 180 L. B. No. 323

(Signed) Crosby, Chairman

President signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 159 L. B. No. 390

L. B. No. 180 L. B. No. 323

Approved by Governor

March 24, 1941

To the President and Members of the Legislature

Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day signed the following bills, viz:

L. B. No. 182 L. B. No. 131 L. B. No. 196

Respectfully submitted,

(Signed) Val Peterson
Secretary to the Governor

L. B. No. 462 Re-referred

Legislative Bill No. 462 was re-referred from the Committee on Agriculture to the Committee on Appropriations.

MOTION—To Place on Third Reading

Mr. President: I move that the rules be suspended and that L. B. No. 234 be placed on Third Reading this morning. Lambert.

The motion prevailed with 33 ayes, no nays, 10 not voting.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 234. With emergency clause.

A bill for an Act relating to public welfare, public health and social security; to empower the board of control of state institutions, the county boards of the several counties and other departments and agencies of the state of Nebraska to cooperate with and to enter into contracts with the United States department of agriculture; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Adams, E. A.	Crossland	Lambert	Peterson
Asimus	Gantz	Matzke	Raecke
Bevins	Garber	Mekota	Rakow
Blome	Greenamyre	Metzger	Reed
Bowman	Hanna	Mischke	Sorrell
Brodahl	Howard	Mueller	Thomas, Amos
Callan	Jeppesen	Murphy	Thomas, Ray
Carlson	Johnson	Neubauer	Tvrdik
Carmody	Knezacek	Norman	Weborg
Crosby	Kotouc		

Voting in the negative, 0.

Not voting, 5:

Adams, J. Jr.	Sullivan	Thornton	Van Diest
Price			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title ageed to.

SELECT FILE

LEGISLATIVE BILL NO. 153. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 210. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 46. Passed over.

LEGISLATIVE BILL NO. 278. E and R amendment, found in the Legislative Journal for the Fifty-fourth Day, was adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 275. E and R amendments, found in the Legislative Journal for the Fifty-fourth Day, were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL NO. 89. Mr. Ray Thomas renewed his motion of the Fifty-fourth Day to refer to E and R for review.

Mr. Crosby moved to indefinitely postpone.

After discussion Mr. Van Diest moved the previous question.

The motion prevailed with 35 ayes, no nays, 8 not voting.

Vote was taken on Mr. Crosby's motion.

Record vote was requested.

Voting in the affirmative, 15:

Brodahl	Greenamyre	Mekota	Sorrell
Crosby	Hanna	Metzger	Thomas, Amos
Crossland	Howard	Murphy	Weborg
Gantz	Jeppesen	Peterson	

Voting in the negative, 25:

Adams, E. A.	Carlson	Lambert	Raecke
Adams, J. Jr.	Carmody	Matzke	Reed
Asimus	Garber	Mischke	Sullivan
Bevins	Johnson	Mueller	Thomas, Ray
Blome	Knezacek	Neubauer	Tvrdik
Bowman	Kotouc	Norman	Van Diest
Callan			

Not voting, 3:

Price	Rakow	Thornton

The motion was lost.

Vote was taken on Mr. Thomas' motion.

Record vote was requested.

Voting in the affirmative, 25:

Adams, J. Jr.	Carmody	Lambert	Rakow
Asimus	Garber	Matzke	Reed
Bevins	Greenamyre	Mischke	Sullivan
Blome	Johnson	Mueller	Thomas, Ray
Bowman	Knezacek	Neubauer	Tvrdik
Callan	Kotouc	Raecke	Van Diest
Carlson			

Voting in the negative, 11:

Brodahl	Gantz	Metzger	Thomas, Amos
Crosby	Hanna	Murphy	Weborg
Crossland	Howard	Sorrell	

Not voting, 7:

Adams, E. A.	Mekota	Peterson	Thornton
Jeppesen	Norman	Price	

The motion prevailed.

Referred to E and R for review.

Recess

At 11:00 a. m. the President declared a recess.

After Recess

At 11:05 a. m. the President called the Legislature to order.

The roll was called and a quorum was present.

MOTION—To Extend Time

Mr. President: The Special Congressional Redistricting Committee moves that the time limit of fifteen days, provided for in the

motion of H. G. Greenamyre of March 12, 1941, for the appointment of a committee of eleven members to hold public hearings to redistrict the state of Nebraska into four congressional districts and report out and introduce in this Legislature a bill for this purpose, be extended eleven days and until and including April 7, 1941, in which to report out and introduce said bill.

(Signed) Greenamyre, Chairman

The motion prevailed.

STANDING COMMITTEE REPORTS (Continued)

Enrollment and Review

Correctly engrossed

L. B. No. 275 L. B. No. 278

(Signed) Crosby, Chairman

GENERAL FILE (Continued)

Special Order

LEGISLATIVE BILL NO. 65. Mr. Raecke offered the following amendment, which was adopted:

Amend L. B. No. 65, page 3, by striking Section 3 and by amending the title accordingly.

Referred to E and R for review.

LEGISLATIVE BILL NO. 135. Read and considered.

Mr. Sorrell moved that the Standing Committee amendments be rejected.

The motion prevailed.

Mr. Sorrell offered the following Standing Committee amendments to L. B. No. 135, which were adopted:

1. Amend the bill, page 4, section 2, line 8, by inserting the figures "135" in the blank space therein.

2. Amend the bill, page 5, by striking all of section 5 therein and by inserting in lieu thereof the following:

"Sec. 5. That Section 16-101, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

16-101. Classification, Population. All cities having more than five thousand and less than twenty-five thousand inhabitants, as ascertained and officially promulgated by the census return and enumeration taken under the authority of the laws of the United States in the year **1940**, or as may be hereafter ascertained and officially promulgated by the United States or under the authority of the State of Nebraska or by the authority of the mayor and city council of any such city, **and any city of the second class, which, desiring to discontinue its organization as such, shall have adopted the form of government of Cities of the First Class, 5,000 to 25,000, pursuant to an election as hereinafter provided** shall be governed by the provisions of this chapter and be known as cities of the first class having more than five thousand and less than twenty-five thousand inhabitants.

"Sec. 6. That Section 16-102, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

16-102. Incorporation Under This Chapter. Whenever any city of the second class shall have attained a population of more than five thousand inhabitants as provided by the next preceding section, **or shall have so adopted the form of government of Cities of the First Class, 5,000 to 25,000, pursuant to an election as hereinafter provided,** the mayor of such city **shall** certify such fact to the Governor, who upon the filing of such certificate shall by proclamation so declare and thereafter such city shall be governed by provisions of such chapter; Subdivision 1. **Whenever any city of the second class desires to discontinue its organization as such and to adopt the form of government of Cities of the First Class, 5,000 to 25,000, and to organize as such city of the first class, and if thirty percent of the qualified electors of such city of the second class in number equal to the number of the electors thereof who voted for mayor at the last previous general municipal election held therein, shall petition the city council or local governing body of such city that the city adopt the form of government of Cities of the First Class, 5,000 to 25,000, and to reorganize as a city of such first class, such city council or local governing body shall refer such petition to the city clerk of such city; and, if the city clerk finds said petition to be sufficient such clerk shall report such finding to the city council or local governing body of such city and shall cause to be published for at least thirty days in a legal newspaper published in and of general circulation in said city, a notice stating that the question of adopting City of the First Class 5,000 to 25,000 government will be submitted to the electors of such city for their approval or rejection at a special election to be called and held therein for that purpose at a time and**

place to be therein stated or at the option of such city council or local governing body at the next annual general municipal election therein held. The form of the ballot shall be: "For Reorganization of the City of....., Nebraska, as a City of the First Class" and "Against Reorganization of the City of....., Nebraska, as a City of the First Class". If a majority of the votes cast on the proposition are "For Reorganization of the City....., Nebraska, as a City of the First Class," then the proposition shall be deemed and taken as carried and adopted, and the mayor of such city shall thereupon certify such fact to the governor of the State of Nebraska, who, upon the filing of such certificate shall by proclamation so declare, and shall declare such city to have become a City of First Class 5,000 to 25,000 and thereafter such City shall be governed by the provisions of the Statutes of the State of Nebraska applicable to and governing Cities of the First Class, 5,000 to 25,000 now or hereafter in force and shall be classified with such Cities of the First Class, 5,000 to 25,000, unless and until such city shall at some future time re-adopt the form of government prescribed for a city of the second class having a population of more than 1,000 inhabitants and less than 5,000 inhabitants in the manner provided by law. Subdivision 2. Within thirty days after the date of such Governor's proclamation if the proposition carries to reorganize such city as a city of the first class, each and every officer of such city shall qualify and give bond as provided by the statutes of the state of Nebraska in cases of cities of the first class: Provided, that in any city which may hereafter become a city of the first class, having been a city of the second class, any councilman, whose term shall extend by reason of his prior election under the provisions governing such cities of the second class, through another year or years, shall continue to hold his office as councilman from the ward in which he is a resident, as if elected for the same term under the statutes of the state of Nebraska governing cities of the first class. Subdivision 3. If a majority of the votes cast on the proposition are "Against the Reorganization of the City of....., Nebraska, as a City of the First Class," then such city shall continue as a city of the second class and be governed under the provisions of the law relating to such cities of the second class, unless it shall, at some future annual general municipal election, reorganize as a city of the first class under procedure designated in this section: Provided, that the proposition to discontinue the organization of any city of the second class and to reorganize it as a city of the first class shall not again be submitted to the electors for the period of five years from and after the date of any such election, held subsequent to the enactment of this section into law.

Sec. 6. That Section 16-103, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

16-103. The government of such city **cities of the second class having a population of more than one thousand inhabitants and less than five thousand inhabitants** shall continue **to remain and to be governed,** as organized at the date of such proclamation, until the **their** reorganization of same under this chapter, **when accomplished as provided in Section 16-102, Compiled Statutes of Nebraska, 1929, as amended by section 5, legislative bill no. 135, fifty-fifth session, Nebraska state legislature, 1941.**

Sec. 7. That Section 16-104, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

16-104. The mayor and council **of such city of the second class, in the event the proposition to reorganize it as a city of the first class is adopted,** shall **within thirty days after the** date of such proclamation by the Governor, divide the city into not less than four wards, **as may be provided by ordinance enacted by the mayor and council thereof, and such wards shall** be as compact in form and equal in population as may be, the boundaries of which shall be defined by ordinance, **and such ordinance shall** take effect at the next annual city election after reorganization. Each ward shall constitute an election district: Provided, when any ward shall contain over five hundred legal voters, the mayor and council may divide such wards into two or more election districts. Each and every elective officer of any such city shall continue to serve as such until the end of the term for which he was so elected, and shall qualify and give bond as provided by the statutes of the state of Nebraska in case of a City of the First Class.

3. Amend the bill, page 1, title, line 3, by inserting after the figures "1939" therein the following:

to amend Sections 16-101, 16-102, 16-103 and 16-104, Compiled Statutes of Nebraska, 1929.

4. Amend the bill, page 1, title, following the semi colon in the next to the last line of said title to read as follows:

"to prescribe procedure whereby a city of the second class having a population of more than 5,000 inhabitants and less than 25,000 inhabitants may discontinue its organization as a city of the second class and may reorganize as a city of the first class; and to prescribe procedure whereby a city of the second class having less than 5,000 population desiring to discontinue its organization as such, and to adopt the form of government of Cities of the First Class, 5,000 to 25,000, and to organize and be classified as such city of the First Class may do so and to repeal said original sections 17-162, 17-163, 17-164, 17-165 Comp. Stat. Supp. Nebr. 1939 and original

sections 16-101, 16-102, 16-103, and 16-104, Comp. Stat. Nebr. 1929 and to declare an emergency.

5. That said original sections 17-162, 17-163, 17-164, 17-165 Comp. Stat. Supp. Nebr. 1939 and original Sections 16-101, 16-102, 16-103, and 16-104, Comp. Stat. Nebr. 1929 be and the same are hereby repealed.

6. Amend the bill to add emergency clause as follows;

Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.

Mr. Blome asked that unanimous consent be granted to add the name of Harry E. Gantz as a co-introducer.

No objection was raised and the President so ordered.

Referred to E and R for review.

Adjournment

At 12:20 p. m. on motion by Mr. Sorrell the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

FIFTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, March 26, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the Fifty-fifth Day was approved as corrected.

PETITIONS AND MEMORIALS

Mr. Neubauer introduced a petition favoring a tax exemption for gasoline used in farm motors, favoring an increase in the membership of the Nebraska Legislature, opposing the "Little Wagner" bill, and opposing L. B. No. 154.

The following petitions were received through the Governor's office: Two, opposing L. B. No. 140; one, opposing L. B. No. 381 and L. B. No. 483 and favoring L. B. No. 27; one, regarding representation in Congress.

NOTICE OF COMMITTEE HEARINGS

Public Health & Miscellaneous Subjects

L. B. No. 294, Wednesday, April 2, 1941, 2:00 p. m.

L. B. No. 302, Wednesday, April 2, 1941, 2:00 p. m.

L. B. No. 391, Wednesday, April 2, 1941, 2:00 p. m.

L. B. No. 399, Wednesday, April 2, 1941, 2:00 p. m.

L. B. No. 501, Wednesday, April 2, 1941, 2:00 p. m.

Banking, Commerce & Insurance

L. B. No. 339, Thursday, March 27, 1941, 2.00 p. m. (Continued)

L. B. No. 342, Thursday, March 27, 1941, 2:00 p. m. (Continued)

L. B. No. 396, Thursday, March 27, 1941, 2:00 p. m. (Continued)

Labor & Public Welfare

L. B. No. 378, Monday, March 31, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Education

LEGISLATIVE BILL NO. 381. Indefinitely postponed.

(Signed) Matzke, Chairman

Enrollment and Review

LEGISLATIVE BILL NO. 257. Placed on Select File with amendments.

E and R amendments to L. B. No. 257:

1. Amend the bill, page 2, section 1, line 13, by striking therefrom the word **"emcumbrancers"** and by inserting in lieu thereof the word **"encumbrancers".**

2. Amend the standing committee amendments, amendments 1 and 2, by underscoring all subject matter in quotation marks therein.

3. Amend the bill, page 3, section 2, line 11, by striking the words "section 1 of this act" and inserting in lieu thereof the words as follows: **"Section 20-202, Compiled Statutes of Nebraska, 1929, as amended by section 1 of legislative bill No. 257, fifty-fifth session, legislature of Nebraska, 1941,".**

LEGISLATIVE BILL NO. 270. Placed on Select File with amendments.

E and R amendments to L. B. No. 270:

1. Amend the bill, page 2, section 1, line 4, by striking the word "road" and inserting in lieu thereof the word "railroad".

2. Amend the bill, page 2, section 2, line 2, by inserting before the word "railroads" the words "a railroad or".

LEGISLATIVE BILL NO. 57. Placed on Select File with amendments.

E and R amendments to L. B. No. 57:

1. Amend the General File amendments, Kotouc, amendment 3, by striking the punctuation "." after the figures "1929" therein.

LEGISLATIVE BILL NO. 461. Placed on Select File with amendments.

E and R amendments to L. B. No. 461:

1. Amend the bill, page 2, section 1, line 5, by striking therefrom the words "alcholic alcoholic", and by inserting in lieu thereof the word "alcoholic".

2. Amend the bill, page 2, section 1, lines 11 and 15, by striking therefrom the words "Act act" wherever the same appear in each of said lines respectively, and by inserting in lieu thereof the word "article".

LEGISLATIVE BILL NO. 251. Placed on Select File with amendments.

E and R amendments to L. B. No. 251:

1. Amend the bill, page 2, section 1, line 3, by striking the word "By" and by inserting in lieu thereof the word "by".

2. Amend the bill, page 2, section 3, line 2, by striking the word "To" therein and by inserting in lieu thereof the word "to".

3. Amend the bill, page 3, section 5, line 3, by inserting after the Arabic numeral "1" therein the words "of this act".

4. Amend the bill, page 3, section 5, line 4, by inserting after the Arabic numeral "7" therein the words "of this act".

5. Amend the bill, page 3, section 6, line 4, by inserting after the Arabic numeral "7" therein the words "of this act".

6. Amend the bill, page 3, section 6, line 5, by striking the word "Was" therein and by inserting in lieu thereof the word "was"; and on page 3, section 7, line 2, make the same amendment.

7. Amend the bill, page 4, section 7, line 12, by striking the word "The" therein and by inserting in lieu thereof the word "the".

8. Amend the bill, page 5, section 11, line 4, by striking the word "That" therein and by inserting in lieu thereof the word "that".

9. Amend the bill, page 7, section 20, line 2, by striking the punctuation "," after the word "assign" therein.

10. Amend the bill, page 8, section 22, line 20, by striking therefrom the word "pre-existing" and by inserting in lieu thereof the word "preexisting".

LEGISLATIVE BILL NO. 152. Placed on Select File with amendments.

E and R amendments to L. B. No. 152:

1. Amend the bill, page 3, section 2, line 27, by striking therefrom the punctuation and word ", provided" therein and by inserting in lieu thereof the following: **": Provided".**

2. Amend the bill, page 4, by striking all of section 3 thereon and by inserting in lieu thereof the following:

"Sec. 3. That said original Secs. 26-220 and 39-1201, C. S. Supp., 1939, are hereby repealed; and that Sec. 32-223, C. S. Supp., 1939, is hereby repealed.".

3. First strike standing committee amendment No. 5, then amend the bill, page 1, title, by striking all of said title after the word "ACT" in line 2 therein and by inserting in lieu thereof the following: "to amend Secs. 26-220 and 39-1201, C. S. Supp., 1939, relating to counties under township organization; to provide for the election of overseers of roads in such counties at the annual town meetings in 1943 and every two years thereafter; to prescribe the duties of road overseers so elected; to repeal said original sections; and to repeal Sec. 32-223, C. S. Supp., 1939.".

LEGISLATIVE BILL NO. 225. Placed on Select File with amendments.

E and R amendments to L. B. No. 225:

1. Strike the standing committee amendment and insert in lieu thereof the following:

"1. Amend the bill, page 2, section 1, lines 6 and 7, by restoring the words and punctuation stricken therein."

2. Amend the bill, page 2, section 1, line 13, by striking there-

from the words **"re-entered"** and by inserting in lieu thereof the word **"reentered"**.

3. Amend the bill, page 2, section 1, line 15, by striking the word "be" therein and by inserting in lieu thereof the word **"are"**.

4. Amend the bill, title, line 4, by striking the word "judgment" and inserting in lieu thereof the word "complete".

LEGISLATIVE BILL NO. 226. Placed on Select File with amendments.

E and R amendments to L. B. No. 226:

1. Amend the bill, page 2, line 1 by inserting the word, figure and punctuation "Section 1." immediately before the word "That" therein.

2. Amend the bill, page 2, section 1, lines 16 and 17 by striking the word **"provided"** therein and by inserting in lieu thereof the word **"if"**.

3. Amend the bill, page 2, section 1, line 18, by striking the word **"they"** and by inserting in lieu thereof the following: **"such bill or bills of exception"**.

4. Amend the general file amendment, Gantz, adopted March 18, 1941, by underscoring all the words in quotation marks therein.

5. Amend the bill, title, line 5, by striking therefrom the words "in a review on appeal".

LEGISLATIVE BILL NO. 145. Placed on Select File with amendments.

E and R amendments to L. B. No. 145:

1. Amend the bill, page 2, section 1, line 26 by striking the word **"The"** therein and by inserting in lieu thereof the word **"the"**.

2. Amend the bill, page 2, section 1, line 28 by striking the word **"The"** and by inserting in lieu thereof the word **"the"**.

3. Amend the bill, page 2, section 1, line 30 by striking the word **"Any"** therein and by inserting in lieu thereof the word **"any"**.

4. Amend the general file amendment by striking the word "of" and by inserting in lieu thereof the word **"of"**.

LEGISLATIVE BILL NO. 401. Placed on Select File with amendment.

E and R amendment to L. B. No. 401:

1. Amend the bill, title, line 3, by striking all after the word and punctuation "liquors;" in line 3 down to and including the word "put" in line 7, and inserting in lieu thereof the following: "to provide that the net proceeds arising out of gallonage tax to be paid on the manufacture of and the distribution at wholesale of alcoholic liquors shall be credited to and shall inure to the "state assistance fund".

LEGISLATIVE BILL NO. 283. Placed on Select File with amendment.

E and R amendment to L. B. No. 283:

1. Amend the bill, section 1, page 2, line 12, by striking the punctuation "," after the word "wolf".

LEGISLATIVE BILL NO. 128. Correctly engrossed.

LEGISLATIVE BILL NO. 234. Correctly enrolled.

Presented to Governor for approval

Tuesday, March 25, 1941 at 3:30 p. m.

L. B. No. 390 L. B. No. 180

L. B. No. 323 L. B. No. 159

(Signed) Crosby, Chairman

President signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill No. 234.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 150. With emergency clause.

A bill for an Act to amend Sec. 37-305, C. S. Supp., 1939, relating to game and fish; to provide special open seasons and regulations concerning beaver; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

Adams, E. A.	Hanna	Mueller	Sullivan
Blome	Howard	Neubauer	Thomas, Amos
Bowman	Jeppesen	Norman	Thomas, Ray
Brodahl	Knezacek	Peterson	Thornton
Carlson	Kotouc	Price	Tvrdik
Carmody	Lambert	Raecke	Van Diest
Crosby	Matzke	Rakow	Weborg
Crossland	Metzger	Reed	
Gantz	Mischke	Sorrell	
Garber			

Voting in the negative, 2:

Greenamyre Johnson

Not voting, 6:

Adams, J. Jr.	Bevins	Mekota	Murphy
Asimus	Callan		

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title ageed to.

LEGISLATIVE BILL NO. 49. With emergency clause.

A bill for an Act to amend Sec. 24-1804, C. S. Supp., 1939, relating to burial associations; to provide limitations upon the investment of capital, surplus and other funds thereof; to limit the aggregate benefits of burial association certificates to be issued to one person to the sum of five hundred dollars, except that certificates may be issued to one person in excess of five hundred dollars and not to exceed one thousand dollars if the issuing burial association has a surplus of at least five thousand dollars or shall reinsure the excess over five hundred dollars in a legal reserve life insurance company authorized to do business in the state of Nebraska; to provide legal reserves for said associations; to require that capital stock thereof shall be sold for the same amount per share and for not less than par value nor for more than twenty-five per cent above par value; to

prescribe the requirements that shall be set forth in policies issued by said associations; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Asimus	Garber	Matzke	Reed
Blome	Greenamyre	Mekota	Sorrell
Bowman	Hanna	Mischke	Sullivan
Brodahl	Howard	Mueller	Thomas, Amos
Callan	Jeppesen	Murphy	Thomas, Ray
Carlson	Johnson	Neubauer	Thornton
Carmody	Knezacek	Norman	Tvrdik
Crosby	Kotouc	Price	Van Diest
Crossland	Lambert	Raecke	Weborg
Gantz			

Voting in the negative, 0.

Not voting, 6:

Adams, E. A.	Bevins	Peterson	Rakow
Adams, J. Jr.	Metzger		

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title ageed to.

Approved by the Governor

March 26, 1941.

To the President, the Speaker and Members of the Legislature

Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day signed the following bill, viz:

L. B. No. 323.

Respectfully submitted,

(Signed) Jean Spencer
Acting Secretary to the Governor.

SELECT FILE

LEGISLATIVE BILL NO. 101. E and R amendments, found in the Legislative Journal for the Fifty-third Day, were adopted.

Mr. Crosby offered the following amendment, which was adopted by unanimous consent:

Amend the bill, page 9, section 8, line 2, by striking therefrom the word "eighteen" and inserting in lieu thereof the words "seventeen, inclusive".

Mr. Metzger moved to refer to General File for the following Specific amendment:

Page 16, Subdivision 10, line 127, after the word "pharmacists" add "or under his supervision".

The motion prevailed.

Placed on General File.

LEGISLATIVE BILL NO. 46. Mr. Tvrdik moved to refer to E and R for engrossment.

A call of the House was ordered.

The call was raised.

The motion prevailed with 15 ayes, 14 nays, 4 not voting.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL NO. 101. Mr. Metzger moved that his Specific amendment, found in this Day's Journal, be adopted.

The motion was lost.

Mr. Van Diest offered the following amendment, which was adopted.

That subsection 10 of Sec. 14 be stricken.

Mr. Raecke offered the following amendment, which was adopted:

Amend page 16, section 14, line 158 by striking the figure "11" following the word "Subdivision" and inserting in lieu thereof the figure "10".

Mr. Howard moved to refer to E and R for review.

Mr. Garber moved to indefinitely postpone.

The motion was lost with 9 ayes, 23 nays, 11 not voting.

Mr. Howard renewed his motion to refer to E and R for review.

The motion prevailed.

Referred to E and R for review.

LEGISLATIVE BILL NO. 239. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Forty-second Day, were adopted.

Referred to E and R for review with 30 ayes, 7 nays, 6 not voting.

LEGISLATIVE BILL NO. 215. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Forty-fourth Day were adopted.

Mr. Price offered the following amendments, which were adopted:

Strike Sec. 3; and in title, strike the semicolon and words "and to declare an emergency" and add a period.

Referred to E and R for review.

LEGISLATIVE BILL NO. 217. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Forty-fourth Day were adopted.

Mr. Raecke offered the following amendment, which was adopted:

Amend Page 2, Section 1, line 15, by striking the words "and fifty cents".

Mr. Lambert offered the following amendments, which were adopted:

Strike Sec. 3; and in title, strike the semicolon and words "and to declare an emergency" and add a period.

Mr. Gantz offered the following amendments, which were adopted:

Amend Sec. 1, line 17 by inserting after the word "will" in said

line ", of the certificate of probate" and by striking the words "a copy" after the word "and" and before the word "of" in said line.

Referred to E and R for review.

LEGISLATIVE BILL NO. 12. Mr. Lambert moved that the Standing Committee amendments, found in the Legislative Journal for the Forty-fourth Day, be adopted.

Mr. Peterson offered the following amendments to the Standing Committee amendments, which were adopted:

To strike Section 9 of the Standing Committee amendments and renumber the remaining sections.

To substitute for Section 3 the following:

Sec. 3. That Sec. 60-417, C. S. Supp., 1939, be amended to read as follows:

60-417. There is hereby established the **division of Highway** Safety and Patrol to be known as the Nebraska Safety Patrol **safety patrol.** The chief officer of the said Nebraska Safety Patrol **safety patrol** shall be the State Sheriff **superintendent of law enforcement and public safety.**

Amend Section 7 by adding the words "relating to felonies".

Strike from the last two lines of Section 6 the words "and to serve criminal processes".

Wherever in the committee amendments the words "all criminal laws of the state" appear, there be inserted the words "relating to felonies".

The Standing Committee amendments, as amended, were adopted.

Mr. Peterson offered the following amendment, which was adopted:

To strike from Section 1, line 1, the letter "s" from the word "Sections"; then strike the following: "84-107 and".

No further action was taken thereon.

Adjournment

At 12:00 m. on motion by Mr. Lambert the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

FIFTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, March 27, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. Speaker Howard presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Price, who was excused.

The Journal for the Fifty-sixth Day was approved.

PETITIONS AND MEMORIALS

Mr. Howard introduced a petition asking that the money from the hog serum fund be appropriated for a new foods and nutrition building at the Agricultural College.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL NO. 36. Indefinitely postponed.

LEGISLATIVE BILL NO. 197. Indefinitely postponed.

LEGISLATIVE BILL NO. 310. Indefinitely postponed.

LEGISLATIVE BILL NO. 330. Indefinitely postponed.

LEGISLATIVE BILL NO. 397. Indefinitely postponed.

LEGISLATIVE BILL NO. 362. Indefinitely postponed.

LEGISLATIVE BILL NO. 363. Indefinitely postponed.

LEGISLATIVE BILL NO. 400. Indefinitely postponed.

LEGISLATIVE BILL NO. 431. Indefinitely postponed.

LEGISLATIVE BILL NO. 23. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 23:

1. Strike all of the bill after the enacting clause and substitute in lieu thereof the following:

"Section 1. That Sec. 32-801, C. S. Supp., 1939, be amended to read as follows:

32-801. **Subdivision 1.** Any qualified elector of this state who is about to be absent from the county of his residence on the day of any primary or other election, may vote at such election upon compliance with the provisions of this act and in manner hereinafter set out **but who is present after ballots are available, may appear in person before the county clerk, as issuing officer, may obtain his ballot and may vote it in like manner as an absent voter before leaving home, pursuant to the provisions of Article 8, Compiled Statutes of Nebraska, 1929, as amended. Subdivision 2.** Any qualified elector of this state who is within the county and is, or will be, unable, because of physical disability, to go to the voting place, and if registration is required for such election, who is duly registered therefor, may vote at any such election, as hereinafter provided.

Sec. 2. That Sec. 32-802, C. S. Supp., 1939, be amended to read as follows:

32-802. **Subdivision 1.** Such voter **Any qualified voter of this state who will be absent from the county of his residence on the day of any primary or other election and who does not appear before the county clerk, as issuing officer, in person, to obtain his ballot and vote it before leaving home, may,** not more than thirty **days** nor less than two clear days before such election shall apply in writing **by mail** under oath to the county clerk of the county of his residence, **as issuing officer,** stating **request that the issuing officer forward to him by mail the formal application for an absent voter's ballot. The application for an absent voter's ballot shall be a printed application, and, among other things, shall provide ample blank spaces wherein applicant for ballot shall state: (a)** his **His** name,. **(b) His** post office address,. (c) his **His** residence, describing it by street number or similar description if in a city, town or village, and

by section, township and range if outside any city, town or village, and naming the voting precinct, county and state in which such residence is located,. (d) that **That** he is a qualified voter of such precinct and that he is about to be absent from said county on the day of such election, naming the day, and that he desires to vote at such election; and if it be a primary election, the application must state the political party that he affiliates with; and unless such voter apply in person the application must give. (e) **The** address of voter where ballot and supplies may be sent to him by mail and must be accompanied with twenty-five cents in postage or cash to cover the cost of mailing such ballot and supplies to such voter. **Subdivision 2.** Any disabled voter not more than ten days before such election, and not later than four (4) o'clock P. M. on the day preceding such election, through his or her agent shall apply in writing, under oath to the county clerk of the county of his residence, stating the name of his or her said agent stating his name, post office **post-office** address, his residence, describing it by street number or similar description, if in city, town or village, and by section, township and range if outside of any city, town or village, and naming the voting precinct, county and state in which such residence is located, that he is a qualified voter of such precinct, and that he or she is, or will be unavoidably detained at home on account of sickness, **illness or physical disability** on the day of such election, naming the day, and that he desires to vote at such election; and, if it be a primary election, the application must state the political party that he affiliates with. Such voter shall accompany such application by a certificate from a duly licensed and practicing physician and surgeon certifying that such elector, seeking to vote at such an election by the application aforesaid is compos mentis, is not afflicted with any contagious disease or under quarantine and in such a state of health that it would be dangerous and unwise for such voter to attempt to vote in person at the designated polling place.

Sec. 3. That Section 32-803, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

32-803. If such **the absent or disabled** voter reside in a precinct where registration of voters is required, he must also furnish such clerk with a certificate of the registration officer to the effect that such voter is duly registered as a voter in the precinct of his alleged residence, and, if the election be a primary one, such certificate must further show the voter's party affiliation to be that stated in his application: **Provided, in lieu of the certificate of the registration officer, an applicant who is in the military or naval service of the United States of America or of the state of Nebraska, shall furnish such clerk with the affidavit for registration as pro-**

vided in section 12, legislative bill No. 23, fifty-fifth session, Nebraska state legislature, 1941.

Sec. 4. That Section 32-804, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

32-804. **Subdivision 1.** Upon receipt of the application from an absent voter and upon certificate of registration where required, the clerk shall at once issue to such voter an absent voter's ballot with an identification envelope, a return envelope and an instruction card as hereinafter described: **Provided, if said application, together with certificate of registration where required, reaches the clerk by mail or other means than by applicant in person, the clerk shall mail to applicant, postage paid, the ballot and supplies that enables an absent voter to exercise his absent voting privilege; and provided further, if request for application be made to the clerk in person and if application, together with certificate of registration where required, be delivered to the clerk by the applicant in person, the clerk shall deliver to applicant in person the ballot and supplies that enable an absent voter to exercise his absent voting privilege. Subdivision 2.** Upon receipt of such aplication from a disabled voter accompanied with the certificate of the physician or surgeon aforesaid, and further accompanied with the certificate of registration where required, the clerk shall at once issue to such voter's agent a disabled voter's ballot with an identification envelope, a return envelope and an instruction card as hereinafter described. The clerk shall at once enter said voter's name, ~~postoffice~~ **post-office** address, residence and voting precinct, with party affiliation if the election be a primary one, in a poll book to be kept by such clerk for such purpose, which poll book shall be open to the public; and shall notify the election board of applicant's precinct of such application; and if such voter offer to vote in person in said precinct **on election day,** it shall be the duty of said election board to challenge his vote.

Sec. 5. That Section 32-805, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

32-805. **Subdivision 1.** Upon the receipt of the ballot of an absent voter and supplies named above, the voter shall present himself before some official provided for in Section 2008, Compiled Statutes of Nebraska for 1922, as amended by Section 6 of this act (32-807) **32-807, Compiled Statutes of Nebraska, 1929, as amended by section 7, legislative bill No. 23, fifty-fifth session, Nebraska state legislature, 1941,** exhibit such ballot unmarked to such official and forthwith in the presence of such official and in the presence of no other person, but in such manner that such official cannot see how such ballot is marked, mark the same, fold the same so that the endorsed name and title of the clerk is exposed and all other marks hidden and deliver the same to the official who shall place the same

in the identification envelope and seal the same. **Subdivision 2.** Upon receipt of such ballot and supplies named above to the voter's agent, said voter's agent shall forthwith deliver the same to said sick **or disabled** voter who shall in the presence of some official provided for in Section 7 of this act ~~(32-807)~~ **32-807, Compiled Statutes of Nebraska, 1929, as amended by section 7, legislative bill No. 23, fifty-fifth session, Nebraska state legislature, 1941,** exhibit such ballot unmarked to such official, and in the presence of no other person, but in such manner that such official cannot see how such ballot is marked, mark the same so that the endorsed name and title of the clerk is exposed and all other marks hidden and deliver the same to the official who shall place the same in the identification envelope and seal the same. **Subdivision 3.** The **absent, sick or disabled** voter shall before the proper official designated subscribe and swear to the oath to be printed and written on the identification envelope, which oath shall contain the allegations of the application as aforesaid together with the accompanying certificate of the physician and surgeon, in the case of a **sick or** disabled voter, and shall further state the voter's age, sex, color, nativity, occupation, length of residence in precinct, in county and in state, and if naturalized, date and place of naturalization and shall also state that the within ballot was received, exhibited to and thereafter marked in the presence of such official as required by this act, and that the voter has not voted at such election other than by the within ballot, and the certificate of the official attesting the subscription and oath shall also state that the voter exhibited to him the enclosed ballot unmarked and immediately thereafter in his presence and in the presence of no other person marked the same, but in such manner that the official could not see how the same was marked, and that said voter immediately folded the ballot so that the voter's marking was concealed and delivered the same to the official who placed the same in the identification envelope and sealed the envelope without examining the marking of the ballot and that the official did not solicit or advise the voter how to vote and is not informed how such voter did vote; and further certify that such voter is personally known to the official to be the person whose name is subscribed to and who is described by the foregoing affidavit or that such voter has been proven to the official to be such person by some other person known to the official to be a creditable person and whose name and address are stated in the certificate, and the official shall state the date and place of the execution of the oath and certificate and state his official position and attach his official seal: **Provided, if the absent voter casts his ballot at home before election day by appearing in person before the clerk, as issuing officer of the absent voter's ballot, he may vote his ballot according to law, deliver it in person to the clerk who shall complete all formalities required, including the oath and signature without fee for attesting the same with the seal of his office.**

Sec. 6. That Section 32-806, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

32-806. **Subdivision 1.** The voter **If the absent, sick or disabled voter chooses to employ registered United States mail as the agency to carry his ballot to the county clerk of the county of his residence, as issuing officer,** he shall also deliver to such official the return envelope addressed to the county clerk of the county of voter's residence, and which on the address side thereof shall have printed in large type a statement that it is an absent or a disabled voter's return envelope, and shall **may** attach to such envelope sufficient postage to carry the same and contents to its address by registered mail, and the official shall then enclose said identification envelope in said return envelope and seal same and give such voter a receipt for same (prepared and sent voter with other supplies) stating that he, **such official,** will on the same day place the same in United States post office as registered mail: **Provided, the ballot of the absent, sick or disabled voter need not necessarily be mailed to the county clerk, as issuing officer, by registered mail by such official, but, such absent, sick or disabled voter, may, if he so elects, demand and receive the ballot he has cast from such official after the ballot is placed and sealed by the official in the identification envelope and after the sealed identification envelope is enclosed and sealed by such official in the return envelope, and such absent, sick or disabled voter may then deliver in person or by other means, his ballot in the return envelope to the county clerk of the county of his residence, as issuing officer; and provided further, if such absent, sick or disabled voter elects to deliver his ballot to the county clerk of the county of his residence by means other than registered mail, the official shall place the receipt mentioned herein, unsigned, as an additional enclosure in the return encelope along with the identification envelope before he, the official, seals the return envelope and delivers such ballot to such voter. Subdivision 2. All absent, sick or disabled voters' ballots in order to be counted, must either be delivered in person or by registered mail to the clerk as issuing officer on or before election day: Provided, if registered mail be the means employed by absent, sick or disabled voters to deliver their ballots to the clerk, as issuing officer, the return envelopes must bear postmark not later than twelve o'clock midnight of the day preceding election day; and such ballots must be in the physical possession of the clerk before the time fixed when the absent and disabled voters' election board sits, as provided by law.**

Sec. 7. That Section 32-807, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

32-807. **Subdivision 1.** Oaths required by this act may be subscribed and sworn to before **the clerk, as issuing officer, or before**

any official having a seal and authorized to administer oaths by the laws of the place where the oath is administered, and any such official may make the certificates and do and perform such other acts as are necessary under this act to enable such voter to avail himself **exercise his absent, sick or disabled voting privilege** of the provisions of the statute, provided: **Provided,** that if such absent voter be in the military or naval service of the United States **of America** or the State **state** of Nebraska then such oaths may be administered and such certificates made and such acts done by any commissioned officer of such military or naval forces.

Sec. 8. That Section 32-814, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

32-814. **Subdivision 1.** Whoever impersonates a disabled voter's agent or whoever impersonates another or makes a false representation in order to obtain an absent or disabled voter's ballot, or knowingly connives to help a person to vote an absent or disabled voter's ballot illegally, or being a member of, officer or employee of any absent or disabled voters' election board, or canvassing board, destroys, steals, marks or mutilates any absent or disabled voter's ballot or aids or abets another to do so after the same has been voted, or whoever delays in delivering such ballot to the proper officials of election with a view to prevent said ballots from arriving in time to be counted, or in any manner aids or attempts to aid any person to vote an absent or disabled voter's ballot unlawfully, or hinders or attempts to hinder a duly qualified elector from voting any absent voter's ballot or hinders or attempts to hinder any official from delivering or counting any absent or disabled voter's ballot shall be guilty of a felony, and, upon conviction thereof, shall be sentenced to the penitentiary for not less than one year and not more than five years. **Subdivision 2. Any person who, having procured an official absent or disabled voter's ballot or ballots, shall wilfully neglect or refuse to cast or return the same in the manner provided by law, or who shall wilfully violate any provision of this article shall, unless otherwise provided, upon conviction thereof, be fined not to exceed one hundred dollars, or imprisoned in the county jail not to exceed thirty days. Any person who applies for an official absent or disabled voter's ballot and who wilfully neglects or refuses to return the same, shall be deemed to have committed an offense in the county to which said ballot was returnable to the clerk, as issuing officer. Subdivision 3. If any county or municipal clerk, or any other election officer shall refuse or neglect to perform any of the duties prescribed by this article, or shall violate any of the provisions thereof, he shall, upon conviction, be fined not less than one hundred dollars nor more than one thousand dollars, or be imprisoned in the county jail not to exceed ninety days.**

Sec. 9. That Section 32-1812, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

32-1812. **Subdivision 1.** The election commissioner or the deputy commissioner acting for him shall receive the application for registration of all such legal voters as shall personally apply for registration at the office of the commissioner or other places designated for registration, who then are, or on the day of election next following the day of making such application, will be entitled to vote: **Provided, any electors, absent from the county of their residence and in the military or naval service of the United States of America or of the state of Nebraska, may register by mail during the regular registration period or may be registered by enclosing the proper affidavit for registration, as provided in section 12, legislative bill No. 23, fifty-fifth session, Nebraska state legislature, 1941, with their application for an absent voter's ballot, and said registration affidavit, in case the absent voter's ballot is deposited in the ballot box, shall be preserved and returned with the certificates of registration, poll book and alphabetical lists to the supervisor of registration in precincts where registration is required, and such supervisor shall preserve the same, and it shall be used by the registers of election, in precincts where registration is required, in making up the new registry lists from the poll books, and such registration affidavit shall serve as a registration record of the voters for new registry books and lists; and provided further, no absent voter in the military or naval service of the United States of America or of the state of Nebraska need reregister while in such military or naval forces.** Any person serving as supervisor of registration shall administer to all persons who may personally apply to register the following oath or affirmation, viz: You do solemnly swear or affirm that you will fully and truly answer all such questions as shall be put to you, touching your place of residence, name, place of birth, your qualifications as an elector, and all other questions provided for by the laws of this state affecting your right to register and vote therein. They shall then examine the applicant as to his qualifications as an elector, and, unless otherwise provided herein, shall immediately in the presence of the applicant, enter in the registers the statements and acts, as above set forth, and in the manner following, viz: First. Under the column "Residence" the name and number of the street, avenue, or other location of the dwelling if there be a number; but if there shall not be a number, then such clear and definite description of the location of such dwelling as shall enable it to be readily found; and if there be more than one family residing in the dwelling named by the applicant, in such case the said applicant shall give the floor on which he resided (every floor below the level of the ground being designated as the basement, the first floor on or above such level, the first floor, and each floor above that as the second or such other floor as it may be), or the number or location of the rooms occupied

by the applicant and whether front or rear. Second. Under the column "Address" the name of the applicant giving the surname and Christian name in full; and said names shall be kept by streets and avenues as far as the same can be done; Third. Under the column "Sworn" the word "Yes" or "No" as the case may be; Fourth. Under the column of "Nativity" the state, country, kingdom, empire or dominion, as the facts shall be stated by the applicant; Fifth. Under the column "Color" the word "White" or "Black" as the case may be; Sixth. Under the subdivision of the general column of "Term of Residence," the periods by months or years stated by the applicant in response to the inquiries made for the purposes of ascertaining his qualifications and filling such columns; Seventh. Under the column "Naturalized" the word "Yes" or "No" or "Native" as the fact may be stated; Eighth. Under the column "Date of Papers" the date of naturalization if naturalized, as the same shall appear by the evidence of citizenship submitted or presented by the applicant in compliance with the requirements of this article; Ninth. Under the column "Court" the designation of the court in which, if naturalized, such naturalization was done, as the same shall appear by the evidence of citizenship presented or submitted by the applicant in compliance with the requirements of this article; Tenth. Under the column "Qualified Voter" the word "Yes" or "No" as the facts shall appear and be determined by at least two of the said supervisors, it being, however, required of said supervisors to designate as a qualified voter any person, who, being otherwise qualified, shall not, at the time of making the application be of age: **Provided,** the time when such applicant shall be of the age of twenty-one shall be subsequent to the date of his making application and not later than the day of the election immediately following such time of applying; Eleventh. Under the column "Date of Application," the month, day. and year when the applicant presented himself for registration; Twelfth. Under the column "Signature of voter" the applicant for registration shall be required to sign his name on both original and duplicate registers.

Sec. 10. That Section 32-1405, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

32-1405. **Subdivision 1.** The supervisor of registration shall receive the application for registration of such legal voters of the city as then are, or on the succeeding election will be, entitled to vote who shall personally present themselves for registration, and such only: **Provided, any electors, absent from the county of their residence and in the military or naval service of the United States of America or of the state of Nebraska, may register by mail during the regular registration period or may be registered by enclosing the proper affidavit for registration, as provided in section 12, legislative bill No. 23, fifty-fifth session, Nebraska state legislature, 1941, with**

their application for an absent voter's ballot, and said registration affidavit, in case the absent voter's ballot is deposited in the ballot box, shall be preserved and returned with the certificates of registration, poll book and alphabetical lists to the supervisor of registration in precincts where registration is required, and such supervisor shall preserve the same, and it shall be used by the registers of election, in precincts where registration is required, in making up the new registry lists from the poll books and such registration affidavit shall serve as a registration record of the voters for new registry books and lists; and provided further, no absent voter in the military or naval service of the United States of America or of the state of Nebraska need re-register while in such military or naval forces. He shall then examine the applicant as to his qualifications as an elector, and shall immediately in the presence of the applicant enter on the registers, as provided by this act the statements and facts herein provided, in the following manner: a. On the first line on (of) of said card, opposite the word "Name," the full surname and christian name of the applicant. b. On the second line, opposite the word "Residence" (1), the name and number of the street, avenue or other location of the dwelling, if there be a number, but if there shall not be a number, then such clear and definite description of the location of such dwelling as shall enable it to be readily found; and if there be more than one family residing in the dwelling named by the applicant, in such case said applicant shall give the floor on which he resides (every floor below the level of the ground being designated as the basement, the first floor on or above the level, the first floor, and each floor above that as second or such other floor as it may be), or the number or location of the room or rooms occupied by the applicant. c. Lines (2), (3) and (4), marked "Removal..... 19..... to," shall be left blank at the time of registration, as shall also the blank spaces opposite the numbers "2," "3" and "4" in the upper right hand corner of the card, and under the sub-division "precinct" also. These blank spaces to be used later as removals, if any, are made by the voter. d. Opposite the word "Age," the age of applicant at last birthday, as stated by him. e. Opposite the word "Color," the word "White" or "Black" as the case may be. f. Opposite the words "Party Affiliation," the name of the political party with which the applicant states he affiliates. g. Opposite the word "Nativity," the state, country, kingdom, empire or dominion, as the fact shall be stated by the applicant. h. Opposite the word "Naturalized," the word "Yes" or "No," as the fact may be stated. i. Opposite the words, "Declared Intention," the word "Yes," if the applicant has declared his intention and has not yet been admitted to citizenship. j. Opposite the word "Court," the name and location of the court out of which papers (either certificate of naturalization or declaration of intention) issued. k. Opposite the words "Date of Papers," the date of the certificate of naturalization or declaration of intention,

as the case may be, as same shall appear by the evidence submitted or presented by applicant in compliance with the requirements of this act. The supervisor of registration may require applicants to submit proof of the issuance of certificate of naturalization or declaration of intention. 1. Under the subdivisions of the general heading "Term of residence, etc." the period by days, months or years stated by applicant in response to inquiries made for the purpose of ascertaining his qualifications, and making the proper entry. The applicant must sign the statement of facts so entered on said card and swear (or affirm) before said supervisor of registration that the statements made are true, and that he is an elector, or will be an elector at the next succeeding election to be held in such city. The supervisor of registration is hereby empowered and authorized to administer all oaths or affirmations as by this act provided. At the time of entering the facts and information on said registration card, the supervisor of registration shall also enter the name and residence of the applicant upon an alphabetical register, the supervisor of registration to keep a separate register book for each voting precinct of the city for such purpose.

Sec. 11. That Section 32-1515, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

32-1515. **Subdivision 1.** On the first day of said general registration and on the first day of any revision of registration next after the election of any member of the board by the city council as hereinbefore provided, the board shall meet at the office of the city clerk and organize by the selection of one of their number as chairman and during the time of registration or revision of registration, as provided for in this article, the office of the city clerk shall be open each day between the hours of 9 **nine o'clock** A. M. and 12 **twelve o'clock** M **noon and between** the hours of 2 **two o'clock** and 5 **five o'clock** P. M., and on each Saturday during said registration or revisions of registration, between the hours of 7 **seven o'clock** and 9 **nine o'clock** P. M. also, for the registration of voters; and it shall be the duty of the clerk of the board to be present during such time and to register any person applying for registration: **Provided, any electors, absent from the county of their residence and in the military or naval service of the United States of America or of the state of Nebraska, may register by mail during the regular registration period or may be registered by enclosing the proper affidavit for registration, as provided in section 12, legislative bill No. 23, fifty-fifth session, Nebraska state legislature, 1941, with their application for an absent voter's ballot, and said registration affidavit, in case the absent voter's ballot is deposited in the ballot box, shall be preserved and returned with the certificates of registration, poll book and alphabetical lists to the supervisor of registration in precincts where registration is required, and such supervisor shall preserve the same, and it shall be used by**

the registers of election, in precincts where registration is required, in making up the new registry lists from the poll books, and such registration affidavit shall serve as a registration record of the voters for new registry books and lists; and provided further, no absent voter in the military or naval service of the United States of America or of the state of Nebraska need reregister while in such military or naval forces.

Sec. 12. Any absent voter, as defined in this article, who is in the military or naval service of the United States of America or of the state of Nebraska, and whose name is not registered in the precinct of his alleged residence where a certificate of registration is required, and who shall claim the right to vote by absent voter's ballot at any primary or other election, may, if he is not eligible to receive a certificate of registration, at the time of making application for official absent voter's ballot, request the county clerk as issuing officer, to forward to him along with the ballot and supplies the form of affidavit for registration required by the supervisor of registration in the precinct of such voter's residence where registration is required together with such other information as is required for the voter's register in form identical with cards or records for registration of voters where voter presents himself personally for registration. It shall be the duty of the supervisor of registration in any precinct where registration is required to furnish to the county clerk as issuing officer, from time to time, upon request, a sufficient number of cards or records for the registration of the names and facts required for the voter's register and affidavit for registration to enable the county clerk, as issuing officer, to provide the means to enable absent voters to register by mail as authorized by this section. The absent voter shall prepare the card or record for his registration, as directed by the instruction card forwarded to him with his ballot and supplies, shall deliver the registration card so prepared to the official, described in Section 32-807, Compiled Statutes of Nebraska, 1929, as amended by section 7, legislative bill No. 23, fifty-fifth session, Nebraska state legislature, 1941, to whom he presents himself to cast his absent voter's ballot; and such official shall include said affidavit for registration and registration card enclosed in the identification envelope along with the ballot before sealing the same. If the request for application for official absent voter's ballot, addressed to the clerk, as issuing officer, indicates to the issuing officer, and, if upon inquiry by the issuing officer to the supervisor of registration of the precinct of applicant's alleged residence, in precincts where registration is required, that applicant is registered according to law, then, it shall be the duty of said supervisor of registration forthwith to furnish the issuing officer for the use of applicant, a certificate of the registration of said applicant, without charge or fee for such service; and the issuing officer shall enclose the certificate of registration with the ballot and supplies which he is required to mail to

such absent voter: **Provided,** any applicant for an official absent voter's ballot, may, on his own motion, request the supervisor of registration to furnish a certificate of registration, and the supervisor of registration shall furnish such certificate without any charge or fee to the applicant therefor, and, in such case, the applicant shall attach his certificate of registration to his application for his official absent voter's ballot, and if the applicant does so, the issuing officer shall enclose the certificate of registration with the ballot and supplies which he is required to mail to the absent voter.

Sec. 13. That said original Secs. 32-801 and 32-802, C. S. Supp., 1939, are hereby repealed; and that said original Sections 32-803, 32-804, 32-805, 32-806, 32-807, 32-814, 32-1812, 32-1405 and 32-1515, Compiled Statutes of Nebraska, 1929, are hereby repealed.

Sec. 14. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.".

2. Amend the bill, pages 1 and 1a, title, by striking all of the title after the word "ACT" in line 2 therein, and by inserting in lieu thereof the following:

"relating to elections; to amend Secs. 32-801 and 32-802, C. S. Supp., 1939; to amend Sections 32-803, 32-804, 32-805, 32-806, 32-807, 32-814, 32-1812, 32-1405 and 32-1515, Compiled Statutes of Nebraska, 1929; to simplify the process whereby qualified electors who will be absent from the counties of their residences or ill or disabled within the counties of their residences on the day of any election, may exercise the voting privilege; to provide procedure permitting qualified electors who will be absent from the counties of their residences on election day to vote at home before leaving home in like manner as absent voters; to prescribe application procedure for absentees to obtain an official application form, which, when properly executed and returned to the issuing officer in person or by mail, together with a certificate of registration in precincts where registration is required, may be exchanged for an absentee ballot; to provide rules and regulations concerning the marking and casting of ballots by absentee voters, for returning absentee ballots to the issuing officer and for counting same upon their return; to provide a method of registering absent voters who are in the military or naval service of the United States of America or of the state of Nebraska, by mail in precincts where registration of voters is required; to provide penalties for the violation thereof; to repeal said original sections; and to declare an emergency.".

LEGISLATIVE BILL NO. 42. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 42:

1. Amend the bill, page 2, section 1, lines 6 and 7 by striking the words "other manner as the court by order approves" in said lines and inserting in lieu thereof the words "real estate as the county court may authorize".

2. Amend the bill, page 2, section 2, lines 12 and 13 by striking the words "or in real estate" in said lines and inserting the words "or in such real estate as the county court may authorize".

3. Amend the bill, page 1, line 6 by striking the words "subject to the approval of the county judge" and inserting in lieu thereof the words "when authorized by the county court."

LEGISLATIVE BILL NO. 90. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 90:

1. Amend the bill, page 2, section 1, line 11 by striking the word "engineer" after the word "state" and before the word "and" in said line and substituting the word "geologist" in lieu thereof.

2. Amend the bill, page 2, section 1, line 14 by striking the word "engineer" before the word "or" in said line and substituting the word "geologist" in lieu thereof.

3. Amend the bill, page 2, section 1, line 18 by striking the word "engineer" after the word "state" and before the punctuation "." in said line and substituting the word "geologist" in lieu thereof.

4. Amend the bill, page 2, section 1, line 20 by striking the word "engineer" after the word "state" and before the word "setting" in said line and substituting the word "geologist" in lieu thereof.

5. Amend the bill, page 2, section 1, line 22 by striking the word "engineer" after the word "state" and before the word "shall" in said line and substituting the word "geologist" in lieu thereof.

6. Amend the bill, page 2, section 1, line 25 by striking the word "engineer" before the punctuation "." in said line and substituting the word "geologist" in lieu thereof.

LEGISLATIVE BILL NO. 250. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 250:

1. Amend the bill, page 2, section 1, line 13 by striking there-

from the words "minute and stock books are" and by inserting in lieu thereof the words "original or duplicate stock ledger is".

2. Amend the bill, page 4, section 3, line 11 by inserting after the word "to" and before the word "mortgage" therein the following: "borrow money and to".

3. Amend the bill, page 5, section 5, line 6, by striking the second punctuation "," therein and by inserting in lieu thereof the conjunction "or"; and also strike in said line 6 the following: 'or"; and "ltd." '.

4. Amend the bill, page 10, section 10, by striking that part of said section commencing with the words "The secretary" in line 11 down to and including the word "treasurer" in line 16 and by inserting in lieu thereof the following: "One person may hold any two offices except the office of the president and Vice president".

5. Amend the bill, page 10, section 11, line 4 by striking the word "certificate" therein and by inserting in lieu thereof the word "articles".

6. Amend the bill, page 15, section 14, line 23 by striking the words "be in excess of" therein and by inserting in lieu thereof the words "not be less than"; and on page 20, section 17, lines 55 and 56 strike "having voting power".

7. Amend the bill, page 26, section 25, lines 5 and 6 by striking therefrom the following: "or a certificate of amendment to the articles already filed".

8. Amend the bill, page 29, section 26, line 68 by striking the words "entitled to vote".

9. Amend the bill, page 33, section 27, line 92 by striking the word "if" therein and by inserting in lieu thereof the following: ". If".

10. Amend the bill, page 39, section 30, line 39 by striking the word "this" and by inserting in lieu thereof the words "the next succeeding".

11. Amend the bill, page 42, section 33, line 4, by striking the word "on" therein, and by inserting in lieu thereof the word "at".

12. Amend the bill, page 45, section 39, line 3, by inserting after the word "organized", and before the word "under" therein the following: ", operating or existing".

13. Amend the bill, page 46, section 39, lines 28 and 29, by striking therefrom the words and punctuation as follows: ", having voting power,".

14. Amend the bill, page 46, section 39, line 33, by striking therefrom the words "and secretary and treasurer" and by inserting in lieu thereof the following: "or vice president and secretary or assistant secretary and treasurer or assistant treasurer".

15. Amend the bill, page 47, section 41, line 2, by striking therefrom the word "franchise", and by inserting in lieu thereof the word "occupation".

16. Amend the bill, page 51, section 48, lines 38 and 39 by striking therefrom the words "last registered", and by inserting in lieu thereof the following: "principal".

17. Amend the bill, page 66, section 65, lines 4 and 5, by striking therefrom the word "practically" and by inserting in lieu thereof the word "substantially".

18. Amend the bill, page 74, section 73, line 28, by inserting the word "this" after the word "in" and before the word "section" therein; and in lines 28 and 29 of said section, strike the following: "3 of this article".

19. Amend the bill, page 88, section 80, line 8, by striking therefrom the words "transacting its".

20. Amend the bill, page 89, section 82, line 3, by first striking the punctuation "," after the word "conferred" therein; and then insert in said line 3, after the word and punctuation "same," and before the conjunction "and" therein the following: "if and when challenged by the state in a proper proceeding,".

21. Amend the bill, page 92, section 89, line 7, by inserting after the section symbol and punctuation "24-223," therein, the following: "24-301,".

LEGISLATIVE BILL NO. 324. Placed on General File.

LEGISLATIVE BILL NO 491. Placed on General File.

(Signed) Gantz, Chairman

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL NO. 351. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 351:

1. Amend the bill, page 5, section 11, line 11, by inserting after the word and punctuation "father." therein, the following: "It being contrary to public policy that such proceedings should be open to the general public, no one but the parties, their counsel and others having a legitimate interest in the controversy shall be admitted to the courtroom during the trial of the case.".

(Signed) Ray Thomas, Chairman

Revenue

LEGISLATIVE BILL NO. 347. Indefinitely postponed.

LEGISLATIVE BILL NO. 72. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 72:

1. Amend the bill, pages 2, 3, 4 and 5 by striking all of sections 1 and 2 thereon and by inserting in lieu thereof the following:

"Section 1. That at the general election in November, 1942, there shall be submitted to the electors of the state of Nebraska for approval or rejection upon a ballot separate from that upon which the names of candidates appear the following amendments to the constitution which are hereby proposed by the legislature:

"Section 1. That Sec. 2, Article VIII, constitution of Nebraska, be amended to read as follows:

'Sec. 2. The property of the state and its governmental subdivisions shall be exempt from taxation: **Provided, that any real or personal property, together with any subsequent renewals, replacements or additions thereto, shall not be or become exempt from taxation by reason of any prior or subsequent transfer of title or ownership to any public power district or public power and irrigation district, or any legal successor thereto; and provided further, that any such property which is now or may be hereafter owned by any city or village shall be exempt from taxation.** The Legislature **legislature** by general law may exempt property owned by and used exclusively for agricultural and horticultural societies, and property owned and used exclusively for educational, religious, charitable or cemetery purposes, when such property is not owned or used for financial gain or profit to either the owner or user. Household goods of the value of two hundred ($200.00) dollars to each family shall be exempt from taxation. The Legislature **legislature** by general law may provide that the increased value of land by reason of shade and orna-

mental trees planted along the highway shall not be taken into account in the assessment of such land. No property shall be exempt from taxation except as provided in this section.'

Sec. 2. That the foregoing proposed amendment to the constitution shall be submitted to the electors at said election upon one ballot separate from that upon which the names of candidates appear, after publication once each week for four weeks in at least one legal newspaper in each county where a newspaper is published immediately preceding said election. Said ballot for the submission of said proposed amendment shall be in the following form:

PROPOSED CONSTITUTIONAL AMENDMENT

"FOR an amendment to Sec. 2, Article VIII, constitution of the state of Nebraska, to read as follows:

'Article VIII, Section 2. The property of the state and its governmental subdivisions shall be exempt from taxation: **Provided, that any real or personal property together with any subsequent renewals, replacements or additions thereto, shall not be or become exempt from taxation by reason of any prior or subsequent transfer of title or ownership to any public power district or public power and irrigation district, or any legal successor thereto; and provided further, that any such property which is now or may be hereafter owned by any city or village shall be exempt from taxation.** The Legislature **legislature** by general law may exempt property owned by and used exclusively for agricultural and horticultural societies, and property owned and used exclusively for educational, religious, charitable or cemetery purposes, when such property is not owned or used for financial gain or profit to either the owner or user. Household goods of the value of two hundred ($200.00) dollars to each family shall be exempt from taxation. The Legislature **legislature** by general law may provide that the increased value of land by reason of shade and ornamental trees planted along the highway shall not be taken into account in the assessment of such land. No property shall be exempt from taxation except as provided in this section.' " and

"AGAINST an amendment to Sec. 2, Article VIII, constitution of the state of Nebraska, to read as follows:

'Article VIII, Section 2. The property of the state and its governmental subdivisions shall be exempt from taxation: **Provided, that any real or personal property together with any subsequent renewals, replacements or additions thereto, shall not be or become exempt from taxation by reason of any prior or subsequent transfer of title or ownership to any public power district or public power and irrigation district, or any legal successor thereto; and provided further, that**

any such property which is now or may be hereafter owned by any city or village shall be exempt from taxation. The Legislature **legislature** by general law may exempt property owned by and used exclusively for agricultural and horticultural societies, and property owned and used exclusively for educational, religious, charitable or cemetery purposes, when such property is not owned or used for financial gain or profit to either the owner or user. Household goods of the value of two hundred ($200.00) dollars to each family shall be exempt from taxation. The Legislature **legislature** by general law may provide that the increased value of land by reason of shade and ornamental trees planted along the highway shall not be taken into account in the assessment of such land. No property shall be exempt from taxation except as provided in this section.' "

2. Amend the bill, page 1, title, line 4 by inserting after the word and punctuation "Nebraska;" therein, the following: "to provide for the taxation of certain property of public power districts or of public power and irrigation districts;".

LEGISLATIVE BILL NO. 470. Placed on General File.

LEGISLATIVE BILL NO 420. Placed on General File.

(Signed) Murphy, Chairman

Public Works

LEGISLATIVE BILL NO. 429. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 429:

1. Amend the bill, page 2, section 1, line 1, by inserting after the word "into" and before the word "between" therein the following: "on March 19, 1941,".

2. Amend the bill, page 2, section 1, line 7, by inserting after the word "respects" therein the following: "as to form and substance in words and figures as follows, to-wit:

REPUBLICAN RIVER COMPACT

The States of Colorado, Kansas and Nebraska hereinafter designated as Colorado, Kansas and Nebraska, respectively, desiring to remove any and all causes, present or future, which might lead to controversies with respect to use of the waters of the Republican

River Basin, and being actuated by considerations of interstate comity, and by a desire to effectuate an equitable division of the waters of the Republican River Basin and the efficient beneficial consumptive uses thereof, and in consideration of the mutual advantages resulting therefrom within their respective boundaries, and pursuant to Acts of their respective Legislatures, have resolved to conclude a compact for the attainment of these purposes, and to that end, through their respective Governors, have named as their respective commissioners for the negotiating of such a compact:

M. C. Hinderlider, for the State of Colorado
George S. Knapp, for the State of Kansas, and
Wardner G. Scott, for the State of Nebraska,

who have agreed upon the following Articles, to-wit:

ARTICLE I.

The Republican River Basin, hereinafter referred to as the "Basin", is herein designated to mean all the area in the States of Colorado, Kansas and Nebraska, which is naturally drained by the Republican River and all of its tributaries to its junction with the Smoky Hill River in Kansas, a map of which signed by the commissioners hereinabove named, is attached hereto and by reference made a part thereof.

The Republican River and tributaries thereof within the Basin, as hereinabove defined, are not navigable, and all uses of water of a consumptive nature, as hereinafter defined, wherever such uses may occur within the Basin, shall constitute paramount uses.

ARTICLE II.

The term "Virgin Water Supply", as herein used, is defined to be the water supply within the Basin undepleted by the activities of man.

The term "Beneficial Consumptive Use" is herein defined to be that use by which the natural water supply of a drainage basin is consumed by the activities of man, and shall include water consumed by evaporation from reservoirs, canals, ditches and irrigation areas.

Beneficial consumptive use shall be the basis and measure of the right to divert and use the natural waters of the Basin, by the citizens, agencies, associations and corporations of the signatory states, and upon this principle the following allocations of water herein made are predicated.

ARTICLE III.

There is hereby allocated to Colorado for use annually a total of fifty-four thousand one hundred (54,100) acre feet of water. This total is to be derived from the sources and in the amounts hereinafter described, and is subject to such quantities being physically available from those sources:

North Fork of the Republican River drainage basin, 10,000 acre feet;

Arikaree River drainage basin, 15,400 acre feet;

South Fork of the Republican River drainage basin, 25,400 acre feet;

Beaver Creek drainage, 3,300 acre feet;

In addition thereto there is hereby allocated to Colorado for use annually the entire water supply of the Frenchman and Red Willow Creek drainage basins in Colorado.

There is hereby allocated to Kansas for use annually a total of one hundred ninety thousand three hundred (190,300) acre feet of water. This total is to be derived from the sources and in the amounts hereinafter described and is subject to such quantities being physically available from those sources:

Arikaree River drainage basin, 1,000 acre feet;

South Fork of the Republican River drainage basin, 23,000 acre feet;

Driftwood Creek drainage basin, 500 acre feet;

Beaver Creek drainage basin, 6,400 acre feet;

Sappa Creek drainage basin, 8,800 acre feet;

Prairie Dog Creek drainage basin, 12,600 acre feet;

The main stem of the Republican River at the Nebraska-Kansas state line, 138,000 acre feet; provided that Kansas shall have the right to divert all or any portion thereof at or near the Town of Guide Rock, Nebraska;

And in addition thereto there is hereby allocated to Kansas for use annually the entire water supply originating in the Basin below the Nebraska-Kansas state line.

There is hereby allocated to Nebraska for use annually a total of two hundred thirty-four thousand five hundred (234,500) acre feet of water. This total is to be derived from the sources and in the amounts hereinafter described and is subject to such quantities being physically available from those sources:

North Fork of the Republican River drainage basin in Colorado, 11,000 acre feet;
Frenchman River drainage basin in Nebraska, 52,800 acre feet;
Rock Creek drainage basin, 4,400 acre feet;
Arikaree River drainage basin, 3,300 acre feet;
Buffalo Creek drainage basin, 2,600 acre feet;
South Fork of the Republican River drainage basin, 800 acre feet;
Driftwood Creek drainage basin, 1,200 acre feet;
Red Willow Creek drainage basin in Nebraska, 4,200 acre feet;
Medicine Creek drainage basin, 4,600 acre feet;
Beaver Creek drainage basin, 6,700 acre feet;
Sappa Creek drainage basin, 8,800 acre feet;
Prairie Dog Creek drainage basin, 2,100 acre feet:

The North Fork of the Republican River in Nebraska and the main stem of the Republican River between the Colorado-Nebraska state line and the Nebraska-Kansas state line, and from the small tributaries thereof, 132,000 acre feet.

The use of the waters hereinabove allocated shall be subject to the laws of the state to which the allocations are made. No state shall have the right to dictate the method of distribution or place of use of the waters herein allocated to another state.

ARTICLE IV.

The specific allocations in acre feet made to each signatory state by Article III are derived from the computed average annual virgin water supply originating in the following designated drainage basins in the amounts shown:

North Fork of the Republican River drainage basin in Colorado, 44,700 acre feet;
Arikaree River drainage basin, 19,610 acre feet;
Buffalo Creek drainage basin, 7,890 acre feet:
Rock Creek drainage basin, 11,000 acre feet;
South Fork of the Republican River drainage basin, 57,200 acre feet;

Frenchman River drainage basin, 98,500 acre feet;
Blackwood Creek drainage basin, 6,800 acre feet;
Driftwood drainage basin, 7,300 acre feet;
Red Willow Creek drainage basin, 21,900 acre feet;
Medicine Creek drainage basin, 50,800 acre feet;
Beaver Creek drainage basin, 16,500 acre feet;
Sappa Creek drainage basin, 21,400 acre feet;
Prairie Dog Creek drainage basin, 27,600 acre feet;

The North Fork of the Republican River in Nebraska and the main stem of the Republican River between the Colorado-Nebraska state line and the Nebraska-Kansas state line and the small tributaries thereof, 87,700 acre feet.

Should the future computed virgin water supply of any source vary more than ten (10) per cent from the virgin water supply as hereinabove set forth, the allocations herein made from such source shall be increased or decreased in the relative proportions that the future computed virgin water supply of such source bears to the computed virgin water supply used herein.

ARTICLE V.

The judgment and all provisions thereof in the case of Adelbert A. Weiland, as State Engineer of the State of Colorado, et al, v. The Pioneer Irrigation Company, decided June 5, 1922, and reported in 259 U. S. 498, affecting the Pioneer Irrigation ditch or canal, are hereby recognized as binding upon the signatory states hereto and the people of each of said states, and Colorado, through its duly authorized officials, shall have the perpetual and exclusive right to control and regulate diversions of water at all times by said canal in conformity with said judgment.

The water decrees heretofore adjudicated to said Pioneer Canal by the District Court of Colorado in the amount of fifty (50) cubic feet per second of time is included in and is a part of the total amounts of water hereinbefore allocated to the States of Colorado and Nebraska.

ARTICLE VI.

A lower signatory state, its citizens, agencies, associations and corporations, shall have the right to construct or participate in the future construction and use of any storage reservoir or diversion works in an upper state for the purpose of regulating water herein allocated to such lower state, provided that such right is subject to the rights of the upper state, its citizens, agencies, associations and corporations, to control, regulate and use the waters herein allocated to it.

ARTICLE VII.

A lower signatory state, its citizens, agencies, associations and corporations, shall have the right to acquire in an upper state by purchase, or through exercise of the power of eminent domain, such

easements and rights of way, for the construction, operation and maintenance of storage reservoirs, and of appurtenant works, canals and conduits, required for the enjoyment of the privileges granted by Article VI; provided, however, the grantees of such rights shall pay to the governmental agencies in which such works are located, each and every year during which such rights of way are occupied for such purposes, a sum of money equivalent to the average annual amount of taxes assessed against the lands and improvements so occupied, based upon the ten years preceding the use of such lands, in reimbursement for the loss of taxes to said governmental agencies.

ARTICLE VIII.

Should any facilities be constructed in an upper state under the provisions of Article VI, such construction and the operation of such facilities shall be subject to the laws of such upper state.

Any repairs to or replacements of such facilities shall also be made in accordance with the laws of such upper state.

ARTICLE IX.

It shall be the duty of the three signatory states to administer this compact through the official in each state who is now or may hereafter be charged with the duty of administering the public water supplies, and to collect and correlate through such officials the data necessary for the proper administration of the provisions of this compact.

ARTICLE X.

The physical and other conditions peculiar to the Republican River Basin constitute the basis for this compact, and none of the signatory states hereby concedes that this compact establishes any general principle or precedent with respect to any other interstate stream.

ARTICLE XI.

This compact shall become operative when ratified by the Legislatures of each of the signatory states and consented to by the Congress of the United States. Notice of ratification by the Legislature of a state shall be given by the Governor of such state to the Governors of the other states, and the President of the United States is requested to give notice to the Governors of the signatory states of consent by the Congress of the United States.

IN WITNESS WHEREOF, the Commissioners have signed this compact in quadruplicate original, one of which shall be deposited in the archives of the Department of State of the United States of America and shall be deemed the authoritative original, and of which a duly certified copy shall be forwarded to the Governor of each of the signatory states.

Done in the City of Denver, in the State of Colorado, on the nineteenth day of March, in the year of our Lord, one thousand nine hundred and forty-one.

(signed) M. C. HINDERLIDER
Commissioner for Colorado

(signed) GEORGE S. KNAPP
Commissioner for Kansas

(signed) WARDNER G. SCOTT
Commissioner for Nebraska"

3. Amend the bill, page 1, title, line 3, by inserting after the word "Nebraska" and before the word "relating" therein the following: "on March 19, 1941,".

4. Amend the bill, page 1a, preamble, paragraph 2, line 1, by inserting after the word "into" therein the following: "on March 19, 1941,".

LEGISLATIVE BILL NO. 230. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 230:

1. Amend the bill, pages 2 and 3, by striking that part of Section 1 on pages 2 and 3 after the word "maturity" in line 23 on page 2, also sections 2 and 3 on page 3, and by inserting in lieu thereof the following:

"Unless otherwise provided by law, the local governing body of such city may, by resolution adopted at any time during the municipal year, authorize the treasurer to divert and transfer the surplus of any fund arising out of the operation of municipally owned public utilities to the general fund or to any other municipal fund for the uses and purposes of another municipal activity specifically named in the resolution, without including the item of diversion or transfer in the annual estimate or in the annual appropriation bill of such city, unless such diversion or transfer be objected to by a sufficient petition filed on or before May tenth in each year and signed by the qualified electors of the city of such number as shall equal fifty-one

per cent of the votes cast at the last general municipal election held therein.

Sec. 2. That Sec. 17-515, C. S. Supp., 1939, be amended to read as follows:

17-515. The city council or board of trustees, as the case may be, at its first meeting in each fiscal year, shall designate some one or more state or national banks of approved and responsible standing in which the city treasurer or village treasurer shall keep at all times, subject to payment on his demand, all money held by him as such city treasurer or village treasurer. If there be one or more banks located in the city or village who apply for the privilege of keeping such moneys and furnish the security for the repayment of deposits as herein provided, such bank or banks shall be selected as such depositories and if two or more banks located in the city or village apply for the privilege of keeping such moneys and furnishing the security required by this section, then the treasurer of the city or village shall not give a preference to any one or more of them in the money he may so deposit. The council or board of trustees shall require from all such banks a bond in such penal sum as may be the maximum amount on deposit at any time less the amount insured by the Federal Deposit Insurance Corporation **federal deposit insurance corporation,** or in lieu thereof may accept a pledge of sufficient assets of such depository to secure the payment of all such deposits and accretions; and the council or board shall approve said bond or pledge. The treasurer of such city or village shall not be liable for any loss of such moneys sustained by reason of the failure of any such depository so designated and approved: Provided, when the treasurer of any such city or village holds funds of any such city or village in excess of the amount required for maintenance or set aside for betterments and improvements, the mayor and council or the board of trustees may, by resolution, direct and authorize said treasurer to invest said surplus fund in the outstanding bonds or registered warrants of said city or village ; **and provided further, the local governing body of the city or village may, by resolution, adopted at any time during the municipal year, authorize the treasurer to divert and transfer the surplus in any fund arising out of the operation of municipally owned public utilities to the general fund or to any other municipal fund for the uses and purposes of another municipal activity specifically named in the resolution, without including the item of diversion or transfer in the annual estimate or in the annual appropriation bill of such city or village, unless such diversion or transfer be objected to by a sufficient petition filed on or before May tenth in each year and signed by the qualified electors of the city or village of such number as shall equal fifty-one per cent of the votes cast at the last general municipal election held therein.** The interest on such bonds or warrants shall be credited to the fund out of which

said bonds or warrants were purchased: **Provided**, that the mayor and council or board of trustees may, by resolution, direct and authorize the treasurer to dispose of the surplus electric light or water funds or the funds arising from the sale of electric light and water properties by the payment of outstanding electric light or water bonds then due, or electric light or water warrants then due, the excess, if any, after such payments, to be transferred to the general fund of such city or village.

Sec. 3. That said original Section 16-663, Compiled Statutes of Nebraska, 1929, is hereby repealed; and that said original Sec. 17-515, C. S. Supp., 1939, is hereby repealed.

Sec. 4. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.".

2. Amend the bill, page 1, title, by striking all of that part of said title after the word "ACT" in line 2 therein, and by inserting in lieu thereof the following:

"relating to municipal corporations; to amend Section 16-663, Compiled Statutes of Nebraska, 1929; to amend Sec. 17-515, C. S. Supp., 1939; to provide procedure for the diversion or transfer of funds arising out of the operation of municipally owned public utilities to the general fund or other municipal funds in cities of the first class having a population of more than five thousand inhabitants and less than twenty-five thousand inhabitants, in cities of the second class having a population of more than one thousand and less than five thousand inhabitants, and in villages; to repeal said original sections; and to declare an emergency.".

(Signed) Mischke, Chairman

Enrollment & Review

Presented to Governor for approval

Wednesday, March 26, 1941 at 3:45 p. m.

Legislative Bill No. 234.

LEGISLATIVE BILL NO. 49. Correctly enrolled.

LEGISLATIVE BILL NO. 150. Correctly enrolled.

(Signed) Crosby, Chairman

Speaker signs

While the Legislature was in session and capable of transacting business, the Speaker signed:

L. B. No. 49 L. B. No. 150

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 31. With emergency clause.

A bill for an Act to amend Sec. 14-1403, C. S. Supp., 1939, relating to housing authorities in cities of the metropolitan class; to provide five year terms for members of such authorities; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 36:

Adams, E. A.	Crosby	Kotouc	Peterson
Asimus	Crossland	Lambert	Raecke
Bevins	Gantz	Matzke	Rakow
Blome	Garber	Metzger	Sorrell
Bowman	Hanna	Mischke	Thomas, Amos
Brodahl	Howard	Mueller	Thomas, Ray
Callan	Jeppesen	Murphy	Thornton
Carlson	Johnson	Neubauer	Van Diest
Carmody	Knezacek	Norman	Weborg

Voting in the negative, 0.

Not voting, 7:

Adams, J. Jr.	Mekota	Reed	Tvrdik
Greenamyre	Price	Sullivan	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Statement

Mr. President: Had I been present I would have voted for L. B. 31. (Signed) Tvrdik

LEGISLATIVE BILL NO. 75. With emergency clause.

A bill for an Act to amend Sec. 8-192, C. S. Supp., 1939; to amend Section 8-196, Compiled Statutes of Nebraska, 1929, relating to banks and banking; to provide procedure for the liquidation of banking and other financial institutions by the department of banking; to repeal said original sections; to repeal Sec. (b) 8-194, C. S. Supp., 1939; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Adams, E. A.	Crosby	Kotouc	Peterson
Adams, J. Jr.	Crossland	Lambert	Raecke
Asimus	Gantz	Matzke	Rakow
Bevins	Garber	Mekota	Sorrell
Blome	Greenamyre	Metzger	Thomas, Amos
Bowman	Hanna	Mischke	Thomas, Ray
Brodahl	Howard	Mueller	Thornton
Callan	Jeppesen	Murphy	Tvrdik
Carlson	Johnson	Neubauer	Van Diest
Carmody	Knezacek	Norman	Weborg

Voting in the negative, 0.

Not voting, 3:

Price	Reed	Sullivan

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Member excused

Mr. Garber was excused for the remainder of the week.

LEGISLATIVE BILL NO. 80. With emergency clause.

A bill for an Act to amend Sec. 79-2101, C. S. Supp., 1939, relating to schools; to provide procedure for the transfer of children from one school district to another; to provide that, upon the parent or guardian of such children notifying the county superintendent of their purpose to transfer their said children from one district to another, that the county superintendent shall at the same time of giving notice to the county clerk of the fact of such transfer, also notify if possible, the fee simple owner or owners or the authorized agent or representative of the owner or owners of the real estate

involved in such transfer; to provide that the county clerk who receives the notice or certificate of the fact of such transfer shall, within fifteen days from the receipt thereof, unless the notice or certificate be recalled by the parent or guardian of such children in the meantime, place school taxes of the parent or guardian and of the real estate upon which they reside in the district to which transfer is made instead of the district of their residence; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Adams, E. A.	Crossland	Lambert	Raecke
Adams, J. Jr.	Gantz	Matzke	Rakow
Bevins	Hanna	Metzger	Sorrell
Blome	Howard	Mischke	Thomas, Amos
Bowman	Jeppesen	Mueller	Thomas, Ray
Brodahl	Johnson	Neubauer	Thornton
Callan	Knezacek	Norman	Tvrdik
Carlson	Kotouc	Peterson	Van Diest
Carmody			Weborg

Voting in the negative, 0.

Not voting, 9:

Asimus	Greenamyre	Murphy	Reed
Crosby	Mekota	Price	Sullivan
Garber			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 125.

A bill for an Act to amend Section 13-505, Compiled Statutes of Nebraska, 1929, relating to cemetery associations; to provide for the acquisition and improvement of property for cemetery purposes; to empower cemetery associations to incur indebtedness for the improvement of cemeteries under their jurisdiction and control; to authorize cemetery associations to establish, secure and hold funds and property in trust for perpetual care of such cemeteries and of particular tracts therein; to provide for the "perpetual care funds" of cemetery associations; to provide for the "perpetual special care trusts" of cemetery associations; to provide the uses to which "perpetual care funds" and

"perpetual special care trusts" of such cemeteries shall be put; to prescribe legal investments for cemetery trust funds; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 38:

Adams, E. A.	Crosby	Kotouc	Peterson
Adams, J. Jr.	Crossland	Lambert	Raecke
Asimus	Gantz	Matzke	Rakow
Bevins	Greenamyre	Metzger	Reed
Blome	Hanna	Mischke	Sorrell
Bowman	Howard	Mueller	Thomas, Amos
Brodahl	Jeppesen	Murphy	Thomas, Ray
Callan	Johnson	Neubauer	Thornton
Carlson	Knezacek	Norman	Van Diest
Carmody			Weborg

Voting in the negative, 0.

Not voting, 5:

Garber	Price	Sullivan	Tvrdik
Mekota			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 148. With emergency clause.

A bill for an Act relating to vocational education; to transfer the control of the institution at one time known as the **"branch institution of the soldiers' and sailors' home at Milford"** from the board of control of state institutions to the state board of vocational education; to establish and maintain such institution under the name and style of the **"Nebraska state trade school"**; to declare the object of such institution; to bestow upon the state board of vocational education full powers to receive, have charge of and operate such institution; to provide that the board last mentioned may acquire and dispose of real and personal property for the use of the trade school; to provide that the state board of vocational education shall have the power to enact rules and regulations necessary for the conduct of the school; to provide for the appointment of a director of the trade school and defining his powers; to provide for the qualifications of students in the said trade school; to provide minimum

qualifications for instructors and administrative staff members; to provide for advisory committees; to define their functions; to establish the trade school cash fund and to provide that the same may include moneys received from the sale of livestock, farm products, school equipment or products; to provide that tools, instruments, machines, devices, articles of manufacture and repair and rebuilding services of trade school students, which are the result of students' in-training work, may be sold and such moneys accrue to the trade school cash fund; to provide for covering said trade school cash fund into the state treasury, and to authorize its use as a revolving fund for the operation of the trade school; to appropriate moneys accruing to the trade school cash funds for the uses and purposes of this act; to provide that the board may use said trade school as a supplement to the Smith-Hughes and George-Deen program and in cooperation with national defense training with either or both the United States office of education or the war department or with other federal agencies for defense; to provide that the state treasurer shall be the custodian of the trade school cash fund and such other moneys as the legislature may make available by appropriation, or as may be made available by the federal government through federal appropriations; specifically to appropriate the sum of thirty-two thousand dollars for the uses and purposes of the "trade school cash fund;" to provide how such moneys may be disbursed; to provide that the state board of vocational education shall consist of one member of the board of control of state institutions to be designated by the governor, the dean of the college of agriculture, university of Nebraska and two persons appointed by the governor for a term of three years, and the state superintendent of public instruction; to preserve the term of the present appointee of the governor on said board; to amend Section 79-2203, Compiled Statutes of Nebraska, 1929; to repeal said original section; to repeal Sec. 83-141, C. S. Supp., 1939; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Adams, E. A.	Crossland	Matzke	Raecke
Adams, J. Jr.	Gantz	Metzger	Rakow
Asimus	Greenamyre	Mekota	Reed
Bevins	Hanna	Mischke	Sorrell
Blome	Howard	Mueller	Thomas, Amos
Brodahl	Jeppesen	Murphy	Thomas, Ray
Callan	Johnson	Neubauer	Thornton
Carlson	Knezacek	Norman	Tvrdik

Carmody	Kotouc	Peterson	Van Diest
Crosby			Weborg

Voting in the negative, 0.

Not voting, 5:

Bowman	Lambert	Price	Sullivan
Garber			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 168. With emergency clause.

A bill for an Act to amend Sec. 79-524, C. S. Supp., 1939, relating to schools; specifically to appropriate, for the biennium ending June 30, 1943, the sum of twenty thousand dollars, or so much thereof as may be necessary, for the purpose of paying the tuition of children whose parents are officers or enlisted men of the United States army, navy or marine corps, on duty in the state of Nebraska; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 36:

Adams, E. A.	Crosby	Matzke	Reed
Adams, J. Jr.	Crossland	Metzger	Sorrell
Asimus	Gantz	Mischke	Sullivan
Blome	Greenamyre	Mueller	Thomas, Amos
Bowman	Hanna	Murphy	Thomas, Ray
Brodahl	Howard	Neubauer	Thornton
Callan	Jeppesen	Norman	Tvrdik
Carlson	Knezacek	Peterson	Van Diest
Carmody	Kotouc	Raecke	Weborg

Voting in the negative, 0.

Not voting, 7:

Bevins	Johnson	Mekota	Rakow
Garber	Lambert	Price	

A constitutional two-thirds majority having voted in the affirma-

tive, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 243.

A bill for an Act to waive release, and abandon all claims to certain lands in the state of Nebraska.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 39:

Adams, E. A.	Crosby	Mekota	Reed
Adams, J. Jr.	Crossland	Metzger	Sorrell
Asimus	Gantz	Mischke	Sullivan
Bevins	Greenamyre	Mueller	Thomas, Amos
Blome	Hanna	Murphy	Thomas, Ray
Bowman	Howard	Neubauer	Thornton
Brodahl	Jeppesen	Norman	Tvrdik
Callan	Knezacek	Peterson	Van Diest
Carlson	Kotouc	Raecke	Weborg
Carmody	Matzke	Rakow	

Voting in the negative, 0.

Not voting, 4:

Garber	Johnson	Lambert	Price

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 336. With emergency clause.

A bill for an Act to amend Sec. 54-962, C. S. Supp., 1939, relating to livestock; to provide for the amount for which owners of bovine animals, positively reacting to the test for Bang's disease shall be compensated by the state when such diseased animals are ordered slaughtered; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams, E. A.	Crosby	Mekota	Reed
Adams, J. Jr.	Crossland	Metzger	Sorrell
Asimus	Gantz	Mischke	Sullivan
Bevins	Greenamyre	Mueller	Thomas, Amos
Blome	Hanna	Murphy	Thomas, Ray
Bowman	Howard	Neubauer	Thornton
Brodahl	Jeppesen	Norman	Tvrdik
Callan	Knezacek	Peterson	Van Diest
Carlson	Kotouc	Raecke	Weborg
Carmody	Matzke	Rakow	

Voting in the negative, 0.

Not voting, 4:

Garber	Johnson	Lambert	Price

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 377.

A bill for an Act to amend Sec. 77-2010, C. S. Supp., 1939, relating to revenue; to provide that a school district shall have the right and power to purchase any real estate in its district which is subject to sale for taxes; to provide procedure therefor; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 37:

Adams, E. A.	Crossland	Metzger	Reed
Adams, J. Jr.	Greenamyre	Mischke	Sorrell
Bevins	Hanna	Mueller	Sullivan
Blome	Howard	Murphy	Thomas, Amos
Bowman	Jeppesen	Neubauer	Thomas, Ray
Brodahl	Knezacek	Norman	Thornton
Callan	Kotouc	Peterson	Tvrdik
Carlson	Matzke	Raecke	Van Diest
Carmody	Mekota	Rakow	Weborg
Crosby			

Voting in the negative, 0.

Not voting, 6:

Asimus	Garber	Lambert	Price
Gantz	Johnson		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 451. With emergency clause.

A bill for an Act specifically to appropriate the sum of ten thousand dollars for the uses and purposes of the **"Bang's disease eradication fund"** from the effective date of this act; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Adams, E. A.	Carmody	Kotouc	Reed
Adams, J. Jr.	Crosby	Metzger	Sorrell
Asimus	Crossland	Mueller	Sullivan
Bevins	Gantz	Neubauer	Thomas, Ray
Blome	Greenamyre	Norman	Thornton
Bowman	Hanna	Peterson	Tvrdik
Brodahl	Howard	Raecke	Van Diest
Callan	Jeppesen	Rakow	Weborg
Carlson	Knezacek		

Voting in the negative, 5:

Johnson	Mischke	Murphy	Thomas, Amos
Lambert			

Not voting, 4:

Garber	Matzke	Mekota	Price

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

SELECT FILE

LEGISLATIVE BILL NO. 21. Passed over.

LEGISLATIVE BILL NO. 257. E and R amendments, found in the Legislative Journal for the Fifty-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 270. E and R amendments, found in the Legislative Journal for the Fifty-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 57. E and R amendment, found in the Legislative Journal for the Fifty-sixth Day, was adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 461. E and R amendments, found in the Legislative Journal for the Fifty-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 251. E and R amendments, found in the Legislative Journal for the Fifty-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 152. E and R amendments, found in the Legislative Journal for the Fifty-sixth Day, were adopted.

Mr. Callan offered the following amendment, which was adopted by unanimous consent:

Amend Sec. 1, Sub. 2, Standing Committee amendments, February 28, 1941, line 3 after the word "elected" insert "by the electors of their respective districts".

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 225. E and R amendments, found in the Legislative Journal for the Fifty-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 226. E and R amendments, found in the Legislative Journal for the Fifty-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 145. E and R amendments, found in the Legislative Journal for the Fifty-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 401. E and R amendment, found in the Legislative Journal for the Fifty-sixth Day, was adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 283. E and R amendment, found in the Legislative Journal for the Fifty-sixth Day, was adopted.

Referred to E and R for engrossment.

GENERAL FILE

Mr. Mueller presiding

LEGISLATIVE BILL NO. 12. Mr. Peterson moved that L. B. No. 12 be made a Special Order for March 28, 1941, at 11:00 a. m.

The motion prevailed.

MOTION—To Change Position on General File

Mr. President: I move that L. B. No. 368 be placed at the head of General File. (Signed) Peterson

The motion prevailed with 25 ayes, no nays, 18 not voting.

MOTION—To Reconsider Action

Mr. President: I move that the Legislature reconsider its action on L. B. No. 332 and that it be placed on General File.

(Signed) Norman

A call of the House was ordered.

The call was raised.

The motion prevailed with 24 ayes, no nays, 19 not voting.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 368. Read and considered.

Standing Committee amendments, except amendment No. 4, were adopted.

Mr. Peterson offered the following amendments, which were adopted:

a. Amend the bill, page 2, section 1, line 9, by inserting after the word "assigned" therein the following: "by the governor,".

b. Amend the bill, page 3, section 5, line 21, by striking therefrom the words "the state" therein and by inserting in lieu thereof the following: "this state shall, without unnecessary delay, be surrendered to the military or police forces of the state".

c. Amend the bill, page 4, section 6, line 15, by striking the word "unlawful" therein and by inserting in lieu thereof the word "lawful".

d. Amend the bill, page 4, section 6, by striking that part of said section commencing with the word "any" in line 17 down to and including the word and punctuation **'criminals"** ' therein and by inserting in lieu thereof the following: ", modify or conflict with any of the provisions of present or future laws of this state with relation to the fresh pursuit of criminals".

Referred to E and R for review.

LEGISLATIVE BILL NO. 291. Read and considered.

Mr. Van Diest offered the following amendment, which was adopted:

Amend by adding at the end of Section 1 the following: "Provided, however, the elected delegates present shall have power to fill any vacancy from the voters of a precinct in which the vacancy exists."

Mr. Brodahl offered the following amendment, which was adopted:

Amend Section 1, page 2, line 28 by inserting after the word

"business" the words "And shall elect a county chairman, secretary, treasurer, and precinct committeemen and committeewomen."

Referred to E and R for review.

Adjournment

At 12:03 p. m. on motion by Mr. Kotouc, the Legislature, adjourned.

Hugo F. Srb,
Clerk of the Legislature.

FIFTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, March 28, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. Speaker Howard presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Garber who was excused, and except Mr. Price who was excused until 11:25 a. m.

The Journal for the Fifty-seventh Day was approved as corrected.

PETITIONS AND MEMORIALS

Senate Joint Memorial No. 8 of the Oregon legislative assembly was read, asking that Nebraska and certain other states join with the state of Oregon in a proper observance of the year 1943 as the one hundredth anniversary of the blazing of the Old Oregon trail from Independence, Missouri to the Willamette valley in Oregon.

NOTICE OF COMMITTEE HEARINGS

Revenue

L. B. No. 408, Thursday, April 3, 1941, 2:00 p. m.

L. B. No. 480, Thursday, April 3, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL NO. 393. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 393:

1. Amend the bill, page 2, by striking all of sections 1, 2 and 3 thereon and by inserting in lieu thereof the following:

"Section 1. That Section 16-302, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

16-302. At the annual election held in April, 1907, a mayor, treasurer, clerk, police magistrate and water commissioner in cities not owning their own lighting plant, shall be elected by a plurality of votes for the term of two years and biennially thereafter. The council shall consist of two members for each ward, who shall be qualified electors of said city. Each councilman, before entering upon the duties of his office, shall be required to give bond to the city, with two or more good and sufficient sureties or some responsible surety company; if by two sureties they shall each justify that he is worth, at least, two thousand dollars over and above all debts and exemptions. Such bonds shall be in the sum of one thousand dollars, and shall be conditioned for the faithful discharge of the duties of the councilman giving the same, and shall be further conditioned that if the said councilman shall vote for any expenditure or appropriation of money or creation of any liability in excess of the amount allowed by law, such councilman, and the sureties signing said bond, shall be liable thereon. Said bond shall be filed with the city clerk and approved by the mayor and any liability sought to be incurred, or debt created in excess of the amount limited or authorized by law shall be taken and held by every court of the state as the joint and several liability and obligation of the councilman voting for and the mayor approving the same, and not the debt, liability or obligation of the city; and voting for, or approving of such liability, obligation or debt shall be conclusive evidence of malfeasance in office for which such councilman or mayor may be removed from office. Each councilman shall be a resident of the ward from which he is elected. All councilmen's terms of office shall commence the first Tuesday succeeding the day of election upon which day they shall assemble and organize a city council and their term of office shall be for two years, provided, at the election held in April, 1907, one councilman shall be elected from each ward for the term of two years, and an election shall be held in April of each year thereafter only for the election of councilmen; and any vacancy in the office of councilmen shall be filed at any such election: **Provided, further,** no elective officer of the city shall hold any county office nor shall he be appointed to any office created by the council, **except as provided in Section 16-313, Compiled Statutes of Nebraska, 1929, as amended by section 3, legislative bill No. 393, fifty-fifth session, Nebraska state legislature, 1941, and, if and when appointed by the local governing**

body as disbursing officer for municipally owned public utilities, the city clerk for performing the additional duties enjoined upon him by such appointment, shall receive additional compensation for so doing, as provided in Section 16-306, Compiled Statutes of Nebraska, 1929, as amended by section 2, legislative bill No. 393, fifty-fifth session, Nebraska state legislature, 1941; and the acceptance of any county office by any such elective city officer shall be a vacation of the city office so held prior to such acceptance: Provided, **; and provided further,** that in any city which may hereafter become a city of the first class any councilman, whose term shall extend by reason of his prior election under the provisions governing cities of the second class, through another year, shall hold his office as a councilman from the ward in which he is a resident, as if he were elected under the foregoing provisions of this article.

Sec. 2. That Section 16-306, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

16-306. The salaries of all the officers shall be fixed by ordinance not exceeding the following sums respectively: The mayor, five hundred dollars per annum; the treasurer, six hundred dollars per annum; each councilman, two hundred dollars per annum; the clerk, twelve hundred dollars per annum, **but if the city clerk be designated by resolution or ordinance of the local governing body as disbursing officer for municipally owned public utilities of the city, he shall be authorized to receive and it shall be legal and proper for the mayor and council to allow claims for and for the city clerk to issue warrants for and for the city treasurer to pay the warrants, based on the claims of the city clerk for additional compensation due such clerk in monthly installments, in addition to such clerk's salary for performing his other statutory duties, as fixed in the resolution or ordinance of the local governing body;** water commissioner, including service as light commissioner and sewer inspector, two hundred dollars per month; each member of the board of public works, one hundred dollars per annum. The foregoing amounts shall be construed as limitations and not as fixed salaries; and other officers and employes of the city except the police judge, shall receive such compensation as the mayor and council shall fix by ordinance at the time of their employment.

Sec. 3. That Section 16-313, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

16-313. The city clerk shall have the custody of all laws and ordinances, and shall keep a correct journal of the proceedings of the council; he shall also keep a record of all outstanding bonds against the city, showing the number and amount of each, for and to whom said bonds were issued; and when any bonds are purchased,

or paid, or cancelled, said record shall show the fact; and in his annual report he shall describe particularly the bonds issued and sold during the year, and the terms of sale, with each and every item of expense thereof; he shall also perform such other duties as may be required by the ordinances of the city: **Provided, that, in cities which operate municipally owned public utilities, the local governing body may, by resolution or ordinance, create the office of and appoint a person to act as disbursing officer for the city's municipally owned public utilities, may prescribe the powers and duties of such disbursing officer and may merge the duties of the elective office of city clerk with the appointive office of such disbursing officer, and may provide the additional compensation to be paid, if any, to the elected city clerk in equal monthly installments, payable out of the earnings or funds of the municipally owned public utilities, in addition to the annual compensation or salary fixed for the city clerk when he performs the duties of city clerk, statutory or otherwise.** He shall also make at the end of each month a report showing the amount appropriated to each fund, and the whole amount of warrants drawn thereon.

Sec. 4. That Section 16-322, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

16-322. The emoluments of no officer whose election or appointment is required by this chapter shall be increased or diminished during the term for which he was elected or appointed, and no person who shall have resigned or vacated any office shall be eligible to the same during the time for which he was elected or appointed when, during the same time, the emoluments have been increased: **Provided, the provisions of this section shall never be construed to apply to the compensation of a city clerk who may be appointed disbursing officer for municipally owned public utilities, as provided in Sections 16-302, 16-306 and 16-313, Compiled Statutes of Nebraska, 1929, as amended.**

Sec. 5. That Sec. 17-108, C. S. Supp., 1939, be amended to read as follows:

17-108. The salaries of all officers of the city shall be fixed by ordinance, not exceeding the following amounts respectively: clerk, three hundred dollars per year, **but if the city clerk be designated by resolution or ordinance of the local governing body as disbursing officer for municipally owned public utilities of the city, he shall be authorized to receive and it shall be legal and proper for the mayor and council to allow claims for and for the city clerk to issue warrants for and for the city treasurer to pay the warrants, based on the claims of the city clerk for additional compensation due such clerk in monthly installments, in addition to such clerk's salary for performing his other statutory duties, as fixed in the resolution or ordinance**

of the local governing body; treasurer, three hundred dollars per year; city attorney, four hundred and fifty dollars per year; mayor, two hundred dollars per year; police magistrate, the sum of one hundred and fifty dollars per year; councilmen, each the sum of one hundred dollars per year. All other officers and employees of the city shall receive such compensation as the mayor and council may fix at the time of their appointment or employment.

Sec. 6. That Section 17-513, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

17-513. The city or village clerk shall have the custody of all laws and ordinances, and shall keep a correct journal of the proceedings of the council or board of trustees; he shall also keep a record of all outstanding bonds against the city or village, showing the number and amount of each, for and to whom the said bonds were issued, and when any bonds are purchased or paid or canceled, said record shall show the fact, and in his annual report he shall describe particularly the bonds issued and sold during the year, and the terms of sale, with each and every item of expense thereof; he shall also perform such other duties as may be required by the ordinances of the city: **Provided, that, in cities which operate municipally owned public utilities, the local governing body may, by resolution or ordinance, create the office of and appoint a person to act as disbursing officer for the city's municipally owned public utilities, may prescribe the powers and duties of such disbursing officer and may merge the duties of the elective office of city clerk with the appointive office of such disbursing officer, and may provide the additional compensation to be paid, if any, to the elected city clerk in equal monthly installments, payable out of the earnings or funds of the municipally owned public utilities, in addition to the annual compensation or salary fixed for the city clerk when he performs the duties of city clerk, statutory or otherwise.**

Sec. 7. That Section 17-518, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

17-518. The emoluments of no officer whose election or appointment is required by this chapter shall be increased or diminished during the term for which he shall have been elected or appointed; and no person who shall have resigned or vacated any office shall be eligible to the same during the time for which he was elected or appointed, when during the same time emoluments had been increased: **Provided, the provisions of this section shall never be construed to apply to the compensation of a city clerk who may be appointed disbursing officer for municipally owned public utilities, as provided in Sections 16-302, 16-306 and 16-313, Compiled Statutes of Nebraska, 1929, as amended.**

Sec. 8. That said original Sections 16-302, 16-306, 16-313 and 16-322, Compiled Statutes of Nebraska, 1929, are hereby repealed; that said original Sec. 17-108, C. S. Supp., 1939, is hereby repealed; and that said original Sections 17-513 and 17-518, Compiled Statutes of Nebraska, 1929, are hereby repealed.

Sec. 9. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.".

2. Amend the bill, title, by striking all of said title after the word "ACT" in line 2 therein and by inserting in lieu thereof the following:

"relating to municipal corporations; to amend Sections 16-302, 16-306, 16-313 and 16-322, Compiled Statutes of Nebraska, 1929; to amend Sec. 17-108, C. S. Supp., 1939; and to amend Sections 17-513 and 17-518, Compiled Statutes of Nebraska, 1929; to provide that the local governing bodies in cities of the first class having a population of more than five thousand and less than twenty-five thousand inhabitants and in cities of the second class having a population of more than one thousand and less than five thousand inhabitants, that operate municipally owned public utilities, may designate the city clerk as disbursing officer for such municipally owned public utilities; to provide for the compensation of the city clerk when he performs the duties of disbursing officer for such municipally owned public utilities; to repeal said original sections; and to declare an emergency.".

(Signed) Sorrell, Chairman

Banking, Commerce & Insurance

LEGISLATIVE BILL NO. 126. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 126:

1. Amend the bill, page 3, section 1, line 44 by striking therefrom the words **"or associated with"**.

2. Amend the bill, page 3, section 1, line 58 by inserting after the word **"clause"** therein the following: **": Provided, limitations with reference to aeronautics shall not be included in any policy where an extra premium is charged to cover the aeronautic risk nor shall any such limitations extending beyond the contestable period be included in or attached to any policy where the applicant for insurance has not elected in writing to accept a policy with such limita-**

tions and by such election has agreed to a reduced coverage for the aviation risk".

3. Amend the bill, page 6, section 2, line 11 by inserting the figures **"126"** in the blank space in said line.

(Signed) Thornton, Chairman

Judiciary

LEGISLATIVE BILL NO. 3. Indefinitely postponed.

LEGISLATIVE BILL NO. 56. Indefinitely postponed.

LEGISLATIVE BILL NO. 103. Indefinitely postponed.

LEGISLATIVE BILL NO. 104. Indefinitely postponed.

LEGISLATIVE BILL NO. 314. Indefinitely postponed

LEGISLATIVE BILL NO. 387. Indefinitely postponed.

LEGISLATIVE BILL NO. 454. Indefinitely postponed.

LEGISLATIVE BILL NO. 458. Indefinitely postponed.

LEGISLATIVE BILL NO. 138. Placed on General File.

LEGISLATIVE BILL NO. 224. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 224:

1. Amend the bill, pages 2 and 3, by striking all of Section 1 commencing with line 3 thereon, and by inserting in lieu thereof the following:

"33-143. **Subdivision 1.** Grand and petit jurors shall each receive for his services three ($3.00) dollars for each day employed in the discharge of his duties, and mileage at the rate of five cents for each mile necessarily traveled. No juror shall be entitled to pay for the days he is voluntarily absent or excused from service by order of the court. In the event that any temporary release from service other than that obtained by the request of a juror shall occasion an extra trip or trips to and from the residence of any juror or jurors the court may, by special order, allow mileage for such extra

trip or trips: **Provided** however, no juror shall receive compensation for his services as such, except mileage, if at the time of his service he is employed and receiving a salary paid from public funds any of the county's funds. **Subdivision 2. In counties having a population of two hundred thousand or more inhabitants, a grand or petit juror serving in the district court of such county shall be paid at the rate of three dollars per day. In such counties those jurors who do not live within the corporate limits of the county seat city shall, in addition thereto, receive mileage from their home to the court house and return at the rate of five cents per mile, for one round trip only during the period of their service: Provided, a grand juror drawn for service in the district court of such county, who appears and serves as such juror in said court, shall be entitled to pay for all the days that the grand jury of which he is a member may exist, except Sundays, holidays, when excused at his own request, and when the grand jury is in temporary adjournment; and provided further, a petit juror drawn for service in the district court of such county who appears and serves as a juror in said court, shall be entitled to pay for all the days of the term for which he is drawn, Sundays and holidays excepted, unless excused at his own request, or finally discharged from the panel; and provided further, such petit juror shall be entitled to pay for Sundays and holidays if he is actually present on such day or days at the court house in the capacity of a juror."**

2. Amend the bill, page 1, title, line 4 by inserting after the word and punctuation "jurors;" the following: "to provide for a variation in the **per diem** and mileage of grand and petit jurors in counties having a population of two hundred thousand inhabitants or more;".

LEGISLATIVE BILL NO. 256. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 256:

1. Amend the printed bill only, page 3, section 7, line 1, by striking the word "reality" therein and by inserting in lieu thereof the word "realty".

2. Amend the bill, page 4, section 7, line 20, by inserting after the word "realty" therein the following: ", except an owner who is a party to the contract,".

3. Amend the bill, page 4, section 8, line 7, page 5, section 10, lines 9 and 15, and page 6, section 12, line 15, by striking the words "county clerk" wherever the same appear therein and by inserting in lieu thereof the words "secretary of state" in each of said lines and sections respectively.

4. Amend the bill, page 5, section 11, line 3, by striking the word "three" therein and by inserting in lieu thereof the word "five".

5. Amend the bill, page 9, section 18, line 18, by inserting after the word and punctuation "storage." therein the following: "If the contract includes an accelleration clause, the amount due under the terms of the accelleration clause may, at the seller's option, be included in the sum due under the contract unless the buyer furnishes adequate additional security therefor.".

6. Amend the bill, page 10, section 20, line 9, by inserting after the figures "19" therein the following: ", unless the seller shall, in lieu thereof, comply with the provisions of subdivision 5, Section 69-460, Compiled Statutes of Nebraska, 1929, as now existing or as hereafter amended".

7. Amend the bill, page 12, section 26, line 17, by inserting after the word and punctuation "required." therein the following: "Valid waiver of the provisions of sections 18, 19, 20, 21 and 25, legislative bill No. 256, fifty-fifth session, Nebraska state legislature, 1941, may be effected by parties to a conditional sale transaction through contract subsequently made.".

8. Amend the bill, page 13, section 32, line 3, by inserting immediately after the word "acts" and before the word "passed" therein the following: "inconsistent with this act and".

9. Amend the bill, page 13, section 32, line 5, by inserting after the word and punctuation "repealed." therein the following: "Sections 36-208, 36-210, 36-211, 69-301 and 69-303, Compiled Statutes of Nebraska, 1929, are hereby repealed; and Sec. 36-209, C. S. Supp., 1939, is hereby repealed.".

10. Amend the bill, page 1, title, line 7, by inserting after the word "therewith" therein the following: "; to repeal Sections 36-208, 36-210, 36-211, 69-301 and 69-303, Compiled Statutes of Nebraska, 1929; and to repeal Sec. 36-209, C. S. Supp., 1939".

11. Amend the bill, page 1, title, line 6, by striking the conjunction "and" therein.

(Signed) Gantz, Chairman

Enrollment & Review

LEGISLATIVE BILL NO. 89. Placed on Select File.

LEGISLATIVE BILL NO. 65. Placed on Select File with amendments.

E and R amendments to L. B. No. 65:

1. Amend the bill, page 2, section 1, line 15, by striking therefrom the punctuation and word ": Furnish" and by inserting in lieu thereof the following: **"; furnish".**

2. Amend the bill, page 2, section 1, line 17, by striking therefrom the words and punctuation "Second: Give" therein and by inserting in lieu thereof the following: **"second; give".**

3. Amend the bill, page 2, section 1, line 19 by striking therefrom the words and punctuation "Third: Pay" therein and by inserting in lieu thereof the following: **"third; pay".**

4. Amend the bill, page 1, title, by striking all of said title after the word and punctuation "election;" in line 6 therein and by inserting in lieu thereof the following:

"and to repeal said original section.".

5. Amend the bill, page 2, section 1, line 23, by striking the word "submitting" and inserting in lieu thereof the word **"submitted".**

LEGISLATIVE BILL NO. 341. Placed on Select File with amendments.

E and R amendments to L. B. No. 341:

1. Amend the standing committee amendment, line 2, by striking therefrom the words and punctuation "tablet, tabloid.", therein and by inserting in lieu thereof the following: **"tablet, tabloid,".**

2. Amend the bill, page 5, section 2, line 27 by striking the word "Provided" therein and by inserting in lieu thereof the word **"Provided".**

3. Amend the bill, page 6, lines 5 and 6, and lines 10 and 11, by striking the word "semi-solid" therein and by inserting in each of said lines respectively the word **"semisolid".**

4. Amend the bill, page 6, section 3, line 11 by striking therefrom the words "one fourth" therein and by inserting in lieu thereof the word **"one-fourth".**

5. Amend the bill, page 8, section 4, line 21, by striking the word "four" therein and by inserting in lieu thereof the word **"Four".**

6. Amend the bill, page 8, section 4, line 24, by inserting after the word "or" and before the first word "any" the word **"of".**

LEGISLATIVE BILL NO. 337. Placed on Select File with amendment.

E and R amendment to L. B. No. 337:

1. Amend the bill, page 1, enacting clause, by striking therefrom the word "INTRODUCED" therein and by inserting in lieu thereof the following: "BE IT ENACTED".

LEGISLATIVE BILL NO. 171. Placed on Select File with amendments.

E and R amendments to L. B. No. 171:

1. Amend the Standing Committee Amendments, page 1, Amendment 1, lines 18 and 19, by striking therefrom the punctuation and words ", **provided, however**", and by inserting in lieu thereof the following: ": **Provided**"

2. Amend the Standing Committee Amendments, page 2, Amendment 1, section 1, line 46, by striking the punctuation "," after the word "year", and before the word "thereafter".

3. Amend the Standing Committee Amendments, page 2, Amendment 1, section 1, line 46, by striking therefrom the punctuation and word " : **Provided**" therein, and by inserting in lieu thereof the following: "**; and provided further**"

4. Amend the Standing Committee Amendments, page 2, amendment 1, section 1, line 49, by inserting the word "State" after the definite article "the" and before the word "**state**".

5. Amend the Standing Committee Amendments, page 2, amendment 1, section 1, line 51, by inserting after the preposition "of" therein the following "Section 1 of Chapter 10, Session Laws of Nebraska, 1935, Special"

6. Amend the Standing Committee Amendments, page 3, lines 9 and 10 of Amendment No. 2, by inserting quotation marks before the word "Board" and after the word "Trust".

LEGISLATIVE BILL NO. 258. Placed on Select File with amendments.

E and R amendments to L. B. No. 258:

1. Amend the bill, page 3, section 2, line 22 by striking the second conjunction "and" therein and by inserting in lieu thereof the preposition "for".

2. Amend the bill, page 1, title, line 10 by inserting after the word "section" therein the punctuation ";".

3. Amend the bill, page 3, section 2, line 25, by striking the comma after the word "contract"; and in line 27 of said section, strike the comma after the word "lien".

LEGISLATIVE BILL NO. 133. Placed on Select File with amendments.

E and R amendments to L. B. No. 133:

1. Amend the bill, page 2, section 1, line 5, by inserting after the figures and punctuation **"1939,"** therein the following: **"as now existing or as hereafter amended,".**

2. Amend the bill, page 2, section 1, line 18, by striking the word "insofar" therein and by inserting in lieu thereof the words **"in so far".**

3. Amend the bill, page 2, section 1, line 23, by striking therefrom the word and punctuation "however,".

4. Amend the bill, page 3, section 1, line 43, by inserting after the word **"shall"** and before the word "be" the following: **", for voting purposes,";**

and in lines 43 and 44 of said section strike the words and punctuation **"for voting purposes,".**

5. Amend the bill, page 4, section 1, line 69, by striking therefrom the words "to impartially" and by inserting in lieu thereof the words **"impartially to".**

6. Amend the bill, page 4, section 1, lines 71, 73 and 77 by inserting the word **"the"** before the word "state".

7. Amend the bill, title, line 5, by inserting after the word and punctuation "districts;" the words as follows: "to provide that in districts comprising three or more counties, subdivisions of such districts for the nomination and election of directors may be formed by following county boundary lines without regard to population if in the judgment of the state engineer the interests of rural users of electricity or users of irrigation water service in such district will not be prejudiced thereby; to provide that precincts or fractional parts of precincts in a county not within such district shall for voting purposes be attached to an adjoining or adjacent county within such district and such county shall furnish ballots to the precinct election board, election results to be certified by such precinct election board to the county furnishing the ballots;".

LEGISLATIVE BILL NO. 213. Placed on Select File with amendments.

E and R amendments to L. B. No. 213:

1. Amend the standing committee amendments, amendment No. 1, page 1, section 1, line 17, by striking the word "non-navigable" and by inserting in lieu thereof the word **"nonnavigable"**.

2. Amend the standing committee amendments, amendment No. 1, page 2, section 2, line 12, by striking the punctuation "," after the word "annum" therein; and also in said line 12, strike the word "semi-annually" therein and insert in lieu thereof the word **"semi-annually"**.

3. Amend the standing committee amendments, amendment No. 1, page 5, section 4, line 8, by inserting the conjunction "and" immediately before the word "shall" therein.

4. Amend the standing committee amendments, amendment No. 1, page 7, section 4, line 51, by striking the first definite article "the" therein.

5. Amend the standing committee amendments, amendment No. 2, page 8, line 10, by striking the word "commission" and by inserting in lieu thereof the word "commissions".

6. Amend the standing committee amendments, amendment 2, line 10, by striking the word "a" therein; and in line 11, strike the word "commission" and insert "commissions".

7. Amend the standing committee amendments, amendment 1, section 1, line 7, by striking the word **"thereof"**.

8. Amend the standing committee amendments, amendment 1, section 2, lines 5 and 7 by striking the punctuation "—" therein.

9. Amend the General File amendments, amendment 15, by striking **"Subdivision 5"** in line 3 and insert in lieu thereof the following "Sec. 3.".

10. Renumber all sections of the bill to conform with all amendments.

LEGISLATIVE BILL NO. 210. Correctly engrossed.

LEGISLATIVE BILL NO. 153. Correctly engrossed.

Presented to Governor for approval

Thursday, March 27, 1941, at 3:30 p. m.

L. B. No. 49 L. B. No. 150

LEGISLATIVE BILL NO. 148. Correctly enrolled.

(Signed) Crosby, Chairman

Legislative Administration

Mr. Tvrdik brought up the matter of purchasing Venetian blinds.

Mr. Van Diest moved that Venetian blinds be purchased for the south windows of the legislative chamber.

After discussion, vote was taken and the motion was lost with 5 ayes, 21 nays and 17 not voting.

Signed by Speaker

While the Legislature was in session and capable of transacting business, the Speaker signed:

L. B. No. 148.

REQUEST—To Withdraw L. B. No. 98

Mr. Mischke asked unanimous consent to withdraw Legislative Bill No. 98.

No objection was offered and the President so ordered.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 275. With emergency clause.

A bill for an Act relating to livestock; to establish a brand inspection area within the state of Nebraska; to create the Nebraska brand committee; to fix its powers; to provide for the appointment, qualifications, powers, duties and responsibilities of said committee and its members; to provide for the inspection of brands on cattle that are shipped out of the brand inspection area; to provide for the inspection of brands on cattle at open markets; to define open markets; to provide for a brand inspection fee; to provide penalties for the violation of this act; to provide for the appropriation of fees collected from brand inspection for the use of the Nebraska

brand committee; to repeal Secs. 54-709 and 54-710, C. S. Supp., 1939; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 32:

Adams, E. A.	Carmody	Knezacek	Raecke
Adams, J. Jr.	Crosby	Kotouc	Rakow
Asimus	Crossland	Lambert	Reed
Blome	Gantz	Metzger	Thomas, Amos
Bowman	Greenamyre	Mischke	Thomas, Ray
Brodahl	Hanna	Murphy	Thornton
Callan	Howard	Norman	Tvrdik
Carlson	Johnson	Peterson	Van Diest

Voting in the negative, 1:

Mekota

Not voting, 10:

Bevins	Jeppesen	Mueller	Sorrell
Garber	Matzke	Neubauer	Sullivan
		Price	Weborg

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 278. With emergency clause.

A bill for an Act to amend Sec. 54-140, C. S. Supp., 1939, erroneously compiled as Sec. 54-149, C. S. Supp., 1939, on page 476 thereof, and being section 17 of chapter 7, laws of Nebraska, 1933, relating to livestock; to establish the requirements of a bill of sale for the sale of branded livestock; to provide a validity clause; to repeal said original section, as identified and correctly numbered; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams, E. A.	Crossland	Lambert	Rakow
Adams, J. Jr.	Gantz	Mekota	Reed

Asimus	Greenamyre	Metzger	Sorrell
Blome	Hanna	Mischke	Sullivan
Bowman	Howard	Murphy	Thomas, Amos
Brodahl	Jeppesen	Neubauer	Thomas, Ray
Callan	Johnson	Norman	Thornton
Carlson	Knezacek	Peterson	Tvrdik
Carmody	Kotouc	Raecke	Van Diest
Crosby			

Voting in the negative, 0.

Not voting, 6:

Bevins	Matzke	Price	Weborg
Garber	Mueller		

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

SELECT FILE

LEGISLATIVE BILL NO. 21. Laid over until Tuesday, April 1, 1941.

GENERAL FILE

Mr. Mischke moved to place L. B. No. 429 at the head of General File.

The motion prevailed with 31 ayes, no nays, 12 not voting.

Mr. Raecke presiding

LEGISLATIVE BILL NO. 429. Standing Committee amendments, found in the Legislative Journal for the Fifty-seventh Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 237. Laid over. Retains place on File.

LEGISLATIVE BILL NO. 74. Standing Committtee amendments, found in the Legislative Journal for the Forty-fourth Day, were adopted.

Mr. Callan offered the following amendments, which were adopted:

That Section 1 be stricken from L. B. No. 74 and that the title and repealing section be amended accordingly.

Amend Standing Committee amendments, Sec. 3, line 30, after the word roads by inserting "within the township"; and in line 31 strike the words "in the township".

Line 34, strike "within the township".

Mr. Peterson asked unanimous consent to lay the bill over until Monday, March 31, 1941 at 11:00 a. m.

No objection was raised and the president so ordered.

LEGISLATIVE BILL NO. 7. Laid over until Wednesday, April 2, 1941.

LEGISLATIVE BILL NO. 455. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 33. Read and considered.

Mr. Carlson offered the following amendments, which were adopted:

A. Amend the standing committee amendments, amendment 2, March 10, 1941, by inserting after the word and punctuation "law." in the last line therein the following:

"Whenever the adjutant general shall be absent from the state on active service in the armed forces of the United States for more than thirty days, including attendance at service schools, notwithstanding any general or special law to the contrary, his term of office shall not expire and the governor may appoint an acting adjutant general for the period of such absence. The acting adjutant general shall be chosen from among the officers or former officers of the active national guard and shall have the same powers and duties as the adjutant general. He shall be compensated for his services at the same rate provided by law for the pay of the adjutant general, and during the term in office of such acting adjutant general, the adjutant general shall not be entitled to and shall not be paid any salary or other compensation by the state.".

B. Amend the bill, page 1, title, line 8 by inserting after the word and punctuation "terms;" therein the following:

"to prescribe contingencies whenever the adjutant general shall be absent from the state of Nebraska in active service in the armed forces of the United States for more than thirty days;".

Laid over. Retains place on File.

LEGISLATIVE BILL NO. 12. Laid over until Tuesday, April 1, 1941 at 11:00 a. m.

LEGISLATIVE BILL NO. 261. Passed over. Retains place on File.

LEGISLATIVE BILL NO. 191. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Forty-fourth Day, were adopted.

John Adams, Jr. offered the following amendments, which were adopted:

1. Amend Standing Committee amendment No. 4 in line 6, after the words "township government" by adding the words "in which county officers may be elective or appointive";

2. Amend said amendment in line 12, after the words "township government" by adding the words "in which county officers may be elective or appointive".

Mr. Van Diest moved to indefinitely postpone.

No action was taken thereon.

STANDING COMMITTEE REPORTS (Continued)

Enrollment & Review

Presented to Governor for Approval

Friday, March 28, 1941 at 10:25 a. m.

Legislative Bill No. 148

(Signed) Crosby, Chairman

MESSAGE FROM GOVERNOR

L. B. No. 85—1939
(L. B. No. 503—1941)

March 28, 1941

To the President, the Speaker and Members of the Legislature:
Gentlemen:

It appears that in drafting Legislative Bill No. 85, Fifty-third

Session, Nebraska State Legislature, 1939, Chapter 2, Laws of Nebraska, 1939, Sec. 8-1,140, C. S. Supp., 1939, which purported to relieve stockholders in banking corporations of double liability, in keeping with the repeal of the constitutional amendment providing for such double liability, that while Sec. 8-140, **supra** was amended to conform with the constitutional amendment that Section 8-154, Compiled Statutes of Nebraska, 1929, treating with the same subject, was ignored.

Apparently Section 8-154 C. S. 1929 was regarded repealed by implication, but the Attorney General in his opinion of March 27, 1941, has indicated that there is a matter of doubt as to the authenticity of this section now remaining in the statutes and suggests that it be expressly repealed and put an end to such doubt.

I feel that this is of such importance that I am submitting a bill for the repeal of the above mentioned section and wish that its passage be expedited.

Respectfully submitted,

(Signed) Dwight Griswold
Governor

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 503. By Kotouc of Richardson. Requested by Governor Dwight Griswold.

A bill for an Act relating to banks and banking; to repeal Section 8-154, Compiled Statutes of Nebraska, 1929, relating to the liability of stockholders in banking corporations; and to declare an emergency.

MOTION—To Read Second Time

Mr. President: I move that the rules be suspended and that L. B. No. 503 be read the second time now and referred to the proper Standing Committee. (Signed) Kotouc

The motion prevailed with 36 ayes, no nays, 7 not voting.

BILLS ON SECOND READING

The following bill was read the second time by title:

(For title see Bills on First Reading)

LEGISLATIVE BILL NO. 503. Referred to Committee on Banking, Commerce and Insurance.

MOTION—To Place on General File

Mr. President: I move that the rules be suspended and that committee hearing on L. B. No. 503 be waived and the bill placed on General File. (Signed) Peterson

The motion prevailed with 35 ayes, no nays, 8 not voting.

Approved by the Governor

March 28, 1941

To the President and Members of the Legislature

Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. No. 180 L. B. No. 234 L. B. No. 148

Respectfully submitted,

(Signed) Val Peterson,
Secretary to the Governor

Invitation

A letter was read from Mr. E. J. Miille, Secretary of the Nebraska State Board of Agriculture, extending an invitation to the Members of the Legislature to visit the state fair grounds on Monday evening March 31, 1941 to view organization and equipment of two thousand men and 200 vehicles to be stationed there at that date.

Members excused

Mr. Bowman and Mr. Crossland were excused from the session on Monday, March 31, 1941.

Adjournment

At 12:13 p. m. Mr. Kotouc moved that the rules be suspended and that the Legislature adjourn until Monday, March 31, 1941 at 10:00 a. m.

The motion prevailed with 32 ayes, 3 nays, 8 not voting.

Hugo F. Srb,
Clerk of the Legislature.

FIFTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, March 31, 1941.

Pursuant to adjournment, the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Bowman, Crossland and Mueller, who were excused, and except Mr. Price, who was excused until 11:00 a. m.

The Journal for the Fifty-eighth Day was approved as corrected.

PETITIONS AND MEMORIALS

Mr. Greenamyre introduced a petition opposing L. B. No. 284.

The following petitions were received through the Governor's office: One, from the state of Utah memorializing Congress to initiate a movement to give silver a standing in the monetary system of the United States of America as a basic money, at a given ratio of silver to gold; one, regarding the Townsend bill in the national Congress; one, opposing L. B. No. 379; one, opposing L. B. No. 140.

NOTICE OF COMMITTEE HEARINGS

Revenue

L. B. No. 306, Monday, April 7, 1941, 2:00 p. m.

L. B. No. 402, Monday, April 7, 1941, 2:00 p. m.

L. B. No. 450, Monday, April 7, 1941, 2:00 p. m.

L. B. No. 319, Tuesday, April 8, 1941, 2:00 p. m.

L. B. No. 321, Tuesday, April 8, 1941, 2:00 p. m.

L. B. No. 326, Tuesday, April 8, 1941, 2:00 p. m.

L. B. No. 385, Wednesday, April 9, 1941, 2:00 p. m.

L. B. No. 434, Wednesday, April 9, 1941, 2:00 p. m.

L. B. No. 437, Wednesday, April 9, 1941, 2:00 p. m.

L. B. No. 442, Thursday, April 10, 1941, 2:00 p. m.

L. B. No. 473, Thursday, April 10, 1941, 2:00 p. m.

L. B. No. 485, Thursday, April 10, 1941, 2:00 p. m.

L. B. No. 489, Friday, April 11, 1941, 2:00 p. m.

L. B. No. 492, Friday, April 11, 1941. 2:00 p. m.

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL NO. 199. Substitute bill presented, to be printed as such and placed on General File.

LEGISLATIVE BILL NO. 290. Placed on General File.

LEGISLATIVE BILL NO. 329. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 329:

1. Amend the bill, page 2, section 1, line 16 by striking the word **"fourteen"** therein and by inserting in lieu thereof the word **"sixteen"**.

2. Amend the bill, page 2, section 1, line 27 by inserting immediately after the word "therefor" therein the following:

": Provided, that, in any county which now has a population of less than sixteen thousand inhabitants and which now has a register of deeds, the county board may, by resolution, if adopted prior to January 1, 1942, retain the office of register of deeds in said county".

3. Amend the bill, page 2 by striking all of section 2 thereon and by inserting in lieu thereof the following:

"Sec. 2. That Sec. 33-112, C. S. Supp., 1939, be amended to read as follows:

33-112. The register of deeds shall receive an annual salary to be paid out of the general fund of the county, as follows: In **counties having a population of less than sixteen thousand inhabitants and now having a register of deeds, where the county board has retained the office of register of deeds, by resolution, as provided in Section 32-209, Compiled Statutes of Nebraska, 1929, as amended by section 1, legislative bill No. 329, fifty-fifth session, Nebraska state legislature, 1941, fifteen hundred dollars; in** counties having more than sixteen thousand (16,000) and less than twenty-five thousand (25,000) inhabitants, fifteen hundred ($1500.00) dollars; in counties having more than twenty-five thousand (25,000) and less than sixty thousand (60,000) inhabitants, two thousand ($2,000.00) dollars; in counties having more than sixty thousand (60,000) and less than one hundred fifty thousand (150,000) inhabitants, twenty-six hundred ($2,600.00) dollars; in counties having more than one hundred fifty thousand (150,000) inhabitants, thirty-five hundred ($3,500.00) dollars: Provided, further, in . **In** counties having more than sixteen thousand inhabitants **or in counties having less than sixteen thousand inhabitants where the county board has retained the office of register of deeds, by resolution, and which now have registers of deeds,** each register of deeds may appoint one deputy and such assistants as are necessary for the proper conduct of the office, all such appointments to be approved by the county board, and all deputies and assistants to be paid monthly out of the general fund of the county, to-wit: In counties having more than sixteen thousand, **or less than sixteen thousand where the county board has retained the office of register of deeds, by resolution and which now have registers of deeds** and less than twenty-five thousand (25,000) inhabitants, nor more than twelve hundred ($1200.00) dollars per annum for the services of each deputy, nor more than sixty dollars ($60.00) per calendar month for the services of each assistant; in counties having more than twenty-five thousand (25,000) and less than sixty thousand (60,000) inhabitants, not exceeding fifteen hundred ($1500.00) dollars per annum for the services of each deputy, nor more than sixty ($60.00) dollars per calendar month for the services of each assistant; in counties having more than sixty thousand (60,000) and less than one hundred fifty thousand (150,000) inhabitants, not exceeding fifteen hundred ($1500.00) dollars per annum for the services of each deputy, nor more than eighty ($80.00) dollars per calendar month for the services of each assistant; in counties having more than one hundred fifty thousand (150,000) inhabitants,

not exceeding twenty-four hundred ($2,400.00) dollars per annum for the services of chief deputy, nor more than eighteen hundred ($1800.00) dollars per annum for the services of each assistant deputy nor more than one hundred ($100.00) dollars per calendar month for the services of each assistant;. provided, further, the **The** register of deeds of each county shall in no case retain to his own use any fees, revenues, or receipts of his office, but shall on the first Tuesday of January, April, July and October of each year make a report to the county board, under oath, showing the different items of such fees, revenues and receipts received, from whom, at what time and for what service, and the total amount received by such officer since the last report, and also the amount received for the current year, and shall account for and pay the same into the treasury of the county;: **Provided,** further, that nothing herein enacted shall authorize any register of deeds to retain such fees from whatsoever source received, or affect the right of any county to recover such fees not yet paid into its treasury.

Sec. 3. That said original Secs. 32-209 and 33-112, C. S. Supp., 1939, are hereby repealed.".

4. Amend the bill, page 1, title by striking all of said title after the word "ACT" in line 2 therein and by inserting in lieu thereof the following: "to amend Secs. 32-209 and 33-112, C. S. Supp., 1939, relating to the office of register of deeds; to provide, that, in counties that now have a population of less than sixteen thousand inhabitants and that now have a register of deeds, the county board may, by resolution adopted prior to January 1, 1942, retain the office of register of deeds; to provide for the compensation to be paid to said register of deeds and to his deputies and assistants; and to repeal said original sections.".

LEGISLATIVE BILL NO. 316. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 316:

1. Amend the bill, page 3, section 1, line 51, by striking the word "without" and inserting in lieu thereof the word **"upon".**

2. Amend the bill, page 3, section 1, line 61, by striking the "." after the letters "ty" and inserting in lieu thereof a ";" and by adding the words **"and provided further, that said fund when so established shall be used for no other purpose or purposes than that herein specified."**

LEGISLATIVE BILL NO. 227. Indefinitely postponed.

LEGISLATIVE BILL NO. 247. Indefinitely postponed.

LEGISLATIVE BILL NO. 352. Indefinitely postponed.

LEGISLATIVE BILL NO. 404. Indefinitely postponed.

LEGISLATIVE BILL NO. 407. Indefinitely postponed.

LEGISLATIVE BILL NO. 413. Indefinitely postponed.

LEGISLATIVE BILL NO. 438. Indefinitely postponed.

LEGISLATIVE BILL NO. 440. Indefinitely postponed.

(Signed) Sorrell, Chairman

Enrollment and Review

Correctly enrolled

L. B. No. 275	L. B. No. 243	L. B. No. 75
L. B. No. 377	L. B. No. 168	L. B. No. 31
L. B. No. 336	L. B. No. 125	L. B. No. 451
L. B. No. 278	L. B. No. 80	

(Signed) Crosby, Chairman

Legal Advisor—Enrollment & Review

Mr. President: Your Committee on Enrollment and Review regrets to report that it has received the resignation of its legal advisor, Loren H. Laughlin, and has accepted the same, effective Monday, March 31.

Your Committee further reports that it has selected Francis V. Robinson as legal advisor for said committee at the same rate of compensation. (Signed) Crosby, Chairman.

Mr. Crosby moved that the foregoing report be approved and adopted.

The motion prevailed.

REQUEST—Committee Hearings

Mr. Murphy announced that hearings had been held on all bills before the Judiciary committee and requested unanimous consent to have Monday, Wednesday and Friday assigned to the Committee on Revenue for hearing dates.

No objection was offered and the President so ordered.

Approved by Governor

March 28, 1941

To the President and Members of the Legislature

Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. No. 159 L. B. No. 390

Respectfully submitted,

(Signed) Val Peterson
Secretary to the Governor

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 275	L. B. No. 243	L. B. No. 75
L. B. No. 377	L. B. No. 168	L. B. No. 31
L. B. No. 336	L. B. No. 125	L. B. No. 451
L. B. No. 278	L. B. No. 80	

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 15. In appreciation of the Services of Cliff Sandahl

Introduced by Harry E. Gantz of Box Butte, R. M. Howard of McPherson, L. B. Murphy of Scotts Bluff, Amos Thomas of Douglas

Preamble

WHEREAS, Cliff Sandahl has ably served as State House reporter for the Associated Press during the past five years and more, and

WHEREAS, he has now received an outstanding promotion and is moving to Washington, D. C. to become regional reporter for this area for the Associated Press, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-FIFTH REGULAR SESSION ASSEMBLED:

1. That this legislature desires to express its sincere appreciation and gratitude, and to warmly praise Cliff Sandahl for the fair, impartial, thorough and straightforward manner in which he has reported this and previous sessions of this legislature, and which has contributed importantly to providing the people of Nebraska with better newspaper coverage over its legislative body than is enjoyed by any other state, and to record our sentiment that "Nebraska's loss is the nation's gain."

2. That this resolution be spread at large upon the pages of the journal of this legislature, and that the clerk of this legislature is hereby ordered and directed forthwith to forward a copy of this resolution, properly authenticated, and suitably engrossed, to each of the United States senators and Congressmen representing the state of Nebraska in the Congress to the end that our representatives in the Congress of the United States may be advised of the high esteem and regard which this legislature has for Cliff Sandahl.

Mr. Gantz moved that the rules be suspended and that Legislative Resolution No. 15 be adopted.

The motion prevailed with 35 ayes, no nays, 8 not voting.

Mr. Sandahl was present and thanked the members for their expression of appreciation. He also explained briefly the duties connected with his new assignment.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 128. With emergency clause.

A bill for an Act to amend Section 33-135, Compiled Statutes of Nebraska, 1929, relating to fees and salaries; to prescribe the time and manner of reporting fees and of paying fees by county officers to the county treasurer; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

Adams, E. A.	Crosby	Kotouc	Rakow
Adams, J. Jr.	Gantz	Matzke	Reed

Asimus	Garber	Metzger	Sorrell
Bevins	Greenamyre	Mischke	Sullivan
Blome	Hanna	Murphy	Thomas, Amos
Brodahl	Howard	Neubauer	Thornton
Callan	Jeppesen	Norman	Tvrdik
Carlson	Johnson	Peterson	Weborg
Carmody	Knezacek	Raecke	

Voting in the negative, 0.

Not voting, 8:

Bowman	Lambert	Mueller	Thomas, Ray
Crossland	Mekota	Price	Van Diest

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

SELECT FILE

LEGISLATIVE BILL NO. 89. Mr. Peterson moved to refer the bill to General File for the following Specific amendment:

Amend the bill, page 2, Section 1 to read:

Section 1. 68-268. On the death of a person receiving, or who has received assistance under this act, the total amount paid as assistance may be allowed as a claim in favor of the county against the estate of such decedent. No such claim shall be enforced against any real estate of the recipient or the real estate of a person who has been a recipient while it is occupied by the recipient's surviving spouse or by any child of such recipient or any child of such surviving spouse who shall have been dependent upon such recipient or surviving spouse for more than one year prior to his or her death. Any claim provided for in this section may be presented to the proper court by the county treasurer if so directed by the board. In the event that any amount is recovered by a county or the state with respect to old age assistance furnished under this act, such an amount shall be paid into the State Assistance Fund and the state department is authorized to pay promptly to the United States, the proportionate amount of any such recovery to which the United States may be entitled.

The motion prevailed with 22 ayes, 10 nays, 11 not voting.

Placed on General File.

SPECIAL ORDER—11:00 a. m.

General File

LEGISLATIVE BILL NO. 74. Mr. Callan moved to refer to E and R for review.

Mr. Weborg moved to indefinitely postpone.

The motion prevailed with 20 ayes, 12 nays, 11 not voting.

Indefinitely postponed.

REQUEST—To Withdraw Bill

Mr. Jeppesen requested unanimous consent to withdraw Legislative Bill No. 318.

No objection was offered and the President so ordered.

MESSAGE FROM THE GOVERNOR

Representatives in Congress

March 31, 1941

To the President, the Speaker, and Members of the Legislature

Gentlemen:

I have received from Mr. South Trimble, Clerk of the House of Representatives at Washington, D. C., a certificate attested by the seal of the House of Representatives apportioning to Nebraska four members in the House of Representatives in the 78th and the subsequent sessions of the Congress or until such a time as the number may be changed by the Congress. I quote here the certificate which I am placing on file in the office of the Secretary of State:

HOUSE OF REPRESENTATIVES

office of the clerk

WASHINGTON, D. C.

I, South Trimble, Clerk of the House of Representatives of the United States, hereby certify, pursuant to Section 22, subdivision (B), of the Act of the Congress of the United States of America entitled "An Act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of representatives in congress," approved June 18, 1929, as amended by Public, Numbered 481, Seventy-Sixth Congress, Approved April 25, 1940, that the state of

NEBRASKA

shall be entitled, in the Seventy-eighth Congress and in each Congress thereafter until the taking effect of a reapportionment under said Act, as amended, or subsequent statute, to

FOUR REPRESENTATIVES

in the House of Representatives of the Congress of the United States.

IN WITNESS WHEREOF, I hereto affix my name and the seal of the House of Representatives of the United States of America this Fifteenth day of March, anno domini 1941, in the city of Washington, District of Columbia

(Seal of the House of Representatives)

(Signed) SOUTH TRIMBLE

Clerk of the House of Representatives of the United States

This is submitted for your information and such action as is appropriate.

Respectfully submitted,
(Signed) Dwight Griswold
Governor

SELECT FILE (Continued)

LEGISLATIVE BILL NO. 65. Passed over.

LEGISLATIVE BILL NO. 341. E and R amendments, found in the Legislative Journal for the Fifty-eighth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 337. Passed over. Retains place on File.

LEGISLATIVE BILL NO. 171. E and R amendments, found in the Legislative Journal for the Fifty-eighth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 258. E and R amendments, found in the Legislative Journal for the Fifty-eighth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 133. Laid over one day.

LEGISLATIVE BILL NO. 213. E and R amendments, found in the Legislative Journal for the Fifty-eighth Day, were adopted.

Mr. Weborg moved to refer to E and R for engrossment.

Mr. Jeppesen moved to return the bill to the Committee on Public Works.

The motion was lost with 13 ayes, 16 nays, 14 not voting.

No action was taken on Mr. Weborg's motion.

Member Excused

Mr. Raecke was excused from the session on Tuesday, April 1, 1941.

Adjournment

At 12:15 p. m. on motion by Mr. Mischke the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

SIXTIETH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, April 1, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Mueller, Price and Raecke, who were excused.

The Journal for the Fifty-ninth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Rakow, one, favoring L. B. No. 140; all members, three opposing L. B. No. 7, one, opposing the Price amendment to L. B. No. 72.

Communications

A copy of the Congressional Record for March 7, 1941 was received from Congressman Carl T. Curtis, regarding the increase of our sugar quota now.

A certification was received from Frank Marsh, Secretary of State, containing a photostatic copy of congressional notice that Nebraska is now entitled to four representatives in that body.

NOTICE OF COMMITTEE HEARINGS

Labor & Public Welfare

L. B. No. 248, Monday, April 7, 1941, 2:00 p. m.

L. B. No. 333, Monday, April 7, 1941, 2:00 p. m.

L. B. No. 493, Monday, April 7, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Enrollment & Review

Presented to Governor for approval

Monday, March 31, 1941 at 3:00 p. m.

Legislative Bill No. 275.

Monday, March 31, 1941 at 5:10 p. m.

L. B. No. 377	L. B. No. 75	L. B. No. 168
L. B. No. 336	L. B. No. 278	L. B. No. 125
L. B. No. 243	L. B. No. 80	L. B. No. 451
L. B. No. 31		

LEGISLATIVE BILL NO. 152. Replaced on Select File with amendment.

E and R amendment to L. B. No. 152:

1. Amend the Standing Committee Amendments, Amendment No. 3, line 2, by striking the word **"An"** and insert in lieu thereof the word "board.".

LEGISLATIVE BILL NO. 46. Replaced on Select File with amendments.

E and R amendments to L. B. No. 46:

1. Strike from section 3, as amended, all of subsection (b).

2. Reletter all subsections of section 3, as amended, to conform with all amendments.

3. Strike from lines 48 and 49 of section 3, as amended, the words beginning with the word "subsections" and ending with "respectively" and insert in lieu thereof the words "subsection (a) hereof".

4. Strike from line 49 to 51 of section 3, as amended, all of the words beginning with "and" in line 49 and ending with the word "section" in line 51 and insert in lieu thereof the words "as defined in subsection (a) hereof".

5. Strike from line 52 of section 3, as amended, the words "and wholesalers" and strike from lines 54 and 55 of section 3, as amended the words "and cost to the wholesaler".

Correctly engrossed

L. B. No. 226	L. B. No. 461	L. B. No. 401
L. B. No. 225	L. B. No. 257	L. B. No. 251
L. B. No. 145	L. B. No. 283	L. B. No. 270
L. B. No. 57		

(Signed) Crosby, Chairman

SELECT FILE

LEGISLATIVE BILL NO. 21. Mr. Tvrdik requested unanimous consent to withdraw his amendments, offered on March 24 and found in the Legislative Journal for the Fifty-fourth Day, and substitute the following therefor:

First strike enrollment and review amendments, amendment No. 2, March 21, 1941, mimeographed; then strike select file amendments, amendments Nos. 1 and 2, March 24, 1941; then strike standing committee amendments Nos. 1 and 2, then strike all of the general file amendments to the bill, and then amend the bill, pages 2 and 3, section 1, by striking the rest of said section after the word and punctuation "expedient." in line 29 on page 2, and insert in lieu thereof the following:

"Subdivision 2. The board of directors of any metropolitan water or metropolitan utilities district may also provide benefits for and insurance of the present and future employees and appointees of the district, as to accident, disease, death, disability or retirement, under such terms and conditions as said board may deem proper and expedient. To be eligible for retirement not caused by disability, each person shall have been employed by the district, whether wholly or partly before or after the passage of this act, for the period of twenty years, and shall have attained the age of not less than sixty years, at which time retirement shall be optional with the employee, but retirement shall be compulsory at the age of seventy years: Provided, employees and appointees who become disabled may be retired after fifteen years' service, regardless of attained age. Any retirement plan adopted by the board of directors shall be upon a contributory basis, requiring contributions by both the district and the employee or appointee, and no retirement plan adopted shall

provide for the payment of more than forty per cent of average compensation during the last three years of employment but in no event shall such payment be less than fifty dollars nor more than one hundred dollars per month as retirement benefit. To effectuate any plan adopted pursuant to this authority, the board of directors of the district is empowered to establish and maintain reserves and funds and provide for premiums, and otherwise generally to perform all such acts as may be necessary to carry into execution the general powers granted by this act. Payments made to employees and appointees under the authority of this act shall be exempt from attachment or other legal process, and shall not be assignable. No new plan adopted pursuant to the authority granted in this act shall be made effective prior to January 1, 1942, and on that date any plan which has existed prior thereto may be continued only in so far as it conforms to the requirements of this act.".

No objection was offered and the President so ordered.

Mr. Tvrdik moved that the bill be referred to General File for the above Specific amendment.

The motion prevailed.

Placed on General File.

LEGISLATIVE BILL NO. 213. Mr. Weborg moved that the bill be laid over until Wednesday, April 2, 1941.

The motion prevailed.

LEGISLATIVE BILL NO. 65. Laid over.

LEGISLATIVE BILL NO. 337. Laid over.

LEGISLATIVE BILL NO. 133. E and R amendments, found in the Legislative Journal for the Fifty-eighth Day, were adopted.

Mr. Carlson offered the following amendment, which was adopted by unanimous consent:

Amend the general file amendments, Carlson, March 18, 1941, amendment a., mimeographed, line 5, by striking therefrom the words **"to rural customers".**

Laid over. Retains place on File.

MOTION—To Replace on Select File

Mr. President: I move to refer L. B. No. 226 from Third Reading File to Select File for the following Specific amendment:

Amend Section 1, General File amendment of March 18, 1941, by striking said amendment "and upon written notice to the attorneys of record," and by inserting in lieu thereof the following: "and upon such notice as the court may direct,". (Signed) Gantz

The motion prevailed.

Placed on Select File.

SELECT FILE (Continued)

LEGISLATIVE BILL NO. 226. Mr. Gantz' Specific amendment, above set out, was adopted by unanimous consent.

Referred to E and R for re-engrossment.

LEGISLATIVE BILL NO. 46. Mr. Crosby requested unanimous consent to consider the bill at once.

No objection was raised and the President so ordered.

E and R amendments, found in this Day's Journal, were adopted by unanimous consent.

Referred to E and R for re-engrossment with 27 ayes, no nays, 16 not voting.

GENERAL FILE

LEGISLATIVE BILL NO. 21. Mr. Tvrdik's Specific amendment, found in this Day's Journal, was adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 89. Mr. Peterson moved that his Specific amendment, found in the Legislative Journal for the Fifty-ninth Day, be adopted.

The motion prevailed with 17 ayes, 12 nays, 14 not voting.

Referred to E and R for review.

LEGISLATIVE BILL NO. 237. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Forty-fourth Day, were adopted.

Special Order—11:00 a. m.

LEGISLATIVE BILL NO. 12. Mr. Peterson offered the following amendments:

1. First strike all adopted amendments to the bill, then strike all of the bill after the enacting clause and substitute the following:

"Section 1. That Sec. 60-407, C. S. Supp., 1939, be amended to read as follows:

60-407. The applications for license provided for herein shall be filed with the County Treasurer **county treasurer** who shall transmit the same weekly to the Director **director** after approval by the appointed examiner as herein provided. The application shall be accompanied by a fee of one dollar from each applicant not holding an operator's license at the effective date of this Act **act** and seventy-five cents from each applicant holding an operator's license at the effective date of this Act **act**; and each renewal application for license under this Act **act** shall be accompanied by a fee of seventy-five cents. Five cents of each of the said original and renewal fees shall be credited forthwith to the general fund of the county and, by said County Treasurer **county treasurer,** shall be included in his report of fees as provided by law and shall be available to reimburse the county treasurer for the clerical services rendered by his office in issuing said licenses. The balance of the license fees provided herein shall, by the County Treasurer **county treasurer,** be remitted to the State Treasurer **state treasurer** and shall be credited by the State Treasurer **state treasurer** to the "Motor Vehicle Operator's License Fund" **"motor vehicle operators' license fund".** The Director **director** during any biennium is hereby authorized to draw upon the said fund in the hands of the State Treasurer **state treasurer** for all the expenses of the administration and enforcement of the provisions of this Act and for purposes of traffic safety education. Not **not** to exceed two per cent **of said fund which** shall be used **by the director** for traffic and safety educational purposes,; and the remainder of said fund shall be available for highway patrol and administrative purposes and for no other purpose or use: Provided, within the foregoing limitations, the Legislature shall make specific appropriations for each of said purposes during the next and succeeding bienniums **balance of said**

fund shall be available to the director for the administration of the motor vehicle operators' license act and for the enforcement of the traffic laws and the laws relating to felonies.

Sec. 2. That Sec. 60-409, C. S. Supp., 1939, be amended to read as follows:

60-409. The Director **director** shall assign a distinguishing number to each license issued and shall keep an index record of the same which shall be open to public inspection. The Director **director** shall also keep a record of all applications for licenses that are disapproved, indexed by counties, with a brief statement of the reason for disapproval of the application. The Motor Vehicle Operators' license" **"motor vehicle operators' license"** shall be in the form of a card of a size that may be conveniently carried on the person. Each license card shall carry the following statements: name; age; place of residence; post office address; a brief personal description of the licensee sufficient for identification and such other facts and information, not inconsistent with this Act **act,** as the said Director **director** may determine. Every person licensed to operate motor vehicles under the provisions of this Act **act,** shall, upon receipt of said license card endorse his or her signature thereon in a space provided for such purpose, and no license shall be valid until the license card is so endorsed. Said license card shall at all times be carried by the licensee when operating a motor vehicle on the public highways of this state and shall be presented by the licensee for examination, or he shall present proof of ownership of the same, upon demand by any officer, employee or agent of the division of highway **Nebraska** safety and patrol, police or peace officer recognized as such by the laws of this state. Such officer, employee or agent must in every case of making demand on the motor vehicle operator to show a motor vehicle operator's license, first display proper evidence of his lawful authority to act as an officer of the law. Outside of incorporated villages, towns and cities, no officer, except an officer, agent or employee of the division of highway **Nebraska** safety and patrol, the state **or superintendent of law enforcement and public safety, the** county sheriff or their authorized deputies **or subordinates,** shall exercise the authority to demand presentation of a motor vehicle operator's license. Any unauthorized person impersonating an officer under color of the provisions of this Act **act** shall be deemed guilty of a felony, and, upon conviction thereof be subject to a fine of Five Hundred Dollars ($500.00) **five hundred dollars** or imprisonment for one year or both at the discretion of the court. In the event of the loss of a license card by any person duly licensed under the provisions of this Act **act,** said person may obtain a duplicate thereof upon filing in the office of the County Treasurer **county treasurer** application therefor, together with an affidavit showing the fact of loss; and, upon said officer being satisfied that said loss is genuine, he shall issue upon the

payment of twenty-five cents (25c) fee, a duplicate license: **Provided,** such duplicate license fee in each instance shall be by the County Treasurer **county treasurer** credited, allocated and accounted for as in the cases of original and renewal motor vehicle operators' license fees as provided in Section 17 (60-407) of this Act **Sec. 60-407, C. S. Supp., 1939, as amended by section 1, legislative bill No. 12, fifty-fifth session, Nebraska state legislature, 1941.**

Sec. 3. That Sec. 60-416, C. S. Supp., 1939, be amended to read as follows:

60-416. The following words and phrases when used in this Act **act** shall, for the purposes of this Act **act,** have meanings respectively ascribed to them as follows: (a) Motor Vehicle **vehicle.** All vehicles propelled by any power other than muscular power, excepting however, traction engines, road rollers, auto glides,—which shall be construed to mean any two-wheeled vehicle propelled by an engine of less than two horse power rated capacity,—and any vehicles which run only on rails or tracks. (b) Person **person.** Every natural person, firm, copartnership, association, or corporation. (c) Operator **operator.** Every person who is in the actual physical control of a motor vehicle upon a highway. (d) Owner **owner.** A person who holds a legal title to a motor vehicle , or, in the event such vehicle is the subject of an agreement for the conditional sale or lease thereof, with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or, in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this Act **act.** (e) Nonresident **nonresident.** Every person who is not a resident of this state. (f) Street **street** or highway. The entire width between property lines of every way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right or easement, for purposes of vehicular traffic. (g) Director **director.** The State Engineer **state engineer** shall be the Director of Motor Vehicles **director or motor vehicles** of the State **state** of Nebraska. **(h) superintendent. The superintendent of law enforcement and public safety, who may be known and designated as state sheriff, appointed by and responsible to the governor, who is charged with the administration and enforcement of the laws pertaining to the Nebraska safety patrol and, under the direction of the governor, is further charged with the duty and responsibility of enforcing the laws of the state relating to felonies, as provided in Section 84-107, Compiled Statutes of Nebraska, 1929, as amended, and with the enforcement of laws pertaining to criminal investigation, criminal identification and radio communcations.**

Sec. 4. That Sec. 60-417, C. S. Supp., 1939, be amended to read as follows:

60-417. There is hereby established the division of Highway Safety and Patrol to be known as **in the department of roads and irrigation** the Nebraska Safety Patrol **safety patrol.** The chief officer of the said Nebraska Safety Patrol **safety patrol** shall be the State Sheriff **superintendent of law enforcement and public safety, who shall have had at least four years' experience as a law enforcement officer prior to his appointment.**

Sec. 5. That Sec. 60-418, C. S. Supp., 1939, be amended to read as follows:

60-418. The State Sheriff **superintendent** shall, **with the approval of the governor,** appoint such subordinate officers **of the Nebraska safety patrol** as captains, **lieutenants,** sergeants, **corporals,** patrolmen and such other employees as may be necessary to carry out the provisions of this Act **act.** The salaries of all such appointees shall be fixed by the said sheriff pursuant to law in amounts similar to those of other state officers and employees performing similar services **superintendent, with the approval of the governor.** All such appointees shall give bond in the penal sum of $2000.00 **two thousand dollars** for the faithful performance of their duties; and said bonds shall be approved and filed in the same manner as other state officers. Premiums on all of such bonds shall be paid from the administrative fund appropriated to the division of Highway **Nebraska** Safety **safety** and Patrol **patrol as provided in Sec. 60-407, C. S. Supp., 1939, as amended.**

Sec. 6. That Sec. 60-419, C. S. Supp., 1939, be amended to read as follows:

60-419. The Nebraska Safety Patrol **safety patrol,** its subordinate officers **such as captains, lieutenants, sergeants, corporals,** partolmen **patrolmen** and other employees shall be used **primarily** for the enforcement of the traffic and motor vehicle laws of the State **state** of Nebraska and the handling of traffic within the state: **Provided, the superintendent, with the approval of the governor, may designate such personnel of the Nebraska safety patrol to qualify and act as his deputies or investigators to assist him in the enforcement of the laws of the state relating to felonies.**

Sec. 7. That Sec. 60-420, C. S. Supp., 1939, be amended to read as follows:

60-420. The Director **superintendent, with the approval of the governor,** is hereby authorized to adopt and enforce rules and regulations, not inconsistent with this Act **act,** to carry out the provisions of this Act **act.** The Director **superintendent** shall adopt an official seal for the use of the division of highway Nebraska safety and patrol. The Director **superintendent** shall maintain an office for the division

of highway safety and patrol **law enforcement and public safety** in the State Capitol **state capitol** and in such other places in the state as he may deem necessary properly to carry out the work of said division **superintendent, including the administration of laws pertaining to Nebraska safety patrol.**

Sec. 8. That Sec. 60-421, C. S. Supp., 1939, be amended to read as follows:

60-421. The chief officer **superintendent** and all members of the division of highway **Nebraska** safety and patrol and all other peace officers mentioned in Section 1 of this Act (39-11,119) **Sec. 39-11,119, C. S. Supp., 1939, as amended,** shall have the power: a. **Sudivision 1.** Of peace officers for the purpose of enforcing the provisions of this Act, viz.: Chapter 141, Session Laws of Nebraska, 1937, as amended, **for the purpose** and of **enforcing** any other law regulating the operation of vehicles or the use of the highways. b. **Subdivision 2.** To make arrests upon view and without warrant for any violation committed in their presence of any of the provisions of this Act **act, or of any** other law regulating the operation of vehicles or the use of the highways **or of the laws of the state relating to felonies, if and when designated or called upon to do so as provided by law.** c. **Subdivision 3.** At all times to direct all traffic in conformity with law and **or** in the event of a fire or other emergency, or to expedite traffic, or to insure safety to direct traffic as conditions may require notwithstanding the provisions of law. d. **Subdivision 4.** When on duty **in uniform,** upon reasonable belief that any vehicle is being operated in violation of any provisions of this Act or of any other law regulating the operation of vehicles to require the driver thereof to stop and exhibit his operator's license and registration card issued for the vehicle and submit to an inspection of such vehicle, the registration plates and registration card thereon. To **and to** require the drivers of motor vehicles to present their vehicles at the nearest inspection station or garage for inspection without charge upon reasonable belief that such motor vehicle **vehicles is are** being operated in violation of the statutes of Nebraska pertaining to light and brake equipment or the rules and regulations of the Director **director** of Motor Vehicles **motor vehicles** pertaining to loads. e. **Subdivision 5.** To inspect any vehicle of a type required to be registered according to law in any public garage or repair shop or in any place where such vehicles are held for sale or wrecking. f. **Subdivision 6.** To serve warrants relating to the enforcement of the laws regulating the operation of vehicles or the use of the highways. g. **Subdivision 7.** To investigate traffic accidents for the purpose of carrying on a study of traffic accidents and enforcing this Act and other motor vehicle and highway safety laws.

Sec. 9. That Sec. 60-422, C. S. Supp., 1939, be amended to read as follows:

60-422. Any person who wilfully fails or refuses to obey any lawful traffic direction or any lawful order of any member **the superintendent or any of the subordinate officers or employees of the Nebraska safety patrol** of the division of highway safety and patrol or who resists lawful arrest by any such member **the superintendent or any of his subordinate officers or employees,** shall be **deemed** guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not exceeding One Hundred Dollars ($100.00) **one hundred dollars,** or **shall be** imprisoned **in the county jail** not more than thirty days, or both.

Sec. 10. That Sec. 60-423, C. S. Supp., 1939, be amended to read as follows:

60-423. The division of Highway Safety and Patrol **superintendent through his subordinate officers or employees in the Nebraska safety patrol** shall properly patrol the highways of this state and cooperate with the Director of Motor Vehicles and sheriffs, and police officers **or other peace officers** in enforcing the laws regulating the registration, annual inspection, operation and use of vehicles upon the highway.

Sec. 11. That Sec. 60-424, C. S. Supp., 1939, be amended to read as follows:

60-424. All members of said division **The subordinate officers and employees of the Nebraska safety patrol** when on duty shall be dressed in distinctive uniform and display a badge of office. The Director **superintendent** shall issue to each member of the division **Nebraska safety patrol** a badge of office with a seal of this state in the center thereof, the words **"Nebraska Safety Patrol"** encircling said seal and below the designation of the position held by the member **subordinate officer or employee** to whom issued. Every such badge shall be serially numbered or each member shall otherwise display a distinctive serial number: **Provided, that not more than fifteen per cent of the members of the Nebraska safety patrol may be on duty without wearing a distinctive uniform.**

Sec. 12. That Sec. 60-425, C. S. Supp., 1939, be amended to read as follows:

60-425. The Attorney General **attorney general,** or a member of his staff, or a practicing attorney designated by the Attorney General **attorney general,** shall defend all civil and criminal actions instituted against **the superintendent or any subordinate officers officer** or employees **employee** of the division **Nebraska safety patrol** arising from their employment.

Sec. 13. That Sec. 39-11,119, C. S. Supp., 1939, be amended to read as follows:

39-11,119. All **The superintendent, his subordinate officers or employees, including all** officers and patrolmen of the Nebraska Safety Patrol **safety patrol,** all sheriffs and all deputy sheriffs of the several counties, all chiefs of police and all policemen in all cities, all village marshals in all villages, throughout the state of Nebraska, are hereby specifically directed and authorized and it shall be deemed and considered a part of the official duties of each of said officers respectively to enforce the provisions of this Act **act.** To perform the official duties hereby imposed, said **the superintendent, his subordinate** officers **or employees** and **are** each of them are specifically directed, if necessary, to exercise all powers recited and granted in Sec. 60-421, Comp. St. C. S. Supp., 1937 **1939,** as mended **amended** by Section 8 of this Act, **legislative bill No. 12, fifty-fifth session, Nebraska state legislature, 1941.**

Sec. 14. That Section 84-107, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

84-107. In the enforcement of all criminal laws of the state, the **The** governor is hereby authorized to call to his assistance and appoint any number of persons necessary to enforce the provisions of the criminal laws. The persons shall be known as law enforcement officers. The chief of said law enforcement officers shall be designated and named the state sheriff **superintendent** and his assistants **who** shall be designated and named deputy state sheriffs and said officers shall qualify by **each** taking and filing oath in writing and **by** each executing in favor of the state of Nebraska bonds **a bond** in the sum of Five Thousand Dollars ($5,000) **two thousand dollars** with sufficient surety conditioned the same as a county sheriff's bond, which **bond** shall be approved by the governor, . which bond shall be paid for out of the appropriation for law enforcement and **The superintendent and his assistants** shall have the same powers in each of the several counties of the state as the sheriffs have in their respective counties, in so far as **the enforcement of the** criminal matters **laws** are concerned. : **Provided,** that an action against such officer **the superintendent or any of his assistants** for an act done by him **them or either of them** in virtue of, or under color of his office **their offices respectively,** or for any neglect of his **their** official duty **duties** shall be brought only in Lancaster County, Nebraska, ; and such officer **superintendent or any of his assistants** shall be exempt from the provisions of Section 8558, of the Compiled Statutes of Nebraska for 1922, (20-404) **20-404, Compiled Statutes of Nebraska, 1929, as now existing or as hereafter amended.** The provisions of this section shall be held to be cumulative and not exclusive and shall not be construed to in any way to relieve any local **peace** officer of his obligation **obligations** and **or** responsibilities.

Sec. 15. That said original Secs. 60-407, 60-409, 60-416, 60-417, 60-418, 60-419, 60-420, 60-421, 60-422, 60-423, 60-424, 60-425 and 39-11,119, C. S. Supp., 1939, are hereby repealed; that said original Section 84-107, Compiled Statutes of Nebraska, 1929, is hereby repealed; and that Section 84-108, Compiled Statutes of Nebraska, 1929, is hereby repealed.

Sec. 16. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.".

2. Strike all of the title, after the word "ACT" page 1, line 2 therein and substitute in lieu thereof the following:

"relating to state administrative departments; to prescribe the uses to which the **motor vehicle operators' license fund** shall be put; to provide for a superintendent of law enforcement and public safety, who is appointed by and functions under the governor in the administration and enforcement of laws pertaining to the Nebraska safety patrol and to the laws of the state that constitute felonies and who may be known and designated as state sheriff; to provide the qualifications, powers and duties of the superintendent; to prescribe the powers and duties of his subordinates; to fix the penalty in bonds required to be given by the superintendent, his assistants and deputies; to amend Secs. 60-407, 60-409, 60-416, 60-417, 60-418, 60-419, 60-420, 60-421, 60-422, 60-423, 60-424, 60-425 and 31-11,119, C. S. Supp., 1939; to amend Section 84-107, Compiled Statutes of Nebraska, 1929; to repeal said original sections; to repeal Section 84-108, Compiled Statutes of Nebraska, 1929; and to declare an emergency.".

And asked that unanimous consent be granted to lay the bill over until Wednesday, April 2, 1941 at 11:00 a. m.

No objection was offered and the President so ordered.

Mr. Sullivan presiding

LEGISLATIVE BILL NO. 237. Mr. Johnson moved to refer to E and R for review.

Mr. Blome moved to indefinitely postpone.

A call of the House was ordered.

The call was raised.

The motion prevailed with 20 ayes, 12 nays, 11 not voting.

Indefinitely postponed.

President Johnson presiding

STANDING COMMITTEE REPORTS (Continued)

Enrollment and Review

LEGISLATIVE BILL NO. 46. Correctly engrossed.

LEGISLATIVE BILL NO. 128. Correctly enrolled.

(Signed) Crosby, Chairman

Approved by Governor

April 1, 1941

To the President, the Speaker and Members of the Legislature

Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. No. 275	L. B. No. 243
L. B. No. 31	L. B. No. 168
L. B. No. 49	L. B. No. 451

Respectfully submitted,

(Signed) Val Peterson,
Secretary to the Governor.

MESSAGE FROM THE GOVERNOR

State Board of Vocational Education

April 1, 1941

To the President, the Speaker and Members of the Legislature

Gentlemen:

In accordance with the provisions of Legislative Bill No. 148, I wish to inform your honorable body of the appointment of Charles W. Eubank (member of the Board of Control) and William W. Putney of Lincoln, as members of the State Board of Vocational Education.

Respectfully submitted,

(Signed) Dwight Griswold
Governor.

Visitor

The President introduced Mr. John M. Rankin, Attorney General of the state of Iowa, who addressed the Legislature briefly.

Adjournment

At 12:02 p. m. on motion by Mr. Lambert, the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

SIXTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, April 2, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Mueller, who was excused.

The Journal for the Sixtieth Day was approved as corrected.

PETITIONS AND MEMORIALS

A copy of Joint Memorial No. 8 of the state assembly of Oregon was received through the Governor's office.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce & Insurance

L. B. No. 97, Tuesday, April 8, 1941, 2:00 p. m.

L. B. No. 100, Tuesday, April 8, 1941, 2:00 p. m.

L. B. No. 445, Tuesday, April 8, 1941, 2:00 p. m.

L. B. No. 394, Thursday, April 10, 1941, 2:00 p. m.

Labor & Public Welfare

L. B. No. 504, Monday, April 7, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Labor & Public Welfare

LEGISLATIVE BILL NO. 204. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 204:

1. Amend the bill, page 3, section 1, by striking that part of said section commencing with "(4)" in line 35 therein down to and including the word and punctuation **"entity;"** in line 57 therein.

2. Amend the bill, page 3, section 1, by renumbering the Arabic numbered paragraphs therein to conform with the foregoing amendment.

(Signed) Sullivan, Chairman

Banking, Commerce & Insurance

LEGISLATIVE BILL NO. 102. Indefinitely postponed.

LEGISLATIVE BILL NO. 412. Placed on General File.

LEGISLATIVE BILL NO. 411. Placed on General File.

LEGISLATIVE BILL NO. 317. Indefinitely postponed.

LEGISLATIVE BILL NO. 335. Indefinitely postponed.

LEGISLATIVE BILL NO. 170. Indefinitely postponed.

LEGISLATIVE BILL NO. 67. Placed on General File.

LEGISLATIVE BILL NO. 396. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 396:

1. Amend the bill, page 2, section 1, line 9 by striking the word "published" therein.

2. Amend the bill, page 1, title, line 4 by striking therefrom the indefinite article "a" therein and by inserting in lieu thereof the definite article "the"; and after the word "period" in said line 4, insert the words "and manner".

(Signed) Thornton, Chairman

Claims & Deficiencies

LEGISLATIVE BILL NO. 398. Placed on General File.

(Signed) Lambert, Chairman

Enrollment & Review

LEGISLATIVE BILL NO. 215. Placed on Select File with amendments.

E and R amendments to L. B. No. 215:

1. Strike all of the general file amendments, Price, after the word and punctuation "adopted:" in line 2 therein and restate as follows: "A. Strike section 3, page 4 of the bill; amend the bill, page 1, title, line 5, by inserting after the word and punctuation "Nebraska;" and before the preposition "to" therein the conjunction "and"; and in lines 6 and 7 of said title, strike the words "; and to declare an emergency".

LEGISLATIVE BILL NO. 217. Placed on Select File with amendments.

E and R amendments to L. B. No. 217:

1. Amend the bill, page 2, section 1, line 3, by striking therefrom the definite article "The" and by inserting in lieu thereof the definite article "the".

2. Amend the bill, page 1, title, line 7, by inserting immediately after the figures and punctuation "1929;" and before the preposition "to" therein, the conjunction "and".

3. Amend the bill, page 1, title, line 3, by inserting after the preposition "by" therein, the following:

"the register of deeds or the".

4. Amend the Standing Committee Amendments, amendments 1, 2 and 3 by underscoring the last phrase in quotes in each of said amendments.

5. Amend the bill, page 2, section 1, line 18, by striking the word "he" therein and by inserting in lieu thereof the words **"the county clerk"**.

6. Amend the bill, page 2, section 1, line 10, by inserting after the word and punctuation "cents:" the following: "Provided, further,".

LEGISLATIVE BILL NO. 101. Placed on Select File with amendments.

E and R amendments to L. B. No. 101:

A. Amend the bill, page 3, section 1, line 40 by striking therefrom the word **"dollars"** therein.

B. Amend the Select File amendments, Crosby, March 26, 1941, by striking therefrom the word "seventeen" and by inserting in lieu thereof the word "sixteen".

C. Amend the Enrollment & Review Amendments, page 3, amendments Nos. 20, 21, 22, 23 and 25 by striking all underscoring from words in quotation marks.

D. Amend the bill, page 11, section 12, line 13, page 11, section 13, line 2 and page 15, section 14, line 93 by striking the word "article" in each of said lines respectively and by inserting in lieu thereof the word "act".

LEGISLATIVE BILL NO. 239. Placed on Select File with amendments.

E and R amendments to L. B. No. 239:

1. Amend the standing committee amendments, amendment No. 4, page 1, by striking the first 3 lines therein and by inserting in lieu thereof the following: "4. Amend the bill, page 1, title, line 3, by striking all of said title after the figures and punctuation "1929," therein and by inserting in lieu thereof the following:".

LEGISLATIVE BILL NO. 130. Placed on Select File with amendments.

E and R amendments to L. B. No. 130:

1. Amend the bill, page 3, section 2, line 44 by underscoring the figures and punctuation "8, 1939".

2. Amend the bill, page 3, section 3, line 6a by striking the punctuation "," therein and by inserting in lieu thereof the punctuation ".".

3. Amend the General File amendments, amendment 2, Peterson, by underscoring the figures "130" wherever the same appears therein.

4. Amend the bill, page 6, section 5, lines 36 and 37 by underscoring the words, figures and punctuation "Article 13, Chapter 19, C. S. Supp., 1939,"

5. Amend the bill, page 7, section 7, line 19 by striking therefrom the word "non-payment" therein and by inserting in lieu thereof the word **"nonpayment"**.

6. Amend the bill, page 7, section 7, line 27b, by striking the first punctuation "," after the figure "2" therein; and also on page 8, section 8, line 19, strike the punctuation "," after the figure "2" therein.

7. Amend the bill, page 8, section 9, line 1 by striking the figures **"1939"** therein and by inserting in lieu thereof the figures "1939".

8. Amend the printed bill only page 8, section 9, line 19b by striking the word "compiled" therein and by inserting in lieu thereof the word "complied".

9. Amend the bill, page 9, section 9, line 26 by underscoring the words "fifty-fifth session".

10. Amend the bill, page 12, section 14, line 61 by underscoring the figures "1941" therein.

11. Amend the bill, page 12, section 15, line 21, by inserting after the word "all" and before the word "requirements" the definite article "the".

12. Amend the bill, page 14, section 15, line 92 by underscoring the word "fifty-fifth" therein; also in line 93 underscore the words, punctuation and figures "state legislature, 1941".

13. Amend the bill, page 15, section 16, line 15 by striking the punctuation "," at the end of said line.

14. Amend the bill, page 15, section 17, line 5 by inserting the punctuation "," after the syllable "lished" and before the word "directed".

15. Amend the bill, page 16, section 17, line 38, by inserting after the word "do" therein, the word "so"; and after the punctuation ":", insert "Provided".

16. Amend the bill, page 16, section 18, line 12, by inserting the punctuation "," after the last word "county" therein.

17. Amend the bill, page 17, section 18, line 33, by inserting the punctuation "," after the word "shall" and before the word "on" therein; and in line 34, insert the punctuation "," after the word "November" therein.

18. Amend the bill, page 17, section 18, line 39, by striking the punctuation "," after the word "penalties" therein.

19. Amend the bill, page 18, section 20, line 9 by striking the word "Wherever" and by inserting in lieu thereof the word "Whenever".

20. Amend the bill, page 19, section 20, line 20, by underscoring the word "sections" therein.

21. Amend the bill, page 19, section 21, line 1, by inserting the punctuation "," after the section symbol "17-567" therein.

22. Amend the bill, page 19, section 21, line 7, by striking the word "coeporation" and by inserting in lieu thereof the word "corporation".

23. Amend the bill, page 19, section 21, line 31a original bill (31b printed bill), by inserting after the figures and punctuation "1959," the following: "Comp. St."; and underscore C. S. therein; also, after "Supp.," insert "1937", and underscore "1939".

24. Amend the bill, page 20, section 21, line 38, by inserting after the conjunction **"and"** therein the punctuation ",".

25. Amend the bill, page 21, section 22, line 3, by inserting the punctuation "," after the word "required" and before the word "during" therein.

26. Amend the bill, page 22, section 24, line 3, by striking therefrom the word "for" and by inserting in lieu thereof the word "four".

27. Amend the bill, page 23, section 26, line 12, by inserting after the last preposition "of" therein, the definite article "the".

28. Amend the bill, page 24, section 28, line 4, by inserting the punctuation "," after the word "therein" and before the word "may".

29. Amend the bill, page 26, section 30, line 9, by striking the word **"provided"**, and by inserting in lieu thereof the following: **"and provided further"** ; and also in line 10 of said section strike ": **Provided"**, and insert in lieu thereof **"; and provided further"**.

30. Amend the bill, page 29, section 34, line 11, by inserting

after the word "seven" and before the preposition "per" therein the following: "(7%)".

31. Amend the bill, page 1, title, line 15, by striking the punctuation "," after the section symbol "77-2039" therein.

32. Amend the bill, page 6, section 5, lines 37 and 38, by striking therefrom the following: ", Nebraska State **state** Legislature, 1939; **legislature**".

33. Amend the bill, page 15, section 17, line 5, by inserting the punctuation "," after the word and punctuation "Concern' " and before the word "to".

34. Amend the bill, page 19, section 21, line 6, by striking the word "with" therein and inserting in lieu thereof the word **"within"**.

35. Amend the bill, page 22, section 23, line 9a, by striking the word **"fifty"** and inserting in lieu thereof the word **"fifth"**.

36. Amend the bill, page 32, section 39, line 19, by striking the syllable "date" and inserting in lieu thereof the syllable "cate".

LEGISLATIVE BILL NO. 231. Placed on Select File with amendments.

E and R amendments to L. B. No. 231:

1. Amend the bill, page 3, section 2, line 1 by striking therefrom the abbreviation, punctuation and figure: "Sec. 2" therein and by inserting in lieu thereof the following: "Section 1"; and renumber all succeeding sections in the bill to conform with the within amendment.

2. Amend the Standing Committee amendments, 1 and 2 by underscoring all words in quotation marks therein.

3. Amend the bill, page 9, section 5, line 23 by striking the word "Insofar" and by inserting in lieu thereof the words **"In so far"**.

4. Amend the bill, page 10, section 6, line 26 by striking the second Arabic numeral **"3"** therein and by inserting in lieu thereof the Arabic numeral **"2"**.

5. Strike Standing Committee amendment No. 7 and insert in lieu thereof the following:

"Amend the bill, page 12, Section 9, line 11 by inserting after the word **"shall"** and before the word **"be"** therein the words **"receive and"**.

6. Amend the bill, page 12, section 10, line 1 by striking the section symbol and punctuation "32-903," therein.

7. Amend the bill, page 1, title, line 2 by striking therefrom the section symbol and punctuation "32-903,".

(Signed) Crosby, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill No. 128

MOTION—To Permit Introduction of Bill

Mr. President: I move that the rules be suspended to permit the introduction of a bill. (Signed) Bevins

The motion prevailed with 32 ayes, no nays, 11 not voting.

MOTION—To Permit Introduction of Bill

Mr. President: I move that the rules be suspended to permit the introduction of a bill by the Committee on Appropriations.

(Signed) Callan

Speaker Howard presiding

The motion was lost with 17 ayes, 10 nays, 16 not voting.

President Johnson presiding

MOTION—To Permit Introduction of Bill

Mr. President: I move that the rules be suspended to allow the introduction of a bill, that same be read first and second time, and be placed immediately on Select File. (Signed) Crosby

The motion prevailed with 32 ayes, no nays, 11 not voting.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 504. By Bevins of Douglas.

A bill for an Act to amend Sec. 48-604, C. S. Supp., 1939, relating to labor; to establish rules regulating the commissioner of labor in making agreements with or referring employees to certain organizations for purposes of employment; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 505. By Van Diest of Loup, Asimus of Holt, Knezacek of Valley.

A bill for an Act relating to insurance; to provide for a deposit to be required of domestic assessment associations hereafter organized to transact the business of accident or health insurance; to provide for the deposit of same with the department of insurance; to provide a method for the accumulation of such deposit by existing companies; to provide for the withdrawal thereof to pay claims and restoration of any such withdrawal; to provide that no foreign assessment accident and health association shall hereafter be authorized to do business in Nebraska unless it shall have assets on deposit with the insurance department of the state of its domicile in an amount at least equal to those required of like domestic associations.

MOTION—To Read Second Time

Mr. President: I move that the rules be suspended and that L. B. No. 504 and L. B. No. 505 be read the second time now.

(Signed) Bevins

The motion prevailed with 34 ayes, no nays, 9 not voting.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

LEGISLATIVE BILL NO. 504. By Bevins of Douglas.

Referred to Committee on Labor & Public Welfare.

LEGISLATIVE BILL NO. 505. By Van Diest et al.

Placed on Select File.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 210.

A bill for an Act relating to crimes and punishments; to declare it unlawful to disturb the peace; and to provide penalties.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 35:

Adams, E. A.	Crossland	Mekota	Sorrell
Adams, J. Jr.	Gantz	Metzger	Sullivan
Asimus	Hanna	Murphy	Thomas, Amos
Blome	Howard	Neubauer	Thomas, Ray
Bowman	Jeppesen	Norman	Thornton
Brodahl	Johnson	Peterson	Tvrdik
Callan	Knezacek	Price	Van Diest
Carlson	Kotouc	Raecke	Weborg
Crosby	Matzke	Reed	

Voting in the negative, 5:

Carmody	Lambert	Mischke	Rakow
Greenamyre			

Not voting, 3:

Bevins	Garber	Mueller

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 153.

A bill for an Act to repeal Secs. 44-1401 and 44-1402, C. S. Supp., 1939; and to repeal Sections 44-1403, 44-1404, 44-1405, 44-1406, 44-1407, 44-1408, 44-1409, 44-1410, 44-1411 and 44-1412, Compiled Statutes of Nebraska, 1929, relating to state hail insurance.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 40:

Adams, E. A.	Crossland	Matzke	Rakow
Adams, J. Jr.	Gantz	Mekota	Reed
Asimus	Greenamyre	Metzger	Sorrell
Blome	Hanna	Mischke	Sullivan
Bowman	Howard	Murphy	Thomas, Amos
Brodahl	Jeppesen	Neubauer	Thomas, Ray
Callan	Johnson	Norman	Thornton
Carlson	Knezacek	Peterson	Tvrdik
Carmody	Kotouc	Price	Van Diest
Crosby	Lambert	Raecke	Weborg

Voting in the negative, 0.

Not voting, 3:

Bevins	Garber	Mueller

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MESSAGE FROM THE GOVERNOR

Veto L. B. No. 150

April 2, 1941

To the President, the Speaker and Members of the Legislature

Gentlemen:

I am returning without my signature Legislative Bill No. 150.

The intention of this bill is to protect beaver. In my judgment, the beaver is the greatest enemy that trees have, and I feel that in the State of Nebraska it is far more important to protect the trees than it is to protect the beaver.

I have been along many streams in this state and have seen hundreds of stumps which were made by beaver, and I prefer that they be preserved in some other state.

Under the present law, without this amendment, the control of beaver is in the hands of the landowner— he can protect them or not, as he sees fit—and I feel that his judgment is better than that of a far-away commission.

Respectfully submitted,

(Signed) Dwight Griswold
Governor

SELECT FILE

LEGISLATIVE BILL NO. 337. Mr. Van Diest moved to indefinitely postpone.

The motion prevailed.

LEGISLATIVE BILL NO. 213. Mr. Weborg offered the following amendment, which was adopted by unanimous consent:

Amend the standing committee amendments, mimeographed, March 3, 1941, page 4, section 4 (old numbering), line 19, by striking the word "any" therein and by inserting in lieu thereof the word "no".

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 65. Mr. Mekota moved to refer to General File for the following Specific amendment:

Amend the bill, page 2, section 1, by striking all that part beginning with the word "for" after the word "thing" in line 21 down to and including the word "thousand" in line 34, and inserting in lieu thereof the words "in consideration for votes or the promise of votes."

The motion prevailed.

Placed on General File.

LEGISLATIVE BILL NO. 133. Mr Bowman moved to refer to General File for the following Specific amendment:

Amend the bill, page 3, section 1, lines 37 and 38 by striking therefrom the words **"without regard to population".**

Mr. Price moved to suspend further action on the Bowman motion until 11:00 a. m. Friday, April 4, 1941.

The motion prevailed with 11 ayes, 8 nays, 24 not voting.

LEGISLATIVE BILL NO. 152. E and R amendment, found in the Legislative Journal for the Sixtieth Day, was adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 239. E and R amendments, found in this Day's Journal, were adopted.

Referred to E and R for engrossment.

REQUEST—To Withdraw Bill

Mr. Rakow requested unanimous consent to withdraw Legislative Bill No. 423.

No objection was offered and the President so ordered.

MOTION—To Place at Head of General File

Mr. President: I move that legislative bills numbered 161, 151, 221, 252, 299, 328, 372, 379, 470, 418, 432, 463, 502 and 290 be placed at the head of General File. (Signed) Callan

The motion prevailed with 38 ayes, 0 nays, 5 not voting.

GENERAL FILE

Special Order—11:00 a. m.

LEGISLATIVE BILL NO. 12. Mr. Peterson moved that his amendments, found in the Legislative Journal for the Sixtieth Day, be adopted.

The motion prevailed with 33 ayes, 3 nays, 7 not voting.

Referred to E and R for review.

STANDING COMMITTEE REPORTS (Continued)

Enrollment & Review

LEGISLATIVE BILL NO. 152. Correctly engrossed.

(Signed) Crosby, Chairman

Approved by the Governor

April 2, 1941

To the President and Members of the Legislature

Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that on April 1, 1941, he signed the following bills, viz:

L. B. No. 377 L. B. No. 75 L. B. No. 80

Respectfully submitted,

(Signed) Val Peterson,
Secretary to the Governor.

REQUEST—To Make Special Order

John Adams, Jr. requested unanimous consent to make the consideration of L. B. No. 328 a Special Order for Thursday April 3, 1941 at 11:00 a. m.

No objection was offered and the President so ordered.

MESSAGE FROM THE GOVERNOR

Appropriation for Camp Robinson

April 2, 1941

To the President, the Speaker and Members of the Legislature

Gentlemen:

There are several thousand Nebraska men in different organizations of the 35th Division at Camp Robinson, Arkansas. These men are members of the National Guard or selectees who are serving during the national emergency. They come from almost every community in the state and from all walks of life and we know they will conduct themselves creditably and that the entire state will be proud of their record.

Life in the Army is different, as we all well realize. The government will take care of the physical wants of the men, but there are other requirements which are just as necessary. Recreation and entertainment are necessities for soldiers, and I feel that Nebraska must do its part in making available some of the things that our boys need. Fathers, mothers, and friends of these men certainly desire that this be done.

I understand that in the Nebraska organizations at Camp Robinson there is a shortage of athletic and recreational equipment, and I am, therefore, recommending to your honorable body that you make available by resolution not to exceed $4,000.00 out of the unexpended

balance previously appropriated for the maintenance of the National Guard. This sum to be spent under the direction of the Adjutant General to purchase such athletic or recreational equipment as he deems advisable.

Respectfully submitted.

(Signed) Dwight Griswold
Governor

Adjournment

At 12:16 p. m. on motion by Mr. Weborg, the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

SIXTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, April 3, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Price who was excused.

The Journal for the Sixty-first Day was approved as corrected.

PETITIONS AND MEMORIALS

The following petitions were introduced:

One, opposing L. B. No. 470; one, opposing L. B. No. 89; one, regarding hypnotism.

A petition was received through the Governor's office favoring L. B. No. 216, L. B. No. 351, and L. B. No. 378 and suggesting an amendment for L. B. No. 216.

NOTICE OF COMMITTEE HEARINGS

Government

L. B. No. 506, Wednesday, April 9, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL NO. 415. Placed on General File.

LEGISLATIVE BILL NO. 348. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 348:

1. Amend the bill, page 2, section 1 by striking that part of said section commencing with the word **"obtained"** in line 7 therein down to and including the word **"accounting"** in line 8 therein.

2. Amend the bill, page 4, section 1, line 92 by inserting after the word **"thereon"** therein the following: **"; and amounts within the limits of this provision in Nebraska state banks in which the average deposits for the preceding year do not exceed ten times the average combined capital, surplus, undivided profits and reserves during the same period".**

3. Amend the bill, pages 4 and 5, section 1, by striking that part of said section after the word **"preferred"** therein in line 98 on page 4 down to and including the word **"in"** in line 112 on page 5 therein and by inserting in lieu thereof the following: **"stock of any corporation organized under the laws of the United States or any state thereof, subject to the following conditions: (1) In the case of a public utility corporation, said corporation during the five years immediately preceding the date of purchase shall have earned by an average of at least two times both the interest on its funded debt, if any, and its preferred dividend requirement, and in no year during said period shall have earned said combined interest charges and preferred dividend requirement less than one and one-half times, and said corporation during said five-year period shall have paid the interest on its funded debt, if any, and its preferred dividend requirements, without interruption; (2) as to any other corporation said corporation during the five years immediately preceding the date of purchase shall have earned by an average of at least three times both the interest on its funded debt, if any, and its preferred dividend requirement, and in no year during said period shall have earned said combined interest charges and preferred dividend less than two times, and said corporation during said five-year period shall have paid the interest on its funded debt, if any, and its preferred dividend requirements, without interruption; (3) and in the case of an original or new issue of preferred stock of a corporation, said preferred stock shall qualify hereunder if the earnings of said corporation during the five years immediately preceding purchase of said preferred stock would have been sufficient to have provided for the coverage hereinabove required and if the amount of preferred stock purchased for an account shall not exceed twenty per cent of the total approximate value of the account at the time of such purchase. (j) In".**

(Signed) Gantz, Chairman

Enrollment & Review

Presented to Governor for approval

Wednesday, April 2, 1941 at 2:55 p. m.

Legislative Bill No. 128.

LEGISLATIVE BILL NO. 210. Correctly enrolled.

LEGISLATIVE BILL NO. 153. Correctly enrolled.

(Signed) Crosby, Chairman

Signed by President

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 210 L. B. No. 153

REQUEST—To Withdraw Bill

Mr. Amos Thomas requested unanimous consent to withdraw Legislative Bill No. 370.

No objection was offered and the President so ordered.

MESSAGE FROM THE GOVERNOR

Boundary Iowa-Nebraska

April 3, 1941

To the President, the Speaker and Members of the Legislature

Gentlemen:

Pursuant to negotiations conducted by myself and Walter R. Johnson, Attorney General, on behalf of the State of Nebraska, with George A. Wilson, Governor, and John M. Rankin, Attorney General, of the State of Iowa, it has been agreed that similar and reciprocal bills should be introduced in the Legislature of each state establishing the boundary line between the states of Nebraska and Iowa, which when passed and approved by the Congress will constitute a compact

effectually determining said boundary line. The Attorney Generals of each state have agreed upon the substance and form of the bills which are to be submitted, a copy of which is herewith submitted to you, and I respectfully request that this bill be introduced by the proper committee of the Legislature for consideration and enactment into law.

Respectfully submitted,

(Signed) Dwight Griswold
Governor.

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 16. Recreation Equipment for Camp Robinson.

To provide athletic and recreational equipment for members of the Nebraska National Guard and Nebraska selectees at Camp Robinson.

Introduced by Howard of McPherson, Callan of Gage: Norman, Tvrdik, Amos Thomas of Douglas; Ray Thomas of Clay, Mekota of Saline

WHEREAS, there are several thousand Nebraska men serving in the 134th Infantry, 110th Quartermaster Regiment and 110th Medical Regiment, now stationed at Camp Joseph T. Robinson in Arkansas and now undergoing intensive military training under the national emergency program, and

WHEREAS, the people of the state of Nebraska are justly proud of the record the members of these units are making in support of national defense, and desire in some measure to show an evidence of their appreciation of the sacrifices and devotion to duty of these men, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-FIFTH REGULAR SESSION ASSEMBLED:

1. That the sum of four thousand dollars be made available out of the unencumbered funds now standing to the credit of the fund for military support of the Nebraska National Guard to be expended by the Adjutant General through the state purchasing department, with the approval of the governor, for the purchase of athletic and recreational equipment for distribution to the 134th Infantry, 110th Quartermaster Regiment and 110th Medical Regiment.

2. That all such equipment purchased pursuant to this resolution, be in conformity with the requests of the commanding officers of the

above named units, and that the funds made available be prorated to the credit of each such unit, based upon the present enlisted strength thereof, and that the cost of all equipment furnished under this resolution be charged against the pro rata share of the unit receiving such equipment.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 506. By Metzger of Cass.
Requested by Governor Griswold

A bill for an Act to establish the boundary line between Nebraska and Iowa by agreement; to cede to Iowa and to relinquish jurisdiction over lands now in Nebraska but lying easterly of said boundary line and contiguous to lands in Iowa; to provide that the provisions of this act become effective upon the enactment of a similar and reciprocal law by Iowa and the approval of and consent to the compact thereby effected by the Congress of The United States of America, and to declare an emergency.

MOTION—To Read Second Time

Mr. President: I move that the rules be suspended and that L. B. No. 506 be read the second time now. Metzger

The motion prevailed with 35 ayes, no nays, 8 not voting.

BILLS ON SECOND READING

The following bill was read the second time by title:

(For title see Bills on First Reading)

LEGISLATIVE BILL NO. 506. Referred to Committee on Government.

SELECT FILE

LEGISLATIVE BILL NO. 215. E and R amendments, found in the Legislative Journal for the Sixty-first Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 217. E and R amendments, found in the Legislative Journal for the Sixty-first Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 101. E and R amendments, found in the Legislative Journal for the Sixty-first Day, were adopted.

Mr. Kotouc offered the following amendment, which was adopted by unanimous consent:

To strike all the words after "subdivision six.", lines 71, 72, and 73, Sec. 14, page 14, up to and including the word "poisons" in line 73, and insert the following: "It shall be unlawful for any person, other than a duly registered pharmacist, to sell or dispense poisons as named in section 13, except as otherwise provided in section 13 of this act".

Referred to E and R for engrossment.

Mr. Gantz presiding

LEGISLATIVE BILL NO. 130. E and R amendments, found in the Legislative Journal for the Sixty-first Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 231. E and R amendments, found in the Legislative Journal for the Sixty-first Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 505. Referred to E and R for engrossment.

President Johnson presiding

MOTION—To Refer for Review

Mr. President: I move to suspend the rules and advance L. B. No. 503 to the committee on Enrollment & Review for review.

(Signed) Kotouc

The motion was lost with 15 ayes, 7 nays, 21 not voting.

MOTION—To Amend Rules

Mr. President: Supplemental to motion adopted February 12, 1941, Legislative Journal Twenty-sixth Day, I move to amend the rules so that the committee on enrollment and review be authorized, without including in their report and recommendations for legislative permission to do so, in accordance with accepted usage, (1) to correct the spelling of misspelled words and to correct erroneous division of words in new and independent acts and in the new matter of amending acts and (2) to underscore or to remove underscoring, as case requires, in standing committee reports and in general file and specific amendments. (Signed) Crosby

Referred to Committee on Rules.

GENERAL FILE

LEGISLATIVE BILL NO. 65. E and R amendments, found in the Legislative Journal for the Fifty-eighth Day, were adopted.

Mr. Raecke moved that the Specific amendment to L. B. No. 65 (Mekota) be amended by striking the words "in consideration for votes or the promise of votes", and inserting in lieu thereof the words "as compensation for a vote or votes or the promise of a vote or votes".

The motion prevailed and the Mekota amendment, as amended, was adopted.

Mr. Mekota offered the following amendments, which were adopted:

On page 3, Sec. 1, strike all the words following the word "value" in line 36 down to and including the word "purposes" in line 38, and by inserting in lieu thereof the words "contrary to the provisions hereof" and by striking the words "and shall not be considered any part of the sum herein fixed as the limit of expenses" in lines 50 and 51.

Amend by striking, page 2, section 1, all of lines 15 and 16, and all of the words in line 17 down to and including the word "candidate" and by striking the word "Second" in line 17, and inserting in lieu thereof the word "First", and by striking the word "Third" in line 19 and by inserting in lieu thereof the word "Second".

Referred to E and R for review.

LEGISLATIVE BILL NO. 191. Passed over. Retains place on File.

LEGISLATIVE BILL NO. 161. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Forty-ninth Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 191. Mr. Van Diest withdrew his motion of the Fifty-eighth Day to indefinitely postpone.

Mr. Gantz offered the following amendment, which was adopted:

Amend the bill, page 2, section 1, by striking all of lines 9 to 20 inclusive therein and by inserting in lieu thereof the following:

" 'Sec. 4. The Legislature **legislature** shall provide by law for the election of such county and township officers as may be necessary: **Provided, however, the legislature may provide by law for a form of county government in which county officers may be elected or appointed, but such form shall be optional with each county and shall obtain in any county only upon the adoption thereof by the electors of such county.' ".**

John Adams, Jr. moved to indefinitely postpone.

After discussion thereon, Mr. Kotouc moved the previous question.

The President put the question "Shall the debate close?"

The motion was lost with 13 ayes, 22 nays, 8 not voting.

After further discussion, the motion to indefinitely postpone was lost with 16 ayes, 24 nays, 3 not voting.

Mr. Van Diest moved to refer to E and R for review.

The motion prevailed with 26 ayes, 12 nays, 5 not voting.

Special Order—11:00 a. m.

LEGISLATIVE BILL NO. 328. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Forty-fifth Day, were adopted.

John Adams, Jr. offered the following amendment, which was adopted:

Add the name of Charles F. Tvrdik as a co-introducer.

John Adams, Jr. offered the following amendments:

1. Amend the bill, pages 2, 3 and 4 by striking all of sections 1, 2 and 3 thereon and by inserting in lieu thereof the following:

"Section 1. The state superintendent of public instruction is hereby vested with the authority to improve the condition of the blind of the state of Nebraska under the terms of this act.

Sec. 2. It shall be the duty of the state superintendent of public instruction, as far as may be practicable, to provide for the following activities for blind residents of the state of Nebraska: (a) To prepare and maintain a complete register of the blind in the state of Nebraska, showing the name, location, age, length of residence, condition, cause of blindness, occupation, capacity for educational and industrial training of each, together with such other facts as may seem to the board to be of value; (b) to provide suitable and practical training for blind persons other than those in the Nebraska school for the blind; (c) to assist blind persons to find remunerative employment suited to their needs and capacities; (d) to assist blind workers to find a market for their wares and to obtain tools and materials needed in their work; (e) to encourage and stimulate blind persons in their efforts toward self-improvement and self-support; (f) to collect, interpret and dissimulate information relating to the cause, prevention and cure of blindness; (g) to provide for the vocational training of blind persons other than those in the Nebraska school for the blind, and, in this, to coordinate said activities with those of the vocational rehabilitation division of the state; (h) to provide treatments, hospitalization and any other services deemed necessary for the prevention of blindness and for the restoraton of eyesight for persons who are or may reasonably be expected to become blind, under the definition of this act: **Provided,** such services may reasonably be expected to render such persons employable; **and provided further,** that funds from no other sources are available for such services; (i) to take the necessary steps to be named as a licensing agency for operating stands by blind persons in federal buildings in Nebraska, and to function as the licensing agency, if and when this permission is granted.

Sec. 3. The state superintendent of public instruction shall have power to appoint an executive director, to fix his salary and define his duties. The executive director with the advice and consent of the State Superintendent of public instruction (a) shall employ assistants, agents and teachers necessary for the purposes of this act and to fix their compensation; (b) may make loans to worthy blind persons to aid in their studies, training, rehabilitation or in carrying on business, to collect said loans and to accept payments or partial payments thereon; (c) shall incur necessary expenses in carrying out the pro-

visions of this act; (d) to promulgate rules and regulations, not inconsistent with this act, for its proceedings and the administration of the affairs under its jurisdiction; (e) to prescribe qualifications for staff personnel.".

2. Amend the bill, pages 4 and 5 by striking all of sections 5, 6 and 7 thereon and by inserting in lieu thereof the following:

"Sec. 5. The state superintendent of public instruction shall keep a full record of his proceedings and all his receipts and his reimbursements in carrying out his duties under this act, and, shall, on or before the fifteenth day of December next preceding the expiration of each biennial period, make full report to the governor of his work and submit to him his proposed budget for the ensuing biennium.

Sec. 6. The funds appropriated by the legislature for the purposes of administering this act and any other funds which shall become available therefor, or which shall be received by the state superintendent of public instruction therefor, shall be disbursed by the said superintendent exclusively for carrying out the purposes of this act. The said superintendent may receive and disburse gifts, donations and bequests either for immediate use or for endowment of the program provided for by this act. He may receive and disburse funds made available for the purposes of this act by the federal government or departments thereof. The state treasurer shall be the custodian of any funds so received and he shall husband and keep the same strictly in accordance with the conditions imposed by the donors.

Sec. 7. There is hereby appropriated out of the general fund in the state treasury, for the biennium ending June 30, 1943, out of any moneys not otherwise appropriated, the sum of twenty thousand dollars to enable the state superintendent of public instruction to carry out the provisions of this act. The state treasurer, immediately after the effective date of this act, shall transfer from the general fund the sum herein appropriated to the **"blind improvement fund"**. Upon proper vouchers approved by the state superintendent of public instruction, the auditor of public accounts shall draw his warrants on said fund; and the state treasurer shall pay the same out of but never in excess of the amount herein specifically appropriated or credited to said fund.".

3. Amend the bill, page 5, by inserting immediately after section 7, line 15 thereon, a new section as follows:

"Sec. 8. There is hereby established an advisory committee, to be known as **"the advisory committee for the improvement of the condition of the blind"**, consisting of the superintendent of the state school for the blind, the head of the department of sociology, university of Nebraska, and three persons to be appointed by the governor

and selected with reference to their special interest and activity in the problems of the blind, at least one of whom shall be a doctor of medicine who has been specially trained in diseases of the eye and two of whom shall be blind persons. The advisory committee shall select one of its members to preside as chairman. The function of the advisory committee shall be to assist the state superintendent of public instruction by counseling and advising with them regarding the formulation of plans and policies for the conduct of the program for the blind established by this act. The members of the committee shall receive no compensation for their services as such members, but shall be reimbursed for actual necessary expenses incurred in the discharge of the duties required by this act. The members of the committee who are appointed by the governor shall serve for a term of two years and until their successors are appointed. Any vacancy in the appointive members of the committee shall be filled by appointment by the governor for the unexpired term. The advisory committee shall meet in regular session once every three months and, at such other times, as may be fixed by the state superintendent of public instruction.

4. Amend the bill by renumbering sections 8 and 9 to conform with all amendments previously adopted.

5. Amend the bill, page 5, section 8, line 4 by striking therefrom the word "effect", and by inserting in lieu thereof the word "affect".

6. Amend the bill, page 5, section 9, line 2 by striking therefrom the section symbol "83-818", and by inserting in lieu thereof "83-318".

7. Amend the bill, page 1, title, by striking all of said title after the word "ACT" therein, and by inserting in lieu thereof the following:

"relating to the blind in and for the state of Nebraska; and provide for improving their condition under authority of the state superintendent of public instruction and the **advisory committee for the improvement of the blind;** to appropriate therefore the sum of twenty thousand dollars for the biennium ending June 30, 1943; to state a validity clause; and to repeal Sections 83-311, 83-312, 83-313, 83-314, 83-315, 83-316, 83-317, 83-318 and 83-319, Compiled Statutes of Nebraska, 1929.".

The above amendments were read and considered, but no action was taken thereon.

Adjournment

At 12:18 p. m. on motion by Mr. Rakow, the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

SIXTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Friday, April 4, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Van Diest, who was excused until 11:00 a. m.

The Journal for the Sixty-second Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Mueller, one, opposing L. B. No. 272; Mr. Greenamyre, one, opposing L. B. No. 485, one, opposing L. B. No. 284; Mr. Gantz, three, favoring a tax exemption for gasoline used in farm motors; Mr. Hanna, six, asking that the money from the hog serum fund be appropriated for a new foods and nutrition building at the Agricultural College.

STANDING COMMITTEE REPORTS

Banking, Commerce & Insurance

LEGISLATIVE BILL NO. 219. Placed on General File.

LEGISLATIVE BILL NO. 76. Indefinitely postponed.

LEGISLATIVE BILL NO. 175. Indefinitely postponed.

LEGISLATIVE BILL NO. 286. Indefinitely postponed.

LEGISLATIVE BILL NO. 297. Indefinitely postponed.

LEGISLATIVE BILL NO. 309. Indefinitely postponed.

LEGISLATIVE BILL NO. 312. Indefinitely postponed.

(Signed) Thornton, Chairman

Public Health & Miscellaneous Subjects

LEGISLATIVE BILL NO. 294. Placed on General File.

LEGISLATIVE BILL NO. 399. Placed on General File.

LEGISLATIVE BILL NO. 501. Placed on General File.

(Signed) Ray Thomas, Chairman

Government

LEGISLATIVE BILL NO. 417. Placed on General File.

LEGISLATIVE BILL NO. 436. Placed on General File.

LEGISLATIVE BILL NO. 142. Indefinitely postponed.

LEGISLATIVE BILL NO. 193. Indefinitely postponed.

LEGISLATIVE BILL NO. 242. Indefinitely postponed.

LEGISLATIVE BILL NO. 259. Indefinitely postponed.

LEGISLATIVE BILL NO. 365. Indefinitely postponed.

LEGISLATIVE BILL NO. 366. Indefinitely postponed.

LEGISLATIVE BILL NO. 371. Indefinitely postponed.

LEGISLATIVE BILL NO. 469. Indefinitely postponed.

(Signed) Sorrell, Chairman

Enrollment & Review

Presented to Governor for approval

Wednesday, April 3, 1941 at 5:10 p. m.

L. B. No. 153 L. B. No. 210

LEGISLATIVE BILL NO. 226. Correctly reengrossed.

LEGISLATIVE BILL NO. 171. Correctly engrossed.

LEGISLATIVE BILL NO. 341. Replaced on Select File with amendments.

E and R amendments to L. B. No. 341:

1. Amend the bill, page 6, section 3, line 6, by inserting the punctuation "," after the word "preparation" and before the word "in".

2. Amend the bill, page 7, section 3, line 38, by inserting the word "of" after the last word "or" and before the word "any".

LEGISLATIVE BILL NO. 21. Placed on Select File with amendments.

E and R amendments to L. B. No. 21:

1. Amend the bill, page 2, section 1, line 22, by inserting the punctuation "," after the word "time" and before the word "the".

2. Amend the bill, title, by striking all of said title after the word "ACT" and inserting in lieu thereof the following: "to amend Section 14-1015, Compiled Statutes of Nebraska, 1929, relating to the powers of metropolitan water and metropolitan utilities districts; to provide for the control and rights of appointees and employees thereof; to empower the board of directors of such districts to provide benefits for and insurance of present and future appointees and employees against accident, disease, death, disability or retirement under plans and conditions determined by the board; to provide that certain appointees and employees shall not be entitled to the benefits provided for by this act; to empower such board of directors to establish and maintain reserves and funds and provide for premiums for the foregoing purposes and to adopt plans for beneficiaries' contributions; to provide retirement ages for certain employees and appointees and limits of retirement income for such retired and disabled employees and appointees; and to repeal said original section.".

LEGISLATIVE BILL NO. 429. Placed on Select File with amendments.

E and R amendments to L. B. No. 429:

1. Amend the bill, page 1, preamble, line 9, by inserting after the word "each" and before the word "said" the preposition "of".

2. Amend the bill, page 1, preamble, line 10, by striking the word "benefits" therein and by inserting in lieu thereof the word "benefit".

3. Amend the bill, page 2, section 1, line 7, by striking therefrom the punctuation "." after the word "respects".

LEGISLATIVE BILL NO. 368. Placed on Select File with amendments.

E and R amendments to L. B. No. 368:

1. Amend the bill, page 2, section 2, line 6 by striking the word "insofar" therein and by inserting in lieu thereof the words "in so far".

2. Amend the bill, page 5, section 12, line 4, by striking therefrom the words "courts martial" and by inserting in lieu thereof the word "courts-martial".

LEGISLATIVE BILL NO. 455. Placed on Select File.

LEGISLATIVE BILL NO. 291. Placed on Select File with amendments.

E and R amendments to L. B. No. 291:

1. Amend the bill, page 3, section 1, line 35 by striking the punctuation "." therein.

2. Amend the general file amendments, Van Diest, by inserting the punctuation ":" before the word "Provided" in line 2 therein; and in said line 2 strike the word and punctuation "however," therein; and underscore what remains in said amendment.

3. Amend the general file amendments, Brodahl, line 2 by striking the word "And" therein and by inserting in lieu thereof the word "and"; and in line 4 of said amendment strike the punctuation "." after the word "committeewomen" therein; and then underscore that which remains between the last quotation marks in said amendment.

4. Amend the bill, page 2, section 1, line 33, by inserting the punctuation "," after the word "convention" therein.

5. Amend the bill, page 1, title, line 5, by inserting after the word and punctuation "stead;" therein the following: "to prescribe the method to be followed in the filling of vacancies in the office of delegates elected to the county convention; to provide that the county convention shall elect a county chairman, secretary, treasurer, and precinct committeemen and committeewomen;"

LEGISLATIVE BILL NO. 135. Placed on Select File with amendments.

E and R amendments to L. B. No. 135:

Strike all standing committee amendments adopted March 25, 1941, pages 714 to 718 inclusive, Legislative Journal, and insert in lieu thereof the following:

1. Amend the bill, page 4, section 2, line 8, by inserting the figures **"135"** in the blank space therein.

2. Amend the bill, page 5, by striking all of section 5 therein and by inserting in lieu thereof the following:

"Sec. 5. That Section 16-101, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

16-101. All cities having more than five thousand and less than twenty-five thousand inhabitants, as ascertained and officially promulgated by the census return and enumeration taken under the authority of the laws of the United States in the year 1900 **1940, or** as may be hereafter ascertained and officially promulgated by the United States or under the authority of the State **state** of Nebraska or by the authority of the mayor and city council of any such city, **and any city of the second class, which, desiring to discontinue its organization as such, shall have adopted the form of government of cities of the first class, having a population of more than five thousand and less than twenty-five thousand inhabitants, pursuant to an election held as required in Section 16-102, Compiled Statutes of Nebraska, 1929, as amended by section 6, legislative bill No. 135, fifty-fifth session, Nebraska state legislature, 1941,** shall be governed by the provisions of this chapter and be known as cities of the first class having more than five thousand and less than twenty-five thousand inhabitants.

Sec. 6. That Section 16-102, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

16-102. Whenever any city of the second class shall have attained a population of more than five thousand inhabitants as provided by the next preceding section, **or shall have so adopted the form of government of cities of the first class, having a population of more than five thousand and less than twenty-five thousand inhabitants, pursuant to an election as hereinafter provided,** the mayor of such city may **shall** certify such fact to the governor who, upon the filing of such certificate, shall by proclamation so declare and thereafter such city shall be governed by provisions of such chapter; . **Subdivision 1. Whenever any city of the second class desires to discontinue its organization as such city of the second class and to adopt the form**

of government of cities of the first class, having a population of more than five thousand and less than twenty-five thousand inhabitants, and to reorganize as such city of the first class, and if thirty per cent of the qualified electors of such city of the second class, in number equal to the number of the electors thereof who voted for mayor at the last previous general municipal election held therein, shall petition the city council or local governing body of such city that the city adopt the form of government of cities of the first class, having a population of more than five thousand and less than twenty-five thousand inhabitants, and to reorganize as a city of the first class, such city council or local governing body shall refer such petition to the city clerk of such city; and, if the city clerk finds said petition to be sufficient, he shall report such finding to the city council or local governing body of such city and shall cause to be published for at least thirty days in a legal newspaper published in and of general circulation in such city, a notice stating that the question of adopting city of the first class government, applicable to first class cities having a population of more than five thousand and less than twenty-five thousand inhabitants, will be submitted to the electors of such city for their approval or rejection at a special election to be called and held therein for that purpose at a time and place to be therein stated or at the option of such city council or local governing body at the next annual general municipal election therein held. The form of the ballot shall be, "For Reorganization of the City of ....., Nebraska, as a City of the First Class", and "Against Reorganization of the City of....., Nebraska, as a City of the First Class". If a majority of the votes cast on the proposition are "For Reorganization of the City of—, Nebraska, as a City of the First Class", then the proposition shall be deemed and taken as carried and adopted, and the mayor of such city shall thereupon certify such fact to the governor of the state of Nebraska, who, upon the filing of such certificate shall by proclamation so declare, and shall declare such city to have become a city of the first class, having a population of more than five thousand and less than twenty-five thousand inhabitants, and thereafter such city shall be governed by the provisions of the statutes of the state of Nebraska applicable to and governing cities of the first class, having a population of more than five thousand and less than twenty-five thousand inhabitants, now or hereafter in force, and shall be classified with such cities of the first class, having a population of more than five thousand and less than twenty-five thousand inhabitants, unless and until such city shall, at some future time, readopt the form of government prescribed for a city of the second class having a population of more than one thousand inhabitants and less than five thousand inhabitants, in the manner provided by law. Subdivision 2. Within thirty days after the date of such governor's proclamation, if the proposition carries to reorganize such city as a city of the first class, each and every

officer of such city shall qualify and give bond as provided by the statutes of the state of Nebraska in cases of cities of the first class: Provided, that in any city which may hereafter become a city of the first class, having been a city of the second class, any councilman, whose term shall extend by reason of his prior election under the provisions governing such cities of the second class, through another year or years, shall continue to hold his office as councilman from the ward in which he is a resident, as if elected for the same term under the statutes of the state of Nebraska governing cities of the first class. Subdivision 3. If a majority of the votes cast on the proposition are "Against the Reorganization of the City of....., Nebraska, as a City of the First Class", then such city shall continue as a city of the second class and be governed under the provisions of the law relating to such cities of the second class, unless it shall, at some future annual general municipal election, reorganize as a city of the first class under procedure designated in this section: Provided, that the proposition to discontinue the organization of any city of the second class and to reorganize it as a city of the first class shall not again be submitted to the electors for the period of five years from and after the date of any such election, held subsequent to the enactment of this section into law. upon such proclamation being made by the governor each and every officer of such cities shall within thirty days thereafter qualify and give bonds as provided by this chapter.

Sec. 7. That Section 16-103, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

16-103. The government of such city cities of the second class having a population of more than one thousand inhabitants and less than five thousand inhabitants shall continue to remain and to be governed, as organized at the date of such proclamation, until the their reorganization of same under this chapter, when accomplished as provided in Section 16-102, Compiled Statutes of Nebraska, 1929, as amended by section 6, legislative bill No. 135, fifty-fifth session, Nebraska state legislature, 1941.

Sec. 8. That Section 16-104, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

16-104. The mayor and council of such city of the second class, in the event the proposition to reorganize it as a city of the first class is adopted, shall, within thirty days after the date of such proclamation by the governor, divide the city into not less than four wards, as may be provided by ordinance enacted by the mayor and council thereof, and such wards shall be as compact in form and equal in population as may be, the boundaries of which shall be defined by ordinance, ; and such ordinance shall to take effect at the next an-

nual city election after reorganization. Each ward shall constitute an election district: **Provided,** when any ward shall contain over five hundred legal voters, the mayor and council may divide such wards into two or more election districts. **Each and every elective officer of any such city shall continue to serve as such until the end of the term for which he was so elected, and shall qualify and give bond as provided by the statutes of the state of Nebraska in case of a city of the first class, having a population of more than five thousand and less than twenty-five thousand inhabitants.**

Sec. 9. That said original Secs. 17-162, 17-163, 17-164 and 17-165, C. S. Supp., 1939, are hereby repealed; and that said original Secs. 16-101, 16-102, 16-103 and 16-104, Compiled Statutes of Nebraska, 1929, are hereby repealed.

Sec. 10. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.".

3. Amend the bill, section 1, line 20, by inserting after the word "force" and before the word "desires" the words **"if such city".**

4. Amend the bill, page 1, title, by striking all that part of the title after the figures "1939" in line 3, and insert in lieu thereof the following:

"; to amend Section 16-101, 16-102, 16-103 and 16-104, Compiled Statutes of Nebraska, 1929, relating to municipal corporations; to provide that, notwithstanding decreases of population, cities of the first class having a population of more than five thousand and less than twenty-five thousand inhabitants, shall continue to be governed as such first class cities until reorganized; to prescribe procedure whereby such cities of the first class may reorganize and be governed as cities of the second class, and may subsequently, if it is so desired, reorganize and again be governed as cities of the first class; to provide that, notwithstanding increases of population, cities of the second class having a population of more than one thousand and less than five thousand inhabitants inhabitants, shall continue to be governed as such second class cities until reorganized; to prescribe procedure whereby such cities of the second class may reorganize and be governed as cities of the first class, and may subsequently, if it is so desired, reorganize and again be governed as cities of the second class; to repeal said original sections; and to declare an emergency.".

5. Amend the bill, page 2, section 1, line 9, by striking the punctuation "," after the word "census" and before the word "enumeration".

LEGISLATIVE BILL NO. 239. Correctly engrossed.

(Signed) Crosby, Chairman

Legislative Administration

Officers' and Employees' Position, Rate and Salary

February, 1941

Louis R. Eby	Ass't. Clerk	26	8.00 Day	208.00
George L. Santo	Sergeant at Arms	26	4.50	117.00
Tracy Frost	Ass't. Serg. Arms	26	4.00	104.00
Henry Vauck	Postmaster	26	4.00	104.00
Rev. L. L. Chambers	Chaplain	24	4.00	96.00
Laura Wickland	Tel. Operator	24	4.00	96.00
Jo Eastburn	Sec'y Lt. Gov	25	5.00	125.00
Lyda Hafer	Journal Clerk	25	5.00	125.00
Mrs. Pauline Flake	Ass't. Jrnl. Clk	24	4.00	96.00
Agnes Heagney	Chief Engro. Clk	25	5.00	125.00
F. J. McGhan	Bookkeeper	24	4.50	108.00
J. S. Hedgecock	Docket Clerk	24	4.00	96.00
Clara C. Turbyfill	Office Ass't.	24	4.00	96.00
Grace Gaines	Committee Clerk	25	5.00	125.00
Connie Wade	Committee Clerk	24	5.00	120.00
Edna Freeman	Committee Clerk	24	5.00	120.00
L. T. Fleetwood	Committee Clerk	20	5.00	100.00
Elizabeth Burnett	Committee Clerk	24	5.00	120.00
Hazel E. Capsey	Committee Clerk	24	5.00	120.00
Mae Ellingson	Committee Clerk	24	5.00	120.00
Lorraine Schwenk	Committee Clerk	24	5.00	120.00
Harvey Galloway	Committee Clerk	24	5.00	120.00
Edith Peterson	Committee Clerk	23	5.00	115.00
Eleanore Bricker	Stenographer	24	4.00	96.00
Isla Replogle	Stenographer	24	4.00	96.00
Yvonne Wood	Stenographer	24	4.00	96.00
Catherine Boggus	Stenographer	24	4.00	96.00
Bernice Lundeen	Stenographer	24	4.00	96.00
Gloria Nelson	Stenographer	24	4.00	96.00
Elinor Doran	Stenographer	24	4.00	96.00
Helen Norris	Stenographer	24	4.00	96.00
Irma Campbell	Stenographer	24	4.00	96.00
Maxine Stefanski	Stenographer	24	4.00	96.00
Henrietta Zeller	Stenographer	24	4.00	96.00
Kathryn Jean Ellsworth	Stenographer	24	4.00	96.00
Gentry Hobson Colburn	Stenographer	24	4.00	96.00
Genevieve Prebyl	Stenographer	24	4.00	96.00
Margaret Stegeman	Stenographer	21½	4.00	86.00
Sarah Buckman	Stenographer	17	4.00	68.00
G. F. Martin	Chief Bill Clk	24	4.50	108.00

Cecil B. Schmitt	Ass't Bill Clk	24	4.00	96.00
Richard Wait	Ass't Bill Clk	24	4.00	96.00
Edw. J. Branigan	Ass't Bill Clk	24	4.00	96.00
Geo. A. Roberts	Ass't Bill Clk	24	4.00	96.00
Gus E. Neumann	Ass't Bill Clk	24	4.00	96.00
Herman Kroon	Mimeograph Opr.	24	4.00	96.00
Henry N. Remington	Page and Msgr.	28	3.50	98.00
Harold L. Mack	Page and Msgr.	24	3.25	78.00
Charles A. Darling	Page and Msgr.	24	3.25	78.00
Clayton C. Hesser	Page and Msgr.	24	3.25	78.00
Fred R. Dunham	Page and Msgr.	24	3.25	78.00
Harold Gerch	Page and Msgr.	24	3.25	78.00
Harold Scott	Ass't Custodian	24	3.50	84.00
Lynn Skinner	Ass't Custodian	24	3.50	84.00
Steve Matulis	Ass't Custodian	24	3.50	84.00
Timothy M. Green	Ass't Custodian	23½	3.50	82.25
E. J. Keogh	Cloak Room Attdt.	24	3.50	84.00
Carl E. Peterson	Cloak Room Attdt.	24	3.50	84.00
Harriette L. Nebergall	Typist—proof read	24	4.00	96.00
Agnes M. Peterson	Proof Reader	267½	.50 Hour	133.75
Glenn C. Fosnot	Proof Reader	270½	.50	135.25
W. O. Larson	Proof Reader	267½	.50	133.75
Glen A. McKinney	Proof Reader	270½	.50	135.25
Michael A. Gergen	Chief Legislative Custodian	1 mo.	100.00 1 mo.	100.00
Loren H. Laughlin	E & R Legal Advisor	1 mo.	375.00 1 mo.	375.00
			Total	$6,957.25

Officers' and Employees' Position, Rate and Salary

March, 1941

Louis R. Eby	Assistant Clerk	26	8.00 Day	208.00
George L. Santo	Sergeant at Arms	28	4.50	126.00
Tracy Frost	Ass't Serg Arms	29	4.00	116.00
Henry Vauck	Postmaster	26	4.00	104.00
Rev. L. L. Chambers	Chaplain	26	4.00	104.00
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Connie Wade	Committee Clerk	26	5.00	130.00
Edna Freeman	Committee Clerk	26	5.00	130.00
L. T. Fleetwood	Committee Clerk	21	5.00	105.00
Elizabeth Burnett	Committee Clerk	14	5.00	70.00
Mae Ellingson	Committee Clerk	26	5.00	130.00
Lorraine Schwenk	Committee Clerk	26	5.00	130.00
Harvey Galloway	Committee Clerk	26	5.00	130.00
Hazel E. Capsey	Committee Clerk	7½	5.00	37.50
Edith Peterson	Committee Clerk	26	5.00	130.00
Eleanore Bricker	Stenographer	26	4.00	104.00
Isla Replogle	Stenographer	25½	4.00	102.00
Yvonne Wood	Stenographer	26	4.00	104.00
Catherine Boggus	Stenographer	25	4.00	100.00
Bernice Lundeen	Stenographer	25½	4.00	102.00
Gloria Nelson	Stenographer	26	4.00	104.00
Elinor Doran	Stenographer	26	4.00	104.00
Helen Norris Siemsen	Stenographer	25	4.00	100.00
Irma Campbell	Stenographer	26	4.00	104.00
Maxine Stefanski	Stenographer	26	4.00	104.00
Henrietta Zeller	Stenographer	26	4.00	104.00
Kathryn Jean Ellsworth	Stenographer	26	4.00	104.00
Gentry Hobson Colburn	Stenographer	26	4.00	104.00
Genevieve Prebyl	Stenographer	26	4.00	104.00
Margaret Stegeman	Stenographer	26	4.00	104.00
Sarah Buckman	Stenographer	26	4.00	104.00
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Richard Wait	Ass't Bill Clerk	26	4.00	104.00
Edw. J. Branigan	Ass't Bill Clerk	26	4.00	104.00
Geo. A. Roberts	Ass't Bill Clerk	26	4.00	104.00
Gus E. Neumann	Ass't Bill Clerk	26	4.00	104.00
Herman Kroon	Mimeograph Opr.	26	4.00	104.00
Henry N. Remington	Chief Page and Msgr.	31	3.50	108.50
Harold L. Mack	Page and Msgr.	8	3.25	26.00
Charles A. Darling	Page and Msgr.	26	3.25	84.50
Clayton C. Hesser	Page and Msgr.	26	3.25	84.50
Fred R. Dunham	Page and Msgr.	26	3.25	84.50
Harold Gerch	Page and Msgr.	26	3.25	84.50
Harold Scott	Ass't Custodian	26	3.50	91.00
Lynn Skinner	Ass't Custodian	26	3.50	91.00
Steve Matulis	Ass't Custodian	26	3.50	91.00
Timothy M. Green	Ass't Custodian	26	3.50	91.00
E. J. Keogh	Cloak Room Attdt.	24	3.50	84.00
Carl E. Peterson	Cloak Room Attdt.	24	3.50	84.00
Harriette L. Nebergall	Typist—Proof Read	26	4.00	104.00
Agnes M. Peterson	Proof Reader	236	.50 Hour	118.00

Glen A. McKinney	Proof Reader	232½	.50	116.25
		(39	.50	
Glenn C. Fosnot	Proof Reader	(25	4.00 Day	119.50
		(42½	.50 Hour	
W. O. Larson	Proof Reader	(25	4.00 Day	121.25
Michael A. Gergen	Chief Legislative Custodian	1 mo.	100.00 mo.	100.00
Loren H. Laughlin	E & R Legal Advisor	1 mo.	375.00 mo.	375.00
			Total	$7,147.00

Summary of Expenditures and Balances

On Hand April 1, 1941

L. B. 521	Appropriation 1939 for Fifty-Fifth Session		$ 1,900.00
	Fund No. 1—Incidental Expenses		
	January Expenditures	$ 1,587.00	
	February Expenditures	$ 28.75	
	March Expenditures	$ 109.12	
	Total		$ 1,724.87
	Balance in Fund No. 1		$ 175.13
L. B. 16	Appropriation		$75,000.00
	(Fund E-2—Salaries of Members		
	January installment	$20,299.87	
	February installment	$ 8,600.00	
	March installment	$ 8,600.00	
	Total		$37,499.87
	Balance in Fund E-2		$37,500.13
L. B. 30	Appropriation		$55,000.00
	(Funds E-3, E-4, E-5)		
	Fund E-3, Mileage of Members		
	February Expenditures	$ 542.05	
	Fund E-4, Salaries of Officers and Employees		
	January Expenditure	$ 4,853.80	
	February Expenditure	$ 6,957.25	
	March Expenditure	$ 7,147.00	
	Fund E-5, Supplies and other incidentals		
	January Expenditures	$ 1,000.00	
	February Expenditures	$ 5,950.84	

	March Expenditures	$ 5,776.44	
	Total		$32,227.38
	Balance in Funds E-3, E-4, E-5		$22,772.62
L. B. 521	Appropriation—1939		
	Balance on hand January 1, 1941		$ 1,800.00
	Fund No. 8, Salary—Clerk of Legislature		
	January Expenditure	$ 300.00	
	February Expenditure	$ 300.00	
	March Expenditure	$ 300.00	
	Total		$ 900.00
	Balance in Fund No. 8		$ 900.00

Note: Fund No. 1—Expenditures made up as follows:

Bill drafting service (salaries)	$ 690.00
Stenographic service (salaries)	$ 97.00
Legislative Postmaster (postage)	$ 500.00
Representation at annual meeting of Council of State Governments, Washington, D. C., by two Members	$ 300.00
Attorney fee, Bevins-Gutoski Election contest	$ 100.00
Election Commissioner, mileage and meals in above contest	$ 21.00
Member, mileage and meals	$ 7.75
Telegrams to and from Washington, D. C. by the Speaker and other Members	$ 9.12
	$ 1,724.87

Fund E-5 Expenditures made up as follows:

Legislative Postmaster (postage)	$ 5,000.00
Printing Bills (partial payment	$ 4,508.64
Printing Journals (partial payment)	$ 1,181.04
Office supplies and printing	$ 936.43
(47) copies 1939 Supplement to the Compiled Statutes of Nebraska, 1929	$ 376.00
Letterheads and envelopes for Members and Clerk's office	$ 210.56
Envelopes for Bill Room	$ 174.07

Typewriter rental		
(January)	$ 65.62	
(February)	$ 87.10	$ 152.72
Steel files (Clerk's Office)	$119.20	
Desk Lamp (Senate Chamber)	9.18	$ 128.38
Letter and Legal box files for Members		$ 29.00
Desk and voting cards (Chamber)		$ 17.50
Mileage and meals (Member)		$ 5.09
Janitor supplies		$ 4.85
Flowers for Member		$ 3.00
		$12,727.28

(Signed) Tvrdik, Chairman

Approved by the Governor

April 3, 1941

To the President and Members of the Legislature

Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day signed L. B. No. 336, and on April 2nd, 1941, he signed the following bills:

L. B. No. 125 L. B. No. 278 L. B. No. 128

Respectfully submitted,

(Signed) Val Peterson
Secretary to the Governor

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 16. Recreation Equipment for Camp Robinson.

Mr. Amos Thomas moved that the resolution be adopted.

The motion prevailed with 41 ayes, no nays, 2 not voting.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 225.

A bill for an Act to amend Section 20-1321, Compiled Statutes of Nebraska, 1929, relating to judgments; to prescribe the contents of the complete record; to authorize the court to abbreviate the complete record; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 36:

Adams, J. Jr.	Garber	Matzke	Raecke
Asimus	Greenamyre	Metzger	Rakow
Bevins	Hanna	Mischke	Reed
Bowman	Howard	Murphy	Sorrell
Brodahl	Jeppesen	Mueller	Thomas, Amos
Carlson	Johnson	Neubauer	Thomas, Ray
Carmody	Knezacek	Norman	Thornton
Crossland	Kotouc	Peterson	Tvrdik
Gantz	Lambert	Price	Weborg

Voting in the negative, 0.

Not voting, 7:

Adams, E. A.	Callan	Mekota	Van Diest
Blome	Crosby	Sullivan	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 145. With emergency clause.

A bill for an Act to amend Sections 67-101 and 67-102, Compiled Statutes of Nebraska, 1929, relating to partnerships; to require the filing in the office of the county clerk of a further certificate whenever changes in the status of a partnership renders untrue the certificate of partnership on file; to direct publication of the notice of any change in the partnership status; to provide for the recording of the proof of publication of the notice in the office of the county clerk; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams, E. A.	Gantz	Matzke	Rakow
Adams, J. Jr.	Garber	Metzger	Reed

Asimus	Greenamyre	Mischke	Sorrell
Bevins	Hanna	Murphy	Sullivan
Blome	Howard	Mueller	Thomas, Amos
Bowman	Jeppesen	Neubauer	Thomas, Ray
Brodahl	Johnson	Norman	Thornton
Carlson	Knezacek	Peterson	Tvrdik
Carmody	Kotouc	Price	Weborg
Crossland	Lambert	Raecke	

Voting in the negative, 0.

Not voting, 4:

Callan	Crosby	Mekota	Van Diest

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 57. With emergency clause.

A bill for an Act to appropriate the sum of fifteen thousand dollars for the payment of the bonus for the discovery of crude oil provided for in Section 57-102, Compiled Statutes of Nebraska, 1929; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Adams, E. A.	Gantz	Matzke	Rakow
Adams, J. Jr.	Garber	Metzger	Reed
Asimus	Greenamyre	Murphy	Sorrell
Bevins	Hanna	Mueller	Sullivan
Blome	Howard	Neubauer	Thomas, Amos
Bowman	Jeppesen	Norman	Thomas, Ray
Brodahl	Johnson	Peterson	Thornton
Carlson	Knezacek	Price	Tvrdik
Carmody	Kotouc	Raecke	Weborg
Crossland	Lambert		

Voting in the negative, 1:

Mischke

Not voting, 4:

Callan	Crosby	Mekota	Van Diest

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 461.

A bill for an Act to amend Sec. 53-351, C. S. Supp., 1939, relating to liquors; to provide that the Nebraska liquor control commission may, by rule, require that tax stamps be affixed at the place of manufacture where liquor is originally bottled; to provide that the Nebraska liquor control commission may also, by rule, permit that credit or replacement shall be issued for all attached tax stamps cancelled by the distributor; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 38:

Adams, E. A.	Gantz	Metzger	Rakow
Adams, J. Jr.	Greenamyre	Mischke	Reed
Asimus	Hanna	Murphy	Sorrell
Bevins	Howard	Mueller	Sullivan
Blome	Jeppesen	Neubauer	Thomas, Amos
Bowman	Johnson	Norman	Thomas, Ray
Brodahl	Knezacek	Peterson	Thornton
Carlson	Kotouc	Price	Tvrdik
Carmody	Lambert	Raecke	Weborg
Crossland	Matzke		

Voting in the negative, 0.

Not voting, 5:

Callan	Garber	Mekota	Van Diest
Crosby			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Speaker Howard Presiding

LEGISLATIVE BILL NO. 283.

A bill for an Act to amend Sec. 26-1801, C. S. Supp., 1939, relating to county government and officers; to provide that counties may pay a bounty of one dollar for each coyote killed in the county; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative

to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 39:

Adams, E. A.	Crossland	Lambert	Rakow
Adams, J. Jr.	Gantz	Matzke	Reed
Asimus	Garber	Metzger	Sorrell
Bevins	Greenamyre	Mischke	Sullivan
Blome	Hanna	Mueller	Thomas, Amos
Bowman	Howard	Neubauer	Thomas, Ray
Brodahl	Jeppesen	Norman	Thornton
Callan	Johnson	Peterson	Tvrdik
Carlson	Knezacek	Price	Weborg
Carmody	Kotouc	Raecke	

Voting in the negative, 0.

Not voting, 4:

Crosby	Mekota	Murphy	Van Diest

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 401. With emergency clause.

A bill for an Act to amend Sec. 53-350, C. S. Supp., 1939, relating to liquors; to provide that the net proceeds arising out of gallonage tax to be paid on the manufacture of and the distribution at wholesale of alcoholic liquors shall be credited to and shall inure to the "state assistance fund", if and when specifically appropriated by the legislature; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams, E. A.	Crossland	Matzke	Rakow
Asimus	Gantz	Mekota	Reed
Bevins	Greenamyre	Metzger	Sorrell
Blome	Hanna	Mischke	Sullivan
Bowman	Howard	Mueller	Thomas, Amos
Brodahl	Jeppesen	Neubauer	Thomas, Ray
Callan	Johnson	Norman	Thornton
Carlson	Knezacek	Peterson	Tvrdik
Carmody	Kotouc	Price	Weborg
Crosby	Lambert	Raecke	

Voting in the negative, 0.

Not voting, 4:

Adams, J. Jr.	Garber	Murphy	Van Diest

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 251.

A bill for an Act relating to corporations; to make uniform the law of transfer of shares of stock in corporations; to amend Section 20-1520, Compiled Statutes of Nebraska, 1929; to define terms; to designate a short title; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 38:

Adams, E. A.	Crosby	Matzke	Raecke
Adams, J. Jr.	Crossland	Mekota	Rakow
Asimus	Gantz	Metzger	Reed
Bevins	Garber	Mischke	Sorrell
Blome	Greenamyre	Murphy	Thomas, Amos
Bowman	Hanna	Neubauer	Thomas, Ray
Brodahl	Howard	Norman	Thornton
Callan	Johnson	Peterson	Tvrdik
Carlson	Knezacek	Price	Weborg
Carmody	Kotouc		

Voting in the negative, 0.

Not voting, 5:

Jeppesen	Mueller	Van Diest
Lambert	Sullivan	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

President Johnson presiding

LEGISLATIVE BILL NO. 270.

A bill for an Act relating to railroads; to require that railroads shall immediately furnish a copy of the same notice that they are

required to furnish to the Interstate Commerce Commission of serious accidents occurring on their lines operated within the state of Nebraska to the Nebraska state railway commission; to prescribe the duties of the commission upon receipt of such notice; and to provide penalties for the violation thereof.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 41:

Adams, E. A.	Crossland	Matzke	Raecke
Adams, J. Jr.	Gantz	Mekota	Rakow
Asimus	Garber	Metzger	Reed
Bevins	Greenamyre	Mischke	Sorrell
Blome	Hanna	Murphy	Sullivan
Bowman	Howard	Mueller	Thomas, Amos
Brodahl	Johnson	Neubauer	Thomas, Ray
Callan	Knezacek	Norman	Thornton
Carlson	Kotouc	Peterson	Tvrdik
Carmody	Lambert	Price	Weborg
Crosby			

Voting in the negative, 0.

Not voting 2:

Jeppesen	Van Diest

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 46. With emergency clause.

A bill for an Act relating to unfair competition and unfair business practices; to define and prohibit unfair sales, unfair competition and unfair business practices; to declare the selling or offer to sell of goods as prohibited to be a matter of public interest; to provide as to advertisements in newspapers in contravention with this act; to provide remedies for violation thereof; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 18:

Adams, E. A.	Crosby	Murphy	Sorrell
Adams, J. Jr.	Greenamyre	Norman	Sullivan

Bevins	Kotouc	Price	Thomas, Amos
Blome	Lambert	Reed	Tvrdik
Callan	Metzger		

Voting in the negative, 16:

Asimus	Gantz	Johnson	Raeck.
Bowman	Garber	Mekota	Thomas, Ray
Brodahl	Hanna	Mischke	Thornton
Carmody	Howard	Peterson	Weborg

Not voting, 9:

Carlson	Knezacek	Mueller	Rakow
Crossland	Matzke	Neubauer	Van Diest
Jeppesen			

A constitutional two-thirds majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause.

Vote on L. B. No. 46 With Emergency Clause Stricken

A call of the House was ordered.

Mr. Mischke moved to raise the call.

The motion was lost with 13 ayes, 19 nays, 11 not voting.

Mr. Lambert moved to raise the call.

The motion was lost with 9 ayes, 4 nays, 30 not voting.

Mr. Lambert changed his vote from aye to nay and moved to raise the call.

The motion prevailed with 38 ayes, 2 nays, 3 not voting.

Voting in the affirmative, 22: (on passage of the bill)

Adams, E. A.	Crossland	Metzger	Reed
Adams, J. Jr.	Greenamyre	Murphy	Sorrell
Bevins	Jeppesen	Norman	Sullivan
Blome	Kotouc	Price	Thomas, Amos
Callan	Lambert	Rakow	Tvrdik
Crosby	Matzke		

Voting in the negative, 15:

Asimus	Garber	Mekota	Thomas, Ray
Brodahl	Hanna	Mischke	Thornton
Carmody	Howard	Peterson	Weborg
Gantz	Johnson	Raecke	

Not voting, 6:

Bowman	Knezacek	Neubauer
Carlson	Mueller	Van Diest

A constitutional majority having voted in the affirmative, the bill was declared passed with the emergency clause stricken.

SELECT FILE

Special Order—11:00 a. m.

LEGISLATIVE BILL NO. 133. Laid over until Monday, April 7, 1941, 11:00 a. m.

Approved by the Governor

April 4, 1941.

To the President, the Speaker and Members of the Legislature

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day signed the following bill:

L. B. No. 153.

Respectfully submitted,

(Signed) Val Peterson
Secretary to the Governor.

STANDING COMMITTEE REPORTS (Continued)

Rules

Mr. President: The Committee on Rules recommends the adoption of the following amendments: Amend Rule VII by adding to Section 14 thereof, the following:

The Committee on Enrollment and Review shall have authority, without being required to include the same specifically in their reports and recommendations to the Legislature, in accord with accepted usage:

(a) To correct the spelling of misspelled words, to correct erroneous division and hyphenation of words, to capitalize or decapitalize words, and to change numbers from words to figures or from figures to words, in new and independent acts, in the new mat-

ter of amendatory acts, in standing committee reports, and in general file, select file and specific amendments.

(b) To underscore or remove underscoring, as the case requires, in standing committee reports and in general file, select file and specific amendments.

(Signed) Mekota, Chairman

Mr. Mekota moved that the recommendation of the Rules Committee be adopted and that the rules be amended accordingly.

The motion prevailed with 34 ayes, no nays, 9 not voting.

Adjournment—Vacation

Mr. President: I move that when we adjourn on Thursday, April 10, 1941, we do not reconvene until 10:00 a. m. Monday, April 14, 1941. (Signed) Mischke.

The motion prevailed with 31 ayes, no nays, 12 not voting.

GENERAL FILE

LEGISLATIVE BILL NO. 328. Laid over. Retains place on File.

LEGISLATIVE BILL NO. 151. Read and considered.

Mr. Murphy moved to refer to E and R for review.

Mr. Asimus moved to indefinitely postpone.

The motion was lost with 5 ayes, 26 nays, 12 not voting.

Vote was taken thereon and Mr. Murphy's motion prevailed.

Referred to E and R for review.

REQUEST—To Withdraw Bill

Mr. Mueller requested unanimous consent to withdraw L. B. No. 199.

Objection was raised by Mr. Sorrell.

MOTION—To Permit Introduction of Bill

Mr. President: I move to allow the introduction of a new bill as a substitute for L. B. No. 199. (Signed) Murphy

The motion prevailed.

Member Excused

Mr. Amos Thomas asked to be excused for an indefinite period, to report to Camp Robinson for military duty.

Objection was raised by Mr. Carmody.

The request was granted and on motion by Mr. Blome a vote of confidence was extended to Mr. Thomas with 35 ayes, 1 nay, 7 not voting.

Adjournment

At 12:12 p. m. Mr. Mueller moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Monday, April 7, 1941.

The motion prevailed with 31 ayes, 1 nay, 11 not voting.

Hugo F. Srb,
Clerk of the Legislature.

SIXTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, April 7, 1941.

Pursuant to adjournment the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Mueller and Amos Thomas, who were excused.

The Journal for the Sixty-third Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Carlson, one, opposing L. B. No. 272; all members, one, opposing L. B. No. 199.

Communications

A letter was read from John Cowles of Minneapolis advising that it will be impossible for him to speak before the Nebraska Legislature in response to the invitation extended to him some weeks previous.

Letters were read from Senator Hugh Butler and Congressmen Oren S. Copeland, Charles F. McLaughlin, Carl T. Curtis and Harry B. Coffee acknowledging receipt of Legislative Resolution No. 15.

Invitation

A letter was read from the Grand Island Chamber of Commerce extending an invitation to the Members of the Legislature to attend a mixer on Thursday, April 24, 1941 at 6:30 p. m.

MOTION—To Acknowledge Receipt of Invitation

Mr. President: I move that the Clerk of the Legislature be instructed to inform the Grand Island Chamber of Commerce that the members of the Legislature appreciate the invitation to visit Grand Island and will give it serious consideration. (Signed) Gantz

The motion prevailed.

MOTION—Permission to Hold Hearings

Mr. President: I move that the rules be suspended and that the Claims Committee be allowed to hold hearings on April 9th and April 18th. (Signed) Lambert

The motion prevailed with 33 ayes, no nays, 10 not voting.

NOTICE OF COMMITTEE HEARINGS

Claims & Deficiencies

L. B. No. 426, Friday, April 18, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL NO. 162. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 162:

1. Strike all of the bill after the enacting clause and substitute in lieu thereof the following:

"Section 1. As used in this act, unless the context clearly requires otherwise: (1) **Appointing authority** means the officer or person in a department or unit of the government who is empowered to make appointments, or employments. (2) **Board** as used in this act means the civil service board. (3) **Classified service** means all positions and employments in the service subject to the provisions of this act as to appointment, retention, promotion, and discharge. (4) **Department** means the department of civil service. (5) **Director** means the administrative and executive head of the department of civil service. (6) **Division** means a state department, division or branch thereof, or any agency of the state government, all the positions in which are under the same appointing authority. (7) **Employee** means

a person who is legally in the service or who is on authorized leave of absence and whose position is held for him upon his return. (8) **State service** means all offices and positions in the employ of the state, other than the military and naval services, the compensation for which is paid from state funds, whether or not arising from taxation, licenses, fees, reported commissions, federal grants, or other sources.

Sec. 2. The department of civil service of the state of Nebraska is hereby created and established. It shall consist of the civil service board, the director of the state civil service and all officers and employees appointed by the director for the purpose of this act.

Sec. 3. (1) The civil service board shall be composed of three members, residents of the state, who shall be appointed by the governor with the consent of the legislature without regard to party affiliation. The governor shall appoint the first members of the board within thirty days after the passage of this act. No member of the board shall hold any other public office or public employment whatsoever, the office of notary public or a military office excepted, and no person shall be appointed as a member of the board who has held an elective public office or an official position in a political party within the two years immediately preceding his appointment. In nominating and appointing the first three members of the board the governor shall designate one member for a two year term, a second member for a four year term, and a third member for a six year term. The terms of all subsequent members of the board shall be six years, expiring on the first day of March, or until their successors are appointed and qualified. Vacancies in the membership of the board shall be filled by the governor, with the consent of the legislature, but if the legislature is not in session the governor shall make an interim appointment. Each member shall take an oath of office. The board shall choose its own chairman who shall have the powers of a presiding officer. (2) The board shall keep its office and shall hold all its regular meetings in the state capitol, and all of said meetings shall be open to the public. No meetings or hearings shall be held unless at least two members of the board are present. Its records and minutes shall be open to public inspection. (3) Each member of the board shall be paid fifteen dollars per day for each day actually devoted to duties as a member of the board, but in no case shall any member be paid for more than twenty-four days in any one year: **Provided,** that during the first year after the appointment of the first board this limitation shall be fifty days. Board members shall also be paid for expenses in travel to and from meetings and necessary expenses incurred during meetings.

Sec. 4. A director of the state civil service shall be appointed by the governor on the basis of merit and fitness and shall receive a salary of not to exceed four thousand dollars per year.

Sec. 5. The civil service board shall adopt rules and regulations to carry out the provisions of this act. The board shall do such other things as are expressly required of them by the provisions of this act. The board shall distribute employment in the classified service among the several counties of the state, in accordance with the population of the various counties.

Sec. 6. It shall be the duty of the director: (a) To exercise supervision and control over the general conduct of the department, and act as the board's adviser on all matters pertaining to the civil service of this state. (b) To attend all meetings of the board, act as its secretary, and keep minutes of its proceedings. (c) To prepare and recommend to the board rules and regulations for the purpose of carrying out the provisions of this act. (d) To keep in the office of the department an official roster of the state civil service which shall show the complete employment history of each and every person who has been appointed to any position in such service. The director shall have access to all public records and papers, which will aid in the discharge of his duty in connection with said roster. (e) To prepare and recommend to the board classification plans and salary schedules for all positions in the classified service, including provisions for promotions within the service. The director shall have power to require any appointing authority to furnish any information or records which may be needed to carry out the provisions of this act.

Sec. 7. The civil service of the state is hereby divided into the unclassified and the classified services. (1) The unclassified service comprises positions held by state officers or employees who are: (a) Chosen by election or appointed to fill an elective office. (b) Heads of departments required by statute to be appointed by the governor, and members of boards and commissions appointed by the governor, except this provision shall not apply to the director of the department of civil service. (c) One private secretary to each of the elective executive officers of this state, other than the governor. (d) One executive secretary and three other confidential employees in the office of the governor. (e) Officers of the unicameral legislature. (f) All administrative officers, teachers and employees in the state teachers' colleges and the university of Nebraska. (g) Student employees on less than half-time pay basis. (h) Officers and enlisted men in the national guard and the state guard while serving as such. (i) One deputy to each elective state officer, appointed by such officer. (j) The clerk, deputy clerk and reporter of the supreme court, and reporters and bailiffs of the various district courts, and officers of court appointed by courts in necessary judicial procedures. (k) Patient or inmate help in institutions under the control of the board of control. (l) Notaries public and other persons appointed by the governor or other elective state office, whose compensation is in no way paid from state funds. (2) The classified services comprise all other

positions now existing or hereafter created in the state service and all positions now existing or hereafter created in the service of any political subdivision of the state in a program supervised by a state agency and involving duties connected with the administration of any federal grant-in-aid program requiring the establishment and maintenance of personnel standards on a merit basis. Appointments in the classified service shall be made according to merit and fitness, from eligible lists prepared by the board and the director. No person shall be appointed, transferred, promoted, or reduced as an officer, or employee in the classified service in any manner or by any means other than those prescribed in this act and the rules adopted in accordance therewith.

Sec. 8. Any person holding a position in the classified service and who has been employed by the state of Nebraska for a period of five years prior to the effective date of this act shall be retained, but shall thereafter be subject in all respects to the provisions of this act and the rules and regulations adopted pursuant thereto: **Provided,** that no such employee shall be required to take an examination for employment.

Sec. 9. For positions involving unskilled or semiskilled labor, or domestic, attendant or custodial work, when the character or place of the work makes it impracticable to supply the needs of the service by appointments made by competitive examinations as above provided, the board may provide for the use of such other procedures as it determines to be appropriate in order to meet the needs of the service, while assuring the selection of such employees on the basis of merit and fitness.

Sec. 10. An appointing authority may discharge any employee because of inefficiency, incompetency, misconduct, insubordination, or similar fault in the performance of his employment, but no such discharge shall ever be made for political, religious or purely personal reasons.

Sec. 11. No officer or employee holding a position in the classified service of this state shall, directly or indirectly, solicit or receive, or be in any manner concerned in soliciting or receiving, any assessment, subscription or contribution, or political service, whether voluntary or involuntary, for any political purpose whatever from any officer, or employee of the state or from any outsider. No person holding a position in the unclassified service shall solicit or receive from any person in the classified service any political contribution or political service either for himself, any other person, or any political party or committee. No person shall enter, or remain in any state office, building or room, or send or direct any letter or other notice thereto, for the purpose of giving notice of, demanding, or collecting a political assessment, subscription or contribution, nor shall any per-

son therein give notice of, demand, collect or receive any such assessment, subscription or contribution. Any person who violates any provision of this section shall be guilty of a misdemeanor, and if any officer or employee in the classified service is found guilty of violating any provision of this section, he shall stand automatically separated from the service.

Sec. 12. If any division, section, subsection, sentence, clause, phrase or requirement of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions thereof. The legislature hereby declares that it would have passed this act, and each division, section, subsection, sentence, clause, phrase, or requirement thereof irrespective of the fact that any one or more divisions, sections, subsections, sentences, clauses, phrases or requirements be declared unconstitutional.

Sec. 13. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.".

2. Strike all of the title after the word "ACT" in line 2 therein and substitute in lieu thereof the following:

"relating to the public service; to create a department of civil service for the state of Nebraska; to prescribe the powers, duties and procedure of the civil service board and the director of the state civil service in said department; to provide for and regulate the civil service in said state; to prescribe penalties for the violation of the provisons of this act; to provide a validity clause; and to declare an emergency.".

LEGISLATIVE BILL NO. 269. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 269:

1. Amend the bill page 5, section 5, line 17, by striking the word **"not"**, and by adding after the word **"from"** the words **"the formerly established"**.

2. Amend the bill page 5, section 5, line 18, by striking **"from the county at large"** and by striking in line 19, the word "and".

(Signed) Sorrell, Chairman

Revenue

LEGISLATIVE BILL NO. 498. Placed on General File.

LEGISLATIVE BILL NO. 185. Indefinitely postponed.

LEGISLATIVE BILL NO. 320. Indefinitely postponed.

LEGISLATIVE BILL NO. 419. Indefinitely postponed.

(Signed) Murphy, Chairman

Judiciary

LEGISLATIVE BILL NO. 24. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 24:

1. Strike all of the bill after the enacting clause and substitute in lieu thereof the following:

"Section 1. That Sec. 60-410, C. S. Supp., 1939, be amended to read as follows:

60-410. Any **If any magistrate or judge shall find in his judgment of conviction, that any** license issued under the provisions of this Act **act** by the Director **director** upon an **the** application which **made for such license,** contains any false **or fraudulent** statement deliberately and knowingly made to any officer, as to any matter material to the issuance thereof, **or does not contain required or correct information, then the license** shall be **is** absolutely void from the date of issue and said motor vehicle operator shall be deemed to be not licensed to operate a motor vehicle and said license shall be at once cancelled **of record** and revoked **in his office** by order of the Director **director** and the license taken up and returned to the Director by any person authorized by the Director to recover and return said license **upon receipt of a certified copy of such judgment of conviction.**

Sec. 2. That Sec. 60-412, C. S. Supp., 1939, be amended to read as follows:

60-412. **Subdivision 1.** Upon conviction in any court within this state of any violation of any law of this state pertaining to the operation of motor vehicles or **of** any city or village ordinance relating **pertaining** to the operation of a motor vehicle in a manner to endanger life, limb or property, **or while under the influence of alcoholic liquor or any drug, as provided in Sec. 39-1106, C. S. Supp., 1939, as now existing or as hereafter amended, or while under the influence of alcoholic liquor or any drug, as provided in city or village ordinances as they now exist or as hereafter amended,** the **magistrate or** judge of said court may, in his discretion, suspend the license of such con-

victed person **to operate a motor vehicle anywhere within the jurisdicion of the court** for a peroid of time not less than ten days nor exceeding six months **one year,** unless a greater period of suspension **or revocation** be made mandatory by Section 1, (39-1106) of this Act **Sec. 39-1106, C. S. Supp., 1939, as now existing or as hereafter amended.** Said **The magistrate or judge of said** court shall endorse upon the license of every person so convicted of the violation of any law pertaining to the operation of motor vehicles, **or any city or village ordinance relating to the operation of a motor vehicle,** the nature of the offense, the date of hearing, the sentence imposed by the court, and shall forthwith notify the State Engineer for the Department of Roads and Irrigation **state engineer, for the department of roads and irrigation, as ex officio director of motor vehicles,** in detail of the action and findings of the court **as provided for in Sec. 39-1189, C. S. Supp., 1939, as amended by section 9, legislative bill No. 24, fifty-fifth session, Nebraska state legislature, 1941; and, if the judgment of conviction contains an order that defendant shall not drive a motor vehicle within the jurisdiction of the court for any period of time, which order suspends or revokes defendant's license, then, director shall forthwith cancel the same, notify the state sheriff of such cancellation; whereupon it shall be the duty of the Nebraska safety patrol to enforce the conditions of such revocation or suspension, recited in the judgment of conviction, if any. Subdivision 2. The trial court, in its discretion, may order a partial suspension of the operator's license of defendant convicted as provided in subdivision 1 of this section; and, in such event, the order of partial suspension shall be recited in the certified copy of the judgment of conviction which the court or clerk thereof forwards to the director of motor vehicles along with defendant's surrendered license which the court orders to be partially suspended. Upon receipt of the defendant operator's partially suspended license, the director of motor vehicles shall forthwith issue a limited operator's license to such defendant operator in accordance with the terms of the partial suspension ordered by the trial court: Provided, when the partial suspension period ends, the holder of the limited operator's license shall forthwith return it to the director of motor vehicles who, unless ordered by a court, shall forthwith restore to holder his operator's license. Subdivision 3.** Appeal from the sentence of conviction shall constitute an appeal from the suspension or revocation of the license **of the person so convicted.**

Sec. 3. That Sec. 60-427, C. S. Supp., 1939, be amended to read as follows:

60-427: Whenever any person is convicted of any offense for which this Act **article** makes mandatory the revocation of the motor vehicle operator's license by the Director **trial magistrate or judge,** the court in which such conviction is had, shall require the surrender

to it of all operator's licenses then held by the person so convicted; and the court shall thereupon forward the same together with a record **certified copy of the judgment** of such conviction to the Director **director.** Every court having jurisdiction over offenses committed under this Act **article,** or any other act of this state regulating the operation of motor vehicles on highways, shall forward, **in the manner and form required by law,** to said Director **director** a record **certified copy of the judgment** of the conviction of any person in said court for a violation of any of said laws, and may recommend to **the** said Director **director** the suspension of **shall, upon receipt of such certified copy of the judgment of conviction, forthwith cancel of record in his office** the operator's license of the person so convicted, **if directed by the judgment of conviction to do so.** For the purpose of this Act **article,** the term **"conviction"** shall mean a final conviction;**and** Also, for the purposes of this Act **article,** a forfeiture of bail or collateral deposited to secure a defendant's appearance in court, which forfeiture has not been vacated, shall be equivalent to a conviction.

Sec. 4. That Sec. 60-428, C. S. Supp., 1939, be amended to read as follows:

60-428. (a) The Director **director** is hereby authorized to cancel any operator's license upon determining, **if there be a recitation in the judgment of conviction forwarded to the director from the trial court to the effect** that the licensee was not entitled to the issuance thereof hereunder or that said licensee failed to give the required or correct information in his application or committed any fraud in making such application. Upon such cancellation, the licensee must surrender the license so cancelled to the Director or his agent. (b) The privilege of driving a motor vehicle on the highways of this state given to a non-resident **nonresident** hereunder shall be subject to suspension or revocation by the Director **trial magistrate or judge** in like manner and for like cause as an operator's license issued hereunder may be suspended or revoked. (c) The Director **director** is authorized upon receiving a record **certified copy of a judgment** of the conviction in this state of a non-resident **nonresident** driver of a motor vehicle of any offense under the motor vehicle laws of this state, to forward a certified copy of such record **judgment of conviction** to the motor vehicle administrator in the state wherein the person so convicted is a resident. (d) The Director **director** is authorized to suspend or revoke **cancel** the license of any resident of this state upon receiving notice **a certified copy of the judgment** of the conviction of such person in another state of an offense therein which, if committed in this state, would be grounds for the suspension or revocation of the license of said operator **by any trial judge or magistrate in this state.** (e) The Director **director** shall forthwith revoke **cancel** the license of any operator upon receiving a record **certified copy** of **the judgment of** such operator's conviction of any of the following offenses, when such

conviction has become becomes final; (1) Manslaughter resulting from the operation of a motor vehicle; (2) Driving driving a motor vehicle while under the influence of alcoholic liquor or any drug, as provided in Legislative Bill No. 38, Fifty-second Session, Nebraska State Legislature (39-1106, 60-412) in city or village ordinances, as they now exist or as they may be hereafter amended or in Secs. 39-1106 and 60-412, C. S. Supp., 1939, as now existing or as hereafter amended: Provided, the period of suspension or revocation shall, in each case for cancellation, correspond with the period that is determined by the court; (3) Any any felony in the commission of which a motor vehicle is used: (4) Failure failure to stop and render aid as required under the laws of this state in the event of a motor vehicle accident resulting in the death or personal injury of another; (5) Perjury perjury or making of a false affidavit or statement under oath to the Director director, examining officer or other officer under this Act article, or under any law relating to the ownership or operation of motor vehicles; (6) Conviction conviction, or forfeiture of bail, not vacated, upon three charges of reckless driving committed within a period of twelve months. (f) The Director director is hereby authorized to suspend cancel the license of an operator without preliminary hearing upon a showing by his records or other sufficient evidence upon receipt of a certified copy of a judgment of conviction from the trial magistrate or judge, which state that the licensee: (1) Has committed an offense for which mandatory revocation is required upon conviction, as set forth in subsection e. (e) of this section; (2) Has has been involved as a driver in an accident resulting in the death or personal injury of another, or in a serious property damage; (3) Is is an habitually reckless or negligent driver of a motor vehicle; (4) Is is an habitual violator of the traffic laws; (5) Is is incompetent to drive a motor vehicle; (6) Has has permitted an unlawful or fraudulent use of such license; or (7) Has committed an offense in another state which if committed in this state would be grounds for suspension or revocation being a nonresident, whose operator's license or driving privilege as a nonresident has been revoked or suspended by the trial court and has been cancelled by the director and who drives any motor vehicle upon the highways of this state while such license or privilege is revoked or suspended by the court and cancelled by the director: Provided, any person who violates any of the provisions of the within paragraph (7) of subsection (f) of this section shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be imprisoned in the county jail for not less than two days nor more than six months; and the trial court may also impose in addition to such imprisonment a fine of not more than five hundred dollars.

Sec. 5. That Sec. 60-429, C. S. Supp., 1939, be amended to read as follows:

60-429. Upon suspending the license of any person as in this Act authorized, the Director shall immediately notify the licensee thereof in writing, and upon his request shall afford him an opportunity for a hearing as early as practical within not to exceed twenty days after the receipt of such request in the county wherein the licensee resides unless the Director and the licensee agree that such hearing may be held in some other county. Upon such hearing the Director or his duly authorized agent for that purpose may administer oaths and may issue subpoenas for the attendance of witnesses and the production of relevant books and papers and may require a re-examination of the licensee. Upon such hearing the Director shall either rescind his order of suspension, or good cause appearing therefor, may extend the suspension of such license or revoke such license. The Director shall not suspend a license for a period of more than one year and upon revoking a license shall not in any event grant application for a new license until the expiration of one year after such revocation. The Director upon suspending or revoking a license shall require that the license of the person whose license is suspended or revoked, shall be surrendered to and retained by the Director except that at the end of the period of suspension, such license so surrendered shall be returned to the licensee. Any resident or non-resident **non-resident** whose operator's license or right or privilege to operate a motor vehicle in this state has been suspended or revoked as provided in this Act **article**, shall not operate a motor vehicle in this state under a license, permit, or registration certificate issued by any other jurisdiction or otherwise during such suspension or after such revocation until a new license is obtained when and if permitted under this Act **article.** The Director **director** shall revoke and cancel, **without receipt of a certified copy of a judgment of conviction from a judge or magistrate,** the license to operate a motor vehicle issued to any person committee to or incarcerated in any state institution, penal or otherwise; and such person so committed or incarcerated shall stand examination the same as any new applicant if he shall desire to have his license to operate a motor vehicle reinstated after he shall have been granted his release from said institution by parole or otherwise; and it shall be the duty of the warden, superintendent or other titular head of each and every state institution, penal or otherwise, daily to furnish said Director **director** with an accurate list of the names, true and alias, and the addresses of each inmate received or discharged from the institution under his supervision, to the end that the provisions of this section may be strictly enforced. Any person denied a license or whose license has been cancelled, suspended or revoked by the Director except where such cancellation or revocation is mandatory under the provisions of Section 23 (60-428) of this Act shall have the right to file an appeal from the final order of such Director in the manner provided in Section 29 (60-433) of this Act.

Sec. 6. That Sec. 60-431, C. S. Supp., 1939, be amended to read as follows:

60-431. It is hereby declared to be a ~~misdemeanor~~ **unlawful** for any person: ~~(a)~~ **Subdivision 1.** To display or cause or permit to be displayed or have in his possession any cancelled, revoked, suspended, fictitious or fraudulently altered operator's license;. ~~(b)~~ **Subdivision 2.** To lend his operator's license to any person or knowingly permit the use thereof by another; . ~~(c)~~ **Subdivision 3.** To display or represent as one's own any operator's license not issued to him; . ~~(d)~~ **Subdivision 4.** To fail or refuse to surrender to the ~~Director~~ **director** upon his lawful demand any operator's license which has been suspended, revoked or cancelled; . ~~(e)~~ **Subdivision 5.** To use a false or fictitious name in any application for an operator's license or knowingly to make a false statement or knowingly to conceal a material fact or otherwise commit a fraud in any such application; . ~~(f)~~ **Subdivision 6.** To permit any unlawful use of an operator's license issued to him; . ~~(g)~~ **Subdivision 7.** To do any act forbidden or fail to perform any act required by this ~~Act~~ **act**; . ~~(h)~~ **Subdivision 8.** ~~Any person who makes~~ **To make** any false affidavit, or knowingly swears **to swear** or ~~affirms~~ **affirm** falsely to any matter or thing required by the terms of this Act **article** to be sworn to or affirmed, **and such person** is guilty of perjury, and, upon conviction thereof, shall be punished as other persons committing perjury are punishable; . ~~(i)~~ **Subdivision 9.** ~~Any person whose operator's license, or driving privilege as a non-resident, has been cancelled, suspended or revoked as provided in this Act and who drives any motor vehicle upon the highways of this state while such license or privilege is suspended, cancelled or revoked shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by imprisonment for not less than two days or more than six months; and there may also be imposed in addition thereto a fine of not more than five hundred dollars;~~ ~~(j)~~ ~~No person shall cause~~ **To cause** or knowingly permit his child or ward under the age of sixteen years to drive a motor vehicle upon any highway when such minor is not authorized hereunder, or in violation of any of the provisions of this ~~act~~ **article**; . ~~(k)~~ **Subdivision 10.** ~~No person shall~~ **To** authorize or knowingly permit a motor vehicle owned by him or under his control to be driven upon any highway by any person who is not authorized hereunder, or in violation of any of the provisions of this Act **article.**

Sec. 7. That Sec. 60-432, C. S. Supp., 1939, be amended to read as follows:

60-432. ~~It is hereby declared to be a misdemeanor for any person to violate~~ **Whoever violates** any of the provisions of this Act **article** unless such violation is by this Act **article** or other law of this state declared to be a felony. **, shall, upon conviction thereof be**

deemed guilty of a misdemeanor, and Unless **unless** another penalty is in this Act **article** or by the laws of this state provided, **and** every person so convicted of a misdemeanor for the violation of any of the provisions of this Act **article** shall be **deemed guilty of a misdemeanor, and, upon conviction thereof, shall** be punished by a fine **fined** not exceeding One Hundred Dollars ($100.00) **one hundred dollars,** or by imprisonment be **imprisoned** in the county jail not exceeding three (3) months, or by be both such fine **so fined** and imprisonment **imprisoned.**

Sec. 8. That Sec. 60-433, C. S. Supp., 1939, be amended to read as follows:

60-433. If any **Any** person shall feel **who feels** himself aggrieved because of any order of the Director **director** on account of his refusal to issue any license contemplated under this Act **Sec. 60-429, C. S. Supp., 1939, as amended by section 5, legislative bill No. 24, fifty-fifth session, Nebraska state legislature, 1941,** or because of any order of suspension, cancellation or revocation of any license issued under the terms of this Act, except where the revocation of the license is mandatory upon the Directors as provided in Section 23 (e) of this Act, (60-428, entered against said person by said Director, the person so feeling himself aggrieved may appeal therefrom to the district court of the county in Nebraska in which the application for the license was originally made or to the district court of the county wherein said person resides, in manner following: The Director **director** shall reduce his ruling, order or decision to writing, file a copy of the same in his office, and shall furnish a copy thereof together with a statement of his reasons for his ruling to said applicant or licensee, as the case may be, upon request. The ruling, decision or order of said Director, **director** in refusing to issue or reinstate such license or in suspending, cancelling or revoking the same shall be as final and binding as the final order or judgment of a court of general jurisdiction. The applicant, licensee or appellant shall within twenty days from the date of the final order complained of, execute a bond for costs to the State **state** of Nebraska in the sum of Two Hundred Dollars ($200.00) **two hundred dollars** with sufficient surety to be approved by the Auditor of Public Accounts **auditor of public accounts.** Said bond shall be filed in the office of the Director **director.** It shall be the duty of said Director **director,** on payment or tender to him of the cost of preparing the transcript at the rate of ten cents per hundred words, to prepare a complete transcript of his proceedings relating to his refusal to issue or to reinstate any license or relating to his proceedings concerning the suspension, cancellation or revocation of the license complained of. Applicant or licensee shall file his petition in said district court within thirty days from the date of filing of Director's **director's** final order in the matter and he shall file such transcript before answer day

which shall be the same as provided under the code of civil procedure in Section 20-821, Compiled Statutes of Nebraska, 1929, **as now existing or as hereafter amended.** The district court shall hear the appeal as in equity and without a jury, and determine anew all questions raised before the Director **director: Provided,** either party may appeal from the decision of the district court to the supreme court of the state.

Sec. 9. That Sec. 39-1189, C. S. Supp., 1939, be amended to read as follows:

39-1189. (a) **Subdivision 1.** Every justice of the peace or police judge or court in this state shall keep a full report **make complete entries in the court docket, including the judgment of conviction,** of every case in which a person is charged with violation of any provisions **provision** of this act **article or of Article 4, Chapter 60, C. S. Supp., 1939, as now existing or as hereafter amended,** and, in the event that such person is convicted or that his bail is forfeited, and abstract of such report **a certified copy of the judgment of conviction** shall be sent forthwith by the justice of the peace or police judge or court to the department **director of motor vehicles** and to the county treasurer of the county wherein the convicted person was licensed, but **: Provided,** this requirement shall not be deemed to make such court a court of record. (b) Abstracts required by this section shall be made upon forms prepared by the department and **Subdivision 2. In the administration of this section, or of any section of the "motor vehicle operators' license act", as now existing or as hereafter amended, the powers and duties, conferred upon the director of motor vehicles, his subordinates or successors, with respect to cancelling any operator's license or driving privileges, are ministerial in character. The director of motor vehicles has no authority to revoke or suspend operators' licenses: Provided, he may only cancel such licenses when positively directed to do so by the terms of the certified copy of the judgment of conviction forwarded to him by the trial court. To enable the director of motor vehicles punctually and economically to perform his ministerial duties in cancelling operators' licenses, he shall, to insure uniformity in the keeping of the cancellation records of operators' licenses suspended or revoked by courts of the state, prepare and furnish to all courts of the state a standard form of abstract for conviction reports which shall include a form for the certified copy of the judgment of conviction, and** shall **also** include all necessary information as to the parties to the case, the nature of the offense, the date of hearing, the plea, the judgment, the amount of the fine or forfeiture, as the case may be **is,** and every such abstract shall be certified by the justice of the peace, police judge or clerk of such police court as a true abstract of the record of the court. (c) **Subdivision 3.** Each clerk of any court of record of this state shall also, within ten days after any final judgment

of conviction of any violation of any of the provisions of this ~~act~~ **article or of Article 4, Chapter 60, C. S. Supp., 1939, as amended,** send to the ~~department~~ **director** and **to the** county treasurer a certified copy of such judgment of conviction **on the standard form of abstract for conviction reports.** Certified copies of the judgment **of conviction** shall ~~also~~ **likewise** be forwarded **on the standard form of abstract for conviction reports** to the ~~department~~ **director** upon conviction of any person of manslaughter or other felony in the commission of which a vehicle was used. The ~~said department~~ **director** and **the** county treasurer shall keep such ~~records~~ **conviction reports** in their offices, and they shall be open to the inspection of any person during reasonable business hours. ~~(d)~~ **Subdivision 4.** Failure, refusal or neglect **by any officer** to comply with any of the provisions of this section shall constitute misconduct in office and shall be ground for **his** removal therefrom.

Sec. 10. That said original Secs. 60-410, 60-412, 60-427, 60-428, 60-429, 60-431, 60-432, 60-433 and 39-1189, C. S. Supp., 1939, are hereby repealed; and that Sec. 60-430, C. S. Supp., 1939, is hereby repealed.".

2. Strike all of the title on page 1 of the bill after the word "ACT" in line 2 therein and substitute in lieu thereof the following:

"to amend Secs. 60-410, 60-412, 60-427, 60-428, 60-429, 60-431, 60-432, 60-433 and 39-1189, C. S. Supp., 1939, relating to motor vehicles; to reserve in the several courts of the state of Nebraska, within their respective jurisdictions, the sole power to suspend operators' licenses or driving privileges as part of judgments of conviction in cases properly before them; to delegate to the director of motor vehicles the ministerial duties of keeping cancellation records of such suspensions and revocations from uniform abstracts of conviction reports forwarded to such director from the several courts; to provide for limited suspensions and revocations of operators' licenses in certain cases and to prescribe the duties of the director of motor vehicles in connection therewith; to provide penalties for the violation of certain provisions thereof; to repeal said original sections; and to repeal Sec. 60-430, C. S. Supp., 1939.".

LEGISLATIVE BILL NO. 216. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 216:

1. Amend the bill by striking all after the enacting clause and by substituting in lieu thereof the following:

"Section 1. An adult unmarried person, or an adult husband and his adult wife together, may adopt a minor child. An adult husband

or an adult wife may adopt a minor child of the other spouse whether born in or out of wedlock. No minor child shall hereafter be adopted except in pursuance of this article.

Sec. 2. **Subdivision 1.** Subject to the limitations hereinafter set forth consent to adoption shall be required as follows: (1) Of the foster child if over fourteen years of age. (2) Of the parents or surviving parent of a child born in wedlock. (3) Of the mother of a child born out of wedlock. (4) Of any person, corporation, association, or authorized agency that shall have had the lawful custody or control of any minor child for the period of six months last preceding for the support of which neither parent shall without just cause or fault have contributed anything whatever during such period. **Subdivision 2.** The consent shall not be required of a parent who has been permanently deprived of the custody of the child or who has relinquished the child to an authorized agency for the purpose of adoption by a written instrument signed and executed in the presence of at least one witness by both the parents, if living, of a legitimate child or by the surviving parent, if one is dead, of a legitimate child, or by the mother if living of an illegitimate child, providing said written instrument shall be acknowledged by the signer or signers thereof before any officer authorized by the laws of this state to acknowledge deeds. **Subdivision 3.** Where the foster child is over the age of eighteen years the county judge at his discretion may direct that the consents of the persons specified in subsections two, three, and four of this section shall not be required if, in his opinion, the moral and temporal interests of the foster child shall be promoted by the adoption, and such consents cannot for any reason be obtained.

Sec. 3. **Subdivision 1.** Any person or persons desiring to adopt a minor child shall file in the county court of the county where the person desiring to adopt such child resides, a petition stating the names and place of residence of the petitioners, whether they are of full age, whether they are married or unmarried, and if married, whether they are living together as husband and wife, the name, date and place of birth of the foster child as nearly as the same can be ascertained, the religious faith of the petitioners, the religious faith of the foster child and his parents as nearly as the same can be ascertained, the facts, if any, which render unnecessary the consent of either or both of the parents of the foster child, the manner in which the foster parents obtained the foster child, the period of time during which the foster child has resided with the foster parents, the occupation and approximate income of the petitioners, and the new name, if any, by which the foster child is to be known, that no prevoius application has been made to any court or judge for the relief sought, or if so made the disposition of it, any statement as to whether the foster child has been previously adopted, all of which

statements shall be taken **prima facie** as true, an agreement on the part of the foster parents or parent to adopt and treat the foster child as their or his or her own lawful child, and the consents required under this article. **Subdivision 2.** When the foster child is to be adopted upon the consent of some person other than his father or mother there shall also be presented the affidavit of such person showing how he or she obtained lawful custody of the child. **Subdivision 3.** The petition must be verified, the agreement and consents executed and acknowledged, the proof given, and the affidavit sworn to by the respective persons before such county judge, but wherein the consent of a parent or such person whose consent is necessary to the adoption is duly acknowledged or proved and certified in form sufficient to entitle a conveyance to be recorded in this state, said county judge may grant the order of adoption without the personal appearance of such parent or person. **Subdivision 4.** When the foster child is less than eighteen years of age no order of adoption shall be made until such child has resided with the foster parents for at least three months. **Subdivision 5.** Before making an order of adoption, the county judge shall examine into the allegations set forth in the petition and ascertain such other facts relating to the foster child and foster parents as will give such county judge adequate basis for determining the propriety of approving the adoption and as will satisfy him that the adoption shall serve the best interests of the child. **Subdivision 6.** At the time of the hearing the court shall require at least one witness other than the petitioners to attest to the fact that the child has resided in the home of the petitioner for the required time, and to testify to the character of the petitioner, the residence of the petitioner, and the child, and any other facts which the court may require with respect to the welfare and the interest of the parties. **Subdivision 7.** The entry of a decree of adoption shall be conclusive evidence of the sufficiency of the consent or consents annexed to the petition for such adoption and of the rights, duties and obligations established by such decree pursuant to the provisions of this article in any suit, action or proceeding not commencing within five years from the date of entry of such decree.

Sec. 4. Upon the filing of such petition the court shall fix the time for hearing the same and the court may require that notice of the hearing be given to all parties interested by personal service or by publication: **Provided,** it shall not be necessary to give notice to the minor child to be adopted unless he shall be over the age of fourteen years. If notice be given by publication, it shall be published three successive weeks in some newspaper in general circulation in said county: **Provided further,** that the parents or either of them reside within the state and personal service can be had upon them, such service shall in all such cases, be had upon them, except in such cases where the consent of such parent is filed with the

petition or as hereinbefore provided such consent is not necessary. If, after such notice, a person whose consent is required does not appear and object to the adoption, the court may act upon the petition without his consent, subject to his right of appeal, or it may appoint a guardian **ad litem** with power to give or withhold consent.

Sec. 5. **Subdivision 1.** If the court is satisfied with the identity and relations of the persons and that the petitioner is of sufficient ability to bring up a child and provide suitable support and education for it, and that the child should be adopted, it shall make a decree by which all rights, duties and other legal consequences of the natural relation of child and parent shall thereafter exist between the child and the petitioner and his kindred. The court may also decree such change of name as the petitioner may request. **Subdivision 2.** The fact that the foster child was born out of wedlock shall in no case appear in such order. **Subdivision 3.** All papers pertaining to the adoption shall be kept by the county judge as a permanent record of his court and such papers and records shall be withheld from public inspection. No person shall have access to such papers and records except upon the order of the county judge of the court in which the order of adoption was made, on good cause being shown. **Subdivision 4.** After the making of an order of adoption the parents of the foster child shall be relieved of all parental duties toward, and also responsibility for, and shall have no rights over such foster child or to his property by descent or distribution. **Subdivision 5.** The foster parents or parent and the foster child shall sustain towards each other the legal relation of parent and child, and shall have all the rights and be subject to all the duties of that relation including the full rights of inheritance from each other.

Sec. 6. If the child has been previously adopted all the regular consequences of the former decree shall upon a subsequent adoption determine, except so far as any interest in property may have vested in the adopted child and a decree to that effect shall be entered on the records of the court.

Sec. 7. An appeal shall be allowed from any final order, judgment or decree rendered under the authority of this article from the county court to the district court by any person against whom such order, judgment or decree may be made, or who may be affected thereby, in the manner provided for appeals in probate matters.

Sec. 8. The expense of a proceeding pursuant to this article shall be borne by the petitioner, and he shall be charged for all services performed under this article in accordance with such schedule of fees as are now or may hereafter be provided by law for like services in probate matters.

Sec. 9. No person shall cause to be published in a newspaper

published in the state of Nebraska an advertisement or notice of a child offered or wanted for adoption. Violation of this section shall be punished by a fine of not less than ten or more than one hundred dollars.

Sec. 10. The legal custody of a minor child shall not be relinquished except on order of the district court of the county in which the child resides or unless the person or persons to whom said child is relinquished shall within two weeks file proceedings to adopt said child or unless legal custody of said child is relinquished to a duly licensed child-placing or child-care institution or agency. Nothing in this section shall be construed to affect the right of any county court to appoint a guardian of the person or estate of any minor child.

Sec. 11. That Article 1, Chapter 43, Compiled Statutes of Nebraska, 1929, is hereby repealed.".

2. Amend the bill, page 1, title, by striking all of said title after the word "ACT" in line 2 therein and by inserting in lieu thereof the following:

"relating to the adoption of children; to prescribe when adoption shall be permitted; to prescribe the type and whose consents are necessary, the form of petition for filing in county court; to provide for an investigation of the allegations of the petition, a hearing and notice thereof on said petition and the form and effect of the decree of adoption by the county court; to provide that the permanent records of all papers pertaining to adoptions shall, by the court, be withheld from public inspection; to determine the rights of adopted children and their parents; to provide for an appeal from said order of adoption; to prescribe the manner of payment of fees of such proceeding; and to repeal Article 1, Chapter 43, Compiled Statutes of Nebraska, 1929.".

LEGISLATIVE BILL NO. 374. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 374:

1. Strike all of the bill after the enacting clause and insert in lieu thereof the following:

"Section 1. That Section 28-1010, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

28-1010. **A machine gun applies to and includes all firearms, known as machine rifles, machine guns, or sub-machine guns, capable**

of discharging automatically and continuously loaded ammunition of any caliber, in which the ammunition is fed to such gun from or by means of clips, disks, drums, belts or other separable mechanical device: Provided, more than ten shots or bullets may be rapidly, or automatically discharged from a magazine by a single function of the firing device. It shall be unlawful for any person, firm or corporation, its or their agents or servants, to sell or cause to be sold or otherwise dispose of any machine gun, **or any sawedoff shotgun, or automatic rifle having a barrel of eighteen inches or less in length,** to any person in the State **state** of Nebraska, except officers of the law, agents of the United States government, or agents of the law enforcement department **of law enforcement and public safety** of the State **state** of Nebraska. If **The violation of any of the provisions of this section by** any person, firm or corporation, or its or their agents or servants, violate any of the provisions of this section, **shall be construed as prima facie evidence that such sale or disposal was for an unlawful purpose, and the offenders** they shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not less than one thousand dollars nor more than ten thousand dollars.

Sec. 2. That Section 28-1011, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

28-1011. **Subdivision 1.** It shall be unlawful for any person or persons, except officers of the law, soldiers of the United States Army **army,** or officers and enlisted men of the National Guard **national guard** of this state, to transport any machine gun, **or sawed-off shotgun, or automatic rifle having a barrel of eighteen inches or less in length,** on any highway within the state, or to have in possession for any unlawful purpose any machine gun; **or sawed-off shotgun, or automatic rifle having a barrel of eighteen inches or less in length. Subdivision 2. It shall be unlawful for any person to obliterate, remove, change or alter the manufacturer's serial number of any machine gun, sub-machine gun, automatic rifle, or sawed-off shotgun described in Section 28-1010, Compiled Statutes of Nebraska, 1929, as amended by section 1, legislative bill No. 374, fifty-fifth session, Nebraska state legislature, 1941, or the serial number of any firearm used as a weapon in committing any unlawful act. Subdivision 3. Nothing contained in this section shall be construed to prohibit or interfere with the possession of any machine gun for scientific purposes, or the possession of any machine gun not usable as a weapon and possessed as a curiosity, ornament, or keepsake, or the possesion of any gun retained wholly as a relic, antique, or keepsake, manifestly not to be used for an aggressive or offensive purpose.** Any person violating **The violation of** any of the provisions **subdivisions** of this section, **shall be construed as prima facie evidence that such possession or transportation was for an unlawful purpose, and any offender**

shall be deemed guilty of a felony, and, upon conviction thereof, shall be imprisoned in the state penitentiary for not less than one year nor more than ten years.

Sec. 3. That said original Sections 28-1010 and 28-1011, Compiled Statutes of Nebraska, 1929, are hereby repealed.".

2. Strike all of the title after the word "ACT" in line 2 therein and substitute in lieu thereof the following:

"to amend Sections 28-1010 and 28-1011, Compiled Statutes of Nebraska, 1929, relating to crimes and punishments; to establish a presumption of unlawful intent for any violation of the provisions of these statutes relating to the sale, disposal, possession or transportation of machine guns, sawed-off shot guns or automatic rifles having a barrel of eighteen inches in length; to provide certain exceptions; to provide penalties for the violation thereof; and to repeal said original sections.".

LEGISLATIVE BILL NO. 500. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 500:

Amend Section 1, page 2, by inserting between the lines 19 and 20 the following, "This certificate issued under the provisions of Legislative Bill No. 500, 1941 session."

(Signed) Gantz, Chairman

Public Works

LEGISLATIVE BILL NO. 482. Placed on General File.

LEGISLATIVE BILL NO. 305. Indefinitely postponed.

LEGISLATIVE BILL NO. 367. Indefinitely postponed.

LEGISLATIVE BILL NO. 475. Indefinitely postponed.

LEGISLATIVE BILL NO. 481. Indefinitely postponed.

(Signed) Mischke, Chairman

Enrollment & Review

Correctly enrolled

L. B. No. 270 L. B. No. 225 L. B. No. 251

L. B. No. 57	L. B. No. 283	L. B. No. 401
		L. B. No. 461

(Signed) Crosby, Chairman

President signs

While the Legislature was in session and capable of transacting business, the president signed:

L. B. No. 270	L. B. No. 225	L. B. No. 251
L. B. No. 57	L. B. No. 283	L. B. No. 401
		L. B. No. 461

BILLS ON THIRD READING

LEGISLATIVE BILL NO. 257. Mr. Mekota requested that the bill be laid over and considered on Third Reading with L. B. No. 258, which is a companion bill.

No objection was raised and the President so ordered.

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 152.

A bill for an Act to amend Secs. 26-220 and 39-1201, C. S. Supp., 1939, relating to counties under township organization; to provide for the election of overseers of roads in such counties at the annual town meetings in 1943 and every two years thereafter; to prescribe the duties of road overseers so elected; to repeal said original sections; and to repeal Sec. 32-223, C. S. Supp., 1939.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 39:

Adams, E. A.	Crosby	Kotouc	Raecke
Adams, J. Jr.	Crossland	Lambert	Rakow
Asimus	Gantz	Matzke	Reed
Bevins	Garber	Mekota	Sorrell
Blome	Greenamyre	Metzger	Thomas, Ray
Bowman	Hanna	Mischke	Thornton
Brodahl	Howard	Murphy	Tvrdik
Callan	Jeppesen	Norman	Van Diest

Carlson	Johnson	Peterson	Weborg
Carmody	Knezacek	Price	

Voting in the negative, 0.

Not voting, 4:

Mueller	Neubauer	Sullivan	Thomas, Amos

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION—To Amend

Mr. President: I move that the rules be suspended and that the Committee on Enrollment and Review be directed to amend L. B. No. 258 as follows: Strike the word "lien", page 3, Sec. 2, line 31, and insert in lieu thereof the word "contract".

(Signed) Mekota

The motion prevailed with 32 ayes, no nays, 11 not voting.

SELECT FILE

LEGISLATIVE BILL NO. 341. E and R amendments, found in the Legislative Journal for the Sixty-third Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 21. E and R amendments, found in the Legislative Journal for the Sixty-third Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 429. E and R amendments, found in the Legislative Journal for the Sixty-third Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 368. E and R amendments, found in the Legislative Journal for the Sixty-third Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 455. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 291. E and R amendments, found in the Legislative Journal for the Sixty-third Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 135. Standing Committee amendments were read.

Laid over.

MESSAGE FROM THE GOVERNOR

Congressional Districts

April 7, 1941

To the President, the Speaker and Members of the Legislature

Gentlemen:

On March 31, 1941, I sent to your honorable body a message enclosing a copy of the certificate received from the Clerk of the House of Representatives giving official information that Nebraska would, in the future, have but four representatives in the lower house of Congress. I am, therefore, recommending that there be introduced a bill or bills providing for a redistricting of the state into four congressional districts.

I further recommend that the state be divided into six districts for the election of judges of the Supreme Court and regents of the state university.

Respectfully submitted,

(Signed) Dwight Griswold
Governor.

SELECT COMMITTEE REPORTS

Congressional Districts

Majority Report

Mr. President: Your special committee appointed on March 12, 1941, for the purpose of apportioning the representatives from the state of Nebraska to the Congress of the United States into four districts of representatives to the Congress of the United States begs leave to report as follows:

1. Sensitive to the command embodied in the resolution creating this special committee, public hearings have been held and all persons interested in this apportionment have been given ample opportunity to be heard and have been heard.

2. Based on the evidence deduced at the public hearings, the undersigned, constituting a majority of your select committee, has prepared a legislative bill to amend Sec. 5-101, C. S. Supp., 1939, the relevant statute section relating to the apportionment of representatives from the state of Nebraska to the Congress of the United States, which bill is incorporated in and made a part of this report and which will be introduced contemporaneously with the filing of the report.

3. A minority of the committee do not concur in the conclusions reached by the majority of the committee, the undersigned, and will ask leave to file a minority report which your committee believes should be received so that both the majority and minority views on the matter of this apportionment may be available for the information of the body of the legislature.

4. Your special committee has completed its work and ought to be discharged forthwith.

Dated April 4, 1941.

(Signed) H. G. Greenamyre, Chairman

Ernest A. Adams
John S. Callan
J. Lyndon Thornton

A. C. Van Diest
L. B. Murphy
Charles F. Tvrdik

Minority Report

Mr. President: The undersigned members of your special committee appointed for the purpose of apportioning the representatives from the state of Nebraska to the Congress of the United States into four districts, except to the majority report filed herein for the following reasons:

(1) The map proposed by the majority of the committee members fails to follow the well defined and used lines of motor and rail transportation.

(2) The proposal is unfair to the population of the present Fourth Congressional District in that it takes therefrom approximately 177,000 of population while leaving intact the present Second and Third Congressional Districts and leaves the present First Congressional District intact except for Cass County.

(3) The proposed redistricting map will set back and retard the proposed Republican Valley development and the general development of irrigation in southwest Nebraska by placing the east end of the Republican Valley in a different congressional district than that in which the proposed Republican Valley dam will be located and in dividing the territory to be irrigated under the Tri-Couny irrigation system. In this connection we call attention to the fact that there is only one Chamber of Commerce in Nebraska covering any considerable area of the state and primarily interested in the development of that section, to-wit, the South Platte Chamber of Commerce, the territory of which is divided by the proposed redistricting map, destroying and dividing interests, acquaintanceships and contacts which have been formed over a considerable period of years.

(4) There are no substantial north and south highways in the proposed Fourth Congressional District whereby communication between the various parts of the district can be maintained to the extent that such communication could be maintained if the state was divided by a line running from east to west.

(5) Under the proposed map the population of Hall and Buffalo counties is not treated fairly and is put into a district with which it has no common interest and is separated from the territory with which it does have a common interest both by reason of rail communication, location along the Platte River and irrigation.

(6) The proposed map does not keep in one district one of Nebraska's great industries, to-wit, the raising and feeding of cattle.

The map attached hereto as a part of this report is suggested as a division which overcomes the objections above set forth and more nearly satisfies all the interests of Nebraska without regard to politics or the interests of present or potential congressmen.

Dated April 4, 1941.

(Signed) E. M. Neubauer
Tony Asimus

Mr. Neubauer requested that the Legislative Journal list the districts and counties rather than print the map submitted, which lists are as follows:

Proposed District No. 1 to consist of the following counties: Richardson, Nemaha, Otoe, Cass, Saunders, Lancaster, Gage, Jefferson, Saline, Seward, Butler, Colfax and Dodge.

Proposed District Number 2 to consist of the following counties: Sarpy, Douglas, Washington, Burt, Thurston, Dakota, Dixon and Cuming.

Proposed District Number 3 to consist of the following counties: Cedar, Wayne, Stanton, Platte, Madison, Pierce, Knox, Antelope, Boone, Greeley, Wheeler, Holt, Boyd, Garfield, Valley, Custer, Loup, Rock, Keya Paha, Brown, Blaine, Thomas, Logan, McPherson, Hooker, Cherry, Grant, Arthur, Deuel, Garden, Sheridan, Dawes, Box Butte, Morrill, Cheyenne, Kimball, Banner, Scotts Bluff and Sioux.

Proposed District Number 4 to consist of the following counties: Polk, York, Fillmore, Thayer, Nuckolls, Clay, Hamilton, Merrick, Nance, Howard, Hall, Adams, Webster, Franklin, Kearney, Buffalo, Sherman, Phelps, Harlan, Furnas, Gosper, Dawson, Lincoln, Frontier, Red Willow, Hitchcock, Hayes, Keith, Perkins, Chase and Dundy.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 507. By Special Committee on Congressional Redistricting.
Requested by Governor Griswold.

A bill for an Act to amend Sec. 5-101 C. S. Supp., 1939, relating to apportionment of representatives from the state of Nebraska to the congress of the United States; and to repeal said original section.

SPECIAL ORDER—11:00 a. m.

Select File

LEGISLATIVE BILL NO. 133.

Mr. Bowman withdrew his amendment, found in the Legislative Journal for the Sixty-first Day, and substituted the following amendment therefor:

Strike General File Amendment, number 1, mimeographed, dated March 12, 1941, from the bill.

And moved its adoption.

The motion was lost.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL NO. 328. Laid over. Retains place on File.

LEGISLATIVE BILL NO. 221. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Forty-ninth Day were adopted.

Mr. Callan offered the following amendments, which were adopted:

Line 14, insert immediately following "from" and before the word "any" the sentence "Sale of food or other stamps or any tax levy."

Strike out the words in the same line "Any source".

Referred to E and R for review.

Member excused

Mr. Matzke was excused for the session on Tuesday, April 8, 1941.

Adjournment

At 12:02 p. m. Mr. Mischke moved that the rules be suspended and that the Legislature adjourn until Tuesday, April 8, 1941 at 8:00 a. m.

The motion prevailed with 33 ayes, no nays, 10 not voting.

Hugo F. Srb,
Clerk of the Legislature.

SIXTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, April 8, 1941.

Pursuant to adjournment the Legislature met at 8:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Matzke, Mr. Price and Amos Thomas, who were excused.

The Journal for the Sixty-fourth Day was approved as corrected.

NOTICE OF COMMITTEE HEARINGS

Labor and Public Welfare

L. B. No. 384, Monday, April 14, 1941, 2:00 p. m.

L. B. No. 435, Monday, April 14, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Education

LEGISLATIVE BILL NO. 38. Indefinitely postponed.

LEGISLATIVE BILL NO. 376. Indefinitely postponed.

LEGISLATIVE BILL NO. 244. Indefinitely postponed.

LEGISLATIVE BILL NO. 284. Indefinitely postponed.

LEGISLATIVE BILL NO. 428. Indefinitely postponed.

(Signed) Matzke, Chairman

Revenue

LEGISLATIVE BILL NO. 183. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 183:

1. Strike all of the bill after the enacting clause and substitute in lieu thereof the following:

"Section 1. Any political subdivision which on the effective date of this act had outstanding any unpaid judgments or registered warrants drawn against any fund or funds which were general obligations of such political subdivision, may during the years 1941 and 1942, both inclusive, refinance such indebtedness by issuing bonds and selling or exchanging the same on the basis of dollar for dollar as herein provided. It is the intention of the legislature that sections 1 to 6, inclusive, of this act shall be construed as supplemental to and cumulative with and in no wise a limitation of the powers granted to municipalities mentioned in sections 7 to 11, inclusive, of this act.

Sec. 2. Such funding bonds shall not exceed the amount unpaid on the judgment and registered warrants with accrued interest and shall bear interest at less than the rate of interest on the indebtedness funded and in no event shall the rate of interest exceed five per cent per annum.

Sec. 3. The governing body shall by ordinance or resolution entered in the minutes of their proceedings direct that public notice be given stating the amount of the indebtedness to be funded, the rate of interest it bears, and the same is to be taken up and paid off by means of funding bonds bearing interest not to exceed the rate herein specified and stating the date on which and the place where electors may file protests to such action. Such notice shall be signed by the secretary or clerk or officer of the political subdivision serving in such capacity and shall be published two consecutive weeks in at least one legal newspaper of general circulation within the subdivision and shall be posted on or in the building in which regular meetings of the governing body are held.

Sec. 4. If twenty per cent of the electors voting at the last general election shall file a protest within thirty days from the last date of publication, then in that event the question of whether the political subdivision shall issue funding bonds may be voted on at an election to be held within sixty days thereafter and said bonds shall be issued if a majority of the voters voting on the issue are in favor thereof. If a sufficient protest has not been filed within the time stated then and thereafter the governing body may issue and sell or issue and exchange the bonds herein authorized.

Sec. 5. Said funding bonds shall be negotiable and shall be redeemable and retired serially if not exceeding twenty years and shall have interest coupons attached payable annually or semiannually.

Sec. 6. It shall be the duty of the proper officers of such political subdivision to cause to be annually levied and collected a tax on all the taxable property located therein sufficient in amount to pay the principal and interest on the bonds as the same becomes due.

Sec. 7. Any city of the first class having a population of more than five thousand and less than twenty-five thousand inhabitants, city of the second class or village in the state of Nebraska, on the affirmative vote of a majority of all of the members of its local governing body, is hereby authorized and empowered to borrow money for the purpose of paying final judgments against such city or village, as the case may be, together with accrued interest thereon and to redeem outstanding warrants of the municipality, excepting from the provisions hereof warrants drawn against the fund or funds created by the annual estimate and annual appropriation bill made in the year 1940 and subsequent levy. Money so borrowed may be used for the payment of judgments or the redemption of warrants as herein provided together with accrued interest thereon, but for no other purpose whatsoever. As a means of borrowing money as herein authorized the municipality shall execute and deliver its negotiable promissory note or notes for the amount of the loan, and the amount so borrowed may draw interest at a rate not to exceed four per cent per annum payable semiannually. The note or notes shall also provide that all payment of interest and principal shall be endorsed on the back of the note.

Sec. 8. Any indebtedness incurred by borrowing money as authorized by section 7 hereof shall be paid in its entirety within a period of five years from the date of the loan, and not less than one-fifth of the principal sum together with accrued interest shall be paid each year following the date of the loan until the entire amount is paid, and the note or notes given shall so provide.

Sec. 9. Any municipality before borrowing money as by this act empowered shall, as a condition precedent to the exercise of said power, publish at least once in a legal newspaper published in or of general circulation in such city or village: (a) A statement of the total amount of unpaid final judgments against such city or village exclusive of interest and costs thereon; (b) the total amount of outstanding warrants of such city or village exclusive of interest thereon, and excluding therefrom warrants drawn against any fund or funds created by the 1940 municipal levy or subsequent levies; (c) a statement of the total indebtedness of the municipality not included in subdivisions (a) and (b) of this section and not evidenced by outstanding bonds of the city or village.

Sec. 10. Any city or village that borrows money, as by sections 7 to 11, inclusive, of this act authorized, shall annually provide funds for the payment and discharge of such obligation by appropriating therefor in its annual estimate and annual appropriation bill to pay and discharge such obligation within the time and as required by the terms and provisions of sections 7 to 11, inclusive, of this act.

Sec. 11. The power and authority of a municipality to borrow money as authorized by sections 7 to 11, inclusive, of this act shall terminate, cease and expire on the thirty-first day of December, 1941: **Provided,** the provisions of sections 7 to 11, inclusive, of this act shall be construed as cumulative with and supplemental to existing charter powers of said municipalities on the same subject.

Sec. 12. If any clause, sentence, paragraph, or part of this act shall, for any reason, be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this act, but shall be confined in its operation to the clause, sentence, paragraph, or any part thereof, directly involved in the controversy in which such judgment has been rendered.

Sec. 13. That Article 11, Chapter 11, C. S. Supp., 1939, is hereby repealed.

Sec. 14. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.".

2. Strike all of the title after the word "ACT" in line 2 therein and substitute in lieu thereof the following:

"relating to revenue; to authorize the governing body of any political subdivision to fund its general indebtedness; to authorize the issuance of funding bonds not to exceed an amount lawfully owing and unpaid upon its registered warrants and judgments plus accrued interest; to provide for the maximum rate of interest the bonds shall bear; to provide the manner in which such bonds shall be issued; to provide for the levy of an annual tax for the payment of interest and principal on such bonds; to authorize and empower any city of the first class having a population of more than five thousand and less than twenty-five thousand inhabitants, city of the second class or village in the state of Nebraska to borrow money with which to pay judgments against their respective municipalities and accrued interest thereon and to redeem outstanding warrants of such city or village, as the case may be; to issue the municipality's promissory note or notes therefor; to provide for the repayment of money so borrowed; to prescribe terms, provisions, conditions and limitations upon the exercise of the power so to borrow; to provide that the provisions of sections 7 to 11, inclusive of this act shall be construed

as supplemental to and cumulative with existing charter powers of said municipalities on the same subject; to provide that sections 1 to 6, inclusive, of this act shall not be construed as a limitation on the powers conferred upon municipalities in sections 7 to 11, inclusive, therein; to repeal Article 11, Chapter 11, C. S. Supp., 1939; and to declare an emergency.".

LEGISLATIVE BILL NO. 88. Placed on General File.

LEGISLATIVE BILL NO. 149. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 149:

1. Amend the bill, page 2, section 2, line 4, by striking out the definite article "the" after the preposition "of" and before the word "county" therein and by inserting in lieu thereof the word "each"; and in line 7 of said section 2, after the word "shall" and before the word "set" therein insert the following: "be directed to the county boards of each county in which the lands to be included in the proposed district are situated and shall"; and in line 14 of said section 2 after the word "board" and before the word "duly" therein insert the following: "of the county in which most of the lands to be included in the proposed district are situated, shall"; and on page 4, section 2, line 68, strike the words "owners of land lying" and insert in leiu thereof the words "qualified electors residing"; and in line 71 on said page 4, section 2 of the bill, strike the sentence "Only such voters shall be eligible to vote.".

2. Amend the bill, page 4, section 2, line 87, by inserting after the word "act" therein the following: ": **Provided,** that an affirmative vote of sixty per cent of the voters voting at such referendum shall be required".

3. Amend the bill, page 4, section 2, line 92, by striking the words "land owners" therein and by inserting in lieu thereof the words "qualified electors".

4. Amend the bill, page 5, section 2, line 94, by striking therefrom the words "a majority of the owners" and by inserting in lieu thereof the following: "sixty per cent of the qualified electors residing".

5. Amend the bill, page 5, section 2, lines 96 and 97, by striking therefrom the words "owners of land lying" therein and by inserting in lieu thereof the words "qualified electors residing".

6. Amend the bill, page 5, section 2, line 98, by inserting after

the word "vote" therein the following: ": **Provided,** that no territory shall be included within the boundaries of more than one cemetery maintenance district".

7. Amend the bill, page 5, section 4, line 1, by striking therefrom the words "a majority" therein and by inserting in lieu thereof the words "sixty per cent".

8. Amend the bill, page 5, section 4, line 5, by inserting after the word "citizens" therein the following: "residing in such district".

9. Amend the bill, page 6, section 7, line 7, by inserting after the word "property" and before the preposition "of" the following: ", both real and personal,".

10. Amend the bill, page 6, section 7, line 14, by inserting after the last definite article "the" therein the words "real and personal".

11. Amend the bill, page 6, by inserting immediately after section 7, line 15 thereon a new section as follows:

"Sec. 8. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.".

12. Amend the bill, page 1, title, line 4, by striking the last conjunciton "and" therein; and in line 6 of said title after the word "there" therein insert the following: "; and to declare an emergency".

LEGISLATIVE BILL NO. 350. Indefinitely postponed.

LEGISLATIVE BILL NO. 402. Placed on General File.

LEGISLATIVE BILL NO. 450. Placed on General File.

LEGISLATIVE BILL NO. 464. Placed on General File.

(Signed) Murphy, Chairman

Appropriations

LEGISLATIVE BILL NO. 281. Indefinitely postponed.

(Signed) Callan, Chairman

Claims & Deficiencies

LEGISLATIVE BILL NO. 254. Indefinitely postponed.

(Signed) Lambert, Chairman

Labor & Public Welfare

LEGISLATIVE BILL NO. 493. Placed on General File.

LEGISLATIVE BILL NO. 504. Placed on General File.

(Signed) Sullivan, Chairman

Enrollment & Review

Presented to Governor for approval

Monday, April 7, 1941 at 3:00 p. m.

L. B. No. 251	L. B. No. 270	L. B. No. 401
L. B. No. 225	L. B. No. 461	L. B. No. 283
L. B. No. 57		

LEGISLATIVE BILL NO. 258. Correctly engrossed.

(Signed) Crosby, Chairman

BILLS ON SECOND READING

The following bill was read the second time by title:

(For title see Bills on First Reading)

LEGISLATIVE BILL NO. 507.

Mr. Van Diest asked unanimous consent to strike the word "Select" from the committee report and from the bill and insert in lieu thereof "Special".

No objection was raised and the President so ordered.

Mr. Van Diest moved that the rules be suspended and the bill be placed on General File.

A call of the House was ordered.

Mr. Van Diest moved to raise the call.

The motion prevailed with 26 ayes, 1 nay, 16 not voting.

Mr. Van Diest renewed his motion to place on General File.

The motion prevailed with 32 ayes, no nays, 11 not voting.

SELECT FILE

LEGISLATIVE BILL NO. 135. E and R amendments, found in the Legislative Journal for the Sixty-third Day, were adopted.

Mr. Blome moved to refer to E and R for engrossment.

Mr. Mischke moved to re-refer the bill to the Committee on Government for further consideration.

The motion was lost with 8 ayes, 18 nays, 17 not voting.

Mr. Blome's motion prevailed.

Referred to E and R for engrossment.

MOTION—To Appoint Sifting Committee

Mr. President: I move that the Chairmen of the following committees, Agriculture, Appropriations, Banking Commerce & Insurance, Claims & Deficiencies, Education, Government, Judiciary, Labor and Public Welfare, Public Health & Miscellaneous Subjects, Public Works, and Revenue be appointed a Sifting Committee for the purpose of arranging bills on general file to be considered each day, commencing next Monday, April 14. (Signed) Mueller

MOTION—To Amend

Mr. President: I move that in addition to the chairmen of each Standing Committee named, the Chair appoint four more members on the Sifting Committee. (Signed) Van Diest

The motion prevailed.

The Mueller motion, as amended, was adopted with 29 ayes, no nays, 14 not voting.

Speaker Howard presiding

GENERAL FILE

LEGISLATIVE BILL NO. 328. Passed over. Retains place on File.

LEGISLATIVE BILL NO. 252. Read and considered.

President Johnson presiding

Mr. Hanna offered the following amendments, which were adopted:

1. Amend the bill, page 2, section 1, line 13, by inserting after the word "brand" and before the word "fund" the word "registration".

2. Amend the bill, page 2, section 1, line 21, by inserting after the word "biennium" therein the following: ": **Provided,** nothing in this section shall be construed to apply to the fees inuring to the **Nebraska brand inspection and theft prevention fund".**

3. Amend the bill, page 1, title, line 17, by inserting after the word and punctuation "created," and before the word "if" therein the following: "except as otherwise provided herein,".

Mr. Mueller offered the following amendment, which was adopted with 17 ayes, 9 nays, 14 not voting:

Where the figures "10%" appear, strike the same and insert in lieu thereof the figures "15%".

Mr. Mischke moved to refer to E and R for review.

Mr. Van Diest moved to indefinitely postpone.

The motion was lost with 1 aye, 23 nays, 19 not voting.

Mr. Mischke's motion prevailed.

Referred to E and R for review.

Mr. Tvrdik presiding

LEGISLATIVE BILL NO. 299. Read and considered.

Mr. Crosby presiding

Standing Committee amendments, found in the Legislative Journal for the Fifty-fourth Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 372. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Forty-ninth Day, were adopted.

Mr. Raecke offered the following amendment, which was adopted:

Amend by inserting the figure "372" wherever the number is left blank when referring to the legislative bill of the fifty-fifth session, Nebraska state legislature.

Referred to E and R for review.

LEGISLATIVE BILL NO. 379. Read and considered.

Visitors

Governor Dwight Griswold and Senator Hugh Butler were escorted to the rostrum. The President introduced Senator Butler, who addressed the Legislature briefly.

Mr. Norman introduced Mrs. S. W. Riley and Mrs. H. H. Brinkman, President and Secretary, respectively, of the Second District of the Nebraska Federation of Women's Clubs of Omaha, who addressed the Legislature briefly. They were accompanied by thirty-five representatives from Omaha, Benson and North Side.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 379.

Speaker Howard presiding

Ernest A. Adams offered the following amendment:

To strike Sec. 18 and renumber the following sections.

Mr. Peterson offered the following amendment to Mr. Adams' amendment.

Amend Ernest Adams' amendment by adding the following: "and insert a new section 18 as follows:

Section 18. No part of this act shall apply to schools in metropolitan cities or to the teachers therein.

And to strike the provisions for renumbering.

No action was taken on either of the amendments.

President Johnson presiding

STANDING COMMITTEE REPORTS (Continued)

Enrollment & Review

LEGISLATIVE BILL NO. 46. Correctly enrolled.

(Signed) Crosby, Chairman

President signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill No. 46.

Approved by the Governor

April 8, 1941

To the President, the Speaker and Members of the Legislature

Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that on April 7, 1941, he signed the following bills, viz:

L. B. No. 210	L. B. No. 57
L. B. No. 461	L. B. No. 283

Respectfully submitted,

(Signed) Val Peterson
Secretary to the Governor.

MOTION—To Permit Additional Hearings

Mr. President: I move to suspend the rules to permit a meeting of the Committee on Labor and Public Welfare in executive session at 4:30 this afternoon, April 8, 1941. (Signed) Sullivan

The motion prevailed with 37 ayes, no nays, 6 not voting.

Sifting Committee—Additional Members

The President announced that he had appointed the following members to serve on the Sifting Committee:

Fred A. Mueller	A. C. Van Diest
Ernest A. Adams	Charles F. Tvrdik

Adjournment

At 12:12 p. m. on motion by Mr. Mueller the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

SIXTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, April 9, 1941.

Pursuant to adjournment the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Amos Thomas, who was excused.

The Journal for the Sixty-fifth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Johnson, one, favoring L. B. No. 191; Mr. Greenamyre, one, opposing L. B. No. 379; Mr. Lambert, two, favoring L. B. No. 379; all members, one, favoring L. B. No. 379.

STANDING COMMITTEE REPORTS

Revenue

LEGISLATIVE BILL NO. 321. Placed on General File.

LEGISLATIVE BILL NO. 326. Placed on General File.

LEGISLATIVE BILL NO. 353. Placed on General File.

LEGISLATIVE BILL NO. 405. Indefinitely postponed.

LEGISLATIVE BILL NO. 459. Indefinitely postponed.

(Signed) Murphy, Chairman

Banking, Commerce & Insurance

LEGISLATIVE BILL NO. 97. Indefinitely postponed.

LEGISLATIVE BILL NO. 445. Indefinitely postponed.

(Signed) Thornton, Chairman

Labor & Public Welfare

LEGISLATIVE BILL NO. 403. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 403:

1. Amend the bill, page 13, section 1, line 390, by inserting after the word and punctuation, "employers." the following: "(p) **"Unemployment compensation administration fund" means the "placement and unemployment insurance administration fund.".**

2. Amend the bill, page 14, section 2, line 21, by striking the article "an" and substiuting in lieu thereof the article "the" and by striking all words following the word "amount" in the same line to and including the words and punctuation "one dollar." in line 27, and by inserting in lieu thereof the following: **"appearing in column B in the table in this subsection on the line on which, in column A of such table, there appear the total wages paid to such individual for insured work in that quarter of his base period in which such total wages were highest.**

Unemployment Benefit Table

COLUMN A Wages Paid in Highest Quarter of Base Period	COLUMN B Weekly Benefit Amount
$ 50.00 through $125.00	$ 5.00
125.01 through 150.00	6.00
150.01 through 175.00	7.00
175.01 through 200.00	8.00
200.01 through 225.00	9.00
225.01 through 250.00	10.00
250.01 through 275.00	11.00
275.01 through 300.00	12.00
300.01 through 325.00	13.00
325.01 through 350.00	14.00
350.01 and over	15.00"

3. Amend the bill, page 15, section 2, by striking all commencing with the beginning of line 35 to and including the symbol "(e)" in line 59.

4. Amend the bill, page 31, section 5, line 75, by inserting after the word "year" the following: **", except as otherwise provided in subsection (f) of this section.".**

5. Amend the bill, page 36, section 5, line 257, by striking the word "of" and inserting in lieu thereof the words **"or a".**

6. Amend the bill, page 36, section 5, line 266, by striking the word "from" and inserting in lieu thereof **", of".**

7. Amend the bill, page 37, section 5, line 274, by inserting after the syllable and punctuation "curred." the following: **"A new rate of contributions payable by the transferee-employer with respect to wages paid by him after midnight of the date of such acquisition and prior to midnight of the last day of the calendar year in which acquisition occurs, shall be computed in accordance with the provisions of this paragraph. For purposes of computing such new rate of contributions the computation date with respect to any such acquisition which occurs on or before July 1, shall be December 31 of the preceding calendar year and the computation date with respect to any such acquisition which occurs after July 1 of any calendar year shall be June 30 of such year and the term 'pay roll' shall mean the total amount of wages by which contributions to the transferee's account and to the transferor's account were measured for each consecutive twelve-month period preceding the computation date. The rate of contributions payable by any transferee-employer shall not be less than 2.7% if the reserve account of either the transferee or the transferor-employer was at any time during the year preceding the computation date, insufficient to pay the benefits due and chargeable thereto, nor unless the combined benefit and contribution experience of both such transferor and transferee-employers, as of the computation date, fulfills the requirements of paragraphs (1) and (2) of subsection (c) of this section.".**

8. Amend the bill, page 42, section 10, lines 4 and 5, by striking the words "unemployment compensation" and by inserting in lieu thereof the words **"placement and unemployment insurance".**

9. Amend the bill, page 42, section 10, line 13, by inserting after the words "consist of" therein the following:

"any unexpended balances in the unemployment compensation administration fund, the employment service account thereof,".

10. Amend the bill, page 42, section 10, line 18, by striking the words "the Railroad Retirement Board" and by inserting in lieu

thereof the following: **"any agency of the United States or any other state".**

11. Amend the bill, page 42, section 10, lines 19 and 20 by striking the words "said board" and insert in lieu thereof: **"such agency, any amounts received pursuant to any surety bond or insurance policy for losses sustained by the administration fund or by reason of damage to equipment or supplies purchased from moneys in such fund and any proceeds realized from the sale or disposition of any equipment or supplies which may no longer be necessary for the proper administration of this law"**; and in said line 20 insert the word **"also"** after the word "shall" and before the word "be" therein; and in lines 20 and 21, therein, strike "or the employment service account thereof, as the commissioner may direct".

12. Amend the bill, pages 42 and 43, section 10, by striking all following the symbol "(b)" in line 29 down to and including the symbol **"(c)"** in line 45 on page 43.

13. Amend the bill, page 46, section 13, line 1, by inserting before the word "Wages" the words, punctuation and symbol "TRANSITION PROVISIONS. (a)".

14. Amend the bill, page 46, section 13, line 3, by striking the symbols and word "(d) and (e)" and substituting in lieu thereof "(b) and (d)".

15. Amend the bill, page 46, section 13, line 6, by inserting after the word and punctuation "payable." the following:

"(b) With respect to any individual for whom there is current a benefit year which has not expired prior to the effective date of this act, the weekly benefit amount determined pursuant to the law prior to its amendment by this act shall be exclusively applicable.".

16. Amend the bill, page 46, by striking all of sections 14, 15 and 16 thereon and by inserting in lieu thereof the following:

"Sec. 14. That Sec. 48-701, C. S. Supp., 1939, be amended to read as follows:

48-701. This Act **article** shall be known and may be cited as the "~~Unemployment Compensation~~ **Placement and Unemployment Insurance** Law."

Sec. 15. That Sec. 48-710 (a), C. S. Supp., 1939, be amended to read as follows:

48-710. ~~(a) UNEMPLOYMENT COMPENSATION DIVISION.~~ **DIVISION OF PLACEMENT AND UNEMPLOYMENT INSURANCE.**

There is hereby created in the Department of Labor **department of labor** a division to be known as the unemployment compensation division, **division of placement and unemployment insurance,** which shall be administered by a full time salaried director who shall be subject to the supervision and direction of the commissioner. Said **The** division shall be responsible for the discharge of its distinctive functions. Said **The** division shall be a separate administrative unit with respect to personnel, budget and duties, except insofar **in so far** as the commissioner may find that such separation is impracticable. **All divisions previously established pursuant to Articles 6 and 7, Chapter 48, C. S. Supp., 1939, are hereby abolished and all personnel, records, files and property, including office equipment of such divisions shall be transferred to the division of placement and unemployment insurance.** The Governor **governor,** with the consent of the Legislature **legislature,** is authorized to appoint, fix the compensation, not to exceed thirty-six **forty-eight** hundred dollars per annum, of and prescribe the duties of the director of the unemployment compensation **this** division provided that such appointment shall be made on a nonpartisan **nonpartisan** merit basis **in accordance with the requirements of Sec. 48-711 (d), as now existing or as hereafter amended.** The commissioner for his services with respect to the administration of this Act **law,** shall receive the sum of twelve **not to exceed twenty-four** hundred dollars per annum, **as fixed by the governor,** to be paid from the unemployment compensation **"placement and unemployment insurance** administration fund", and the compensation hereinbefore provided shall be deemed and considered payment for services rendered in addition to the salary of said commissioner as set out in Sec. 81-103, Comp. St. Supp., 1937 **C. S. Supp., 1939,** as the same now exists, or as hereafter amended.

Sec. 16. That Sec. 48-711 (K), C. S. Supp., 1939, be amended to read as follows:

48-711 (K). STATE-FEDERAL COOPERATION. (1) In the administration of this Act **law,** the commissioner shall cooperate, to the fullest extent consistent with the provisions of this Act **law,** with the Federal Social Security Board, created by the Federal Social Security Act; shall furnish full reports to the Social Security Board and shall provide for the verification to said board of said reports. **social security board, created by the act of Congress, entitled the social security act, as amended, and is authorized and directed to take such action, through the adoption of appropriate rules, regulations, administrative methods and standards, as may be necessary to secure to this state and its citizens all advantages available under the provisions of such act, under the provisions of sections 1602 and 1603 of the federal unemployment tax act and under the provisions of the act of Congress entitled "An act to provide for the establishment of a national employment system and for cooperation with states in the promotion**

of such system, and for other purposes," approved June 6, 1933, as amended. The commissioner shall comply with the regulations of the social security board relating to the receipt or expenditure by this state of moneys granted under any of such acts and shall make such reports, in such form and containing such information as the social security board may from time to time require, and shall comply with such provisions as the social security board may from time to time find necessary to assure the correctness and verification of such reports. Upon request therefor the commissioner shall furnisn to any agency of the United States charged with the administration of public works or assistance through public employment the name, address, ordinary occupation and employment status of each recipient of benefits and such recipient's rights to further benefits under this Act; **law.** ~~(2) The commissioner may make the state's records relating to the administration of this Act available to the Railroad Retirement Board and may furnish the Railroad Retirement Board, at the expense of such board, such copies thereof as the Railroad Retirement Board deems necessary for its purposes: (3)~~ The commissioner may afford reasonable cooperation with every agency of the United States charged with the administration of any unemployment insurance law.

Sec. 17. STATE EMPLOYMENT SERVICE. The state employment service is hereby established in the division of placement and unemployment insurance of the department of labor, state of Nebraska. The commissioner of such department, in the conduct of such service, shall establish and maintain free public employment offices in such number and in such places as may be necessary for the proper administration of this act and for the purposes of performing such functions as are within the purview of the act of Congress entitled "An act to provide for the establishment of a national employment system and for cooperation with the states in the promotion of such system, and for other purposes," approved June 6, 1933, (48 Stat. 113; U.S.C., title 29, sec. 49 (c) as amended, hereinafter referred to as the "Wagner-Peyser Act." The provisions of the said act of Congress are hereby accepted by this state, and the department of labor is hereby designated and constituted the agency of this state for the purposes of said act. All moneys received by this state under the said act of Congress shall be paid into the placement and unemployment insurance administration fund and shall be expended solely for the maintenance of the state system of public employment offices. There shall also be credited to the placement and unemployment insurance administration fund for the same purpose, any sums appropriated by the legislature from the general funds of the state for the purposes of maintaining public employment offices or of matching funds granted under said act. For the purpose of establishing and maintaining free public employment offices, and promoting the use of their facilities, the commissioner is authorized to enter into agreements with the railroad retirement board, or any other

agency of the United States, or of this or any other state, charged with the administration of any law whose purposes are reasonably related to the purposes of this act, or with any political subdivision of this state or any private non-profit organization, and as a part of such agreements may accept moneys, services or quarters as a contribution to the maintenance of the state system of public employment offices or as reimbursement for services performed. All moneys received for such purposes shall be paid into the placement and unemployment insurance administration fund.

Sec. 18. If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the remainder of this act and the application of such provision to other persons or circumstances shall not be affected thereby.

Sec. 19. That Article 6, Chapter 48, C. S. Supp., 1939, is hereby repealed; that said original Sec. 48-702, C. S. Supp., 1939, as amended by Section 1, Chapter 2, Session Laws of Nebraska, 1940, Special, is hereby repealed; and that said original Secs. 48-702, 48-703, 48-704, 48-706, 48-707, 48-708, 48-709 (b), 48-711 (a), 48-711 (e), 48-714 (a), 48-715 (d), 48-701, 48-710 (a) and 48-711 (k), C. S. Supp., 1939, as amended, are hereby repealed.

Sec. 20. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.".

17. Amend the bill, page 1, title, line 6, by inserting after the symbol and punctuation "(d)," therein the following: "48-701, 48-710 (a) and 48-711 (k),".

18. Amend the bill, page 1, title, line 15, after the words and punctuation "compensation law;" the following: "to revise the manner of determining weekly benefit amount;".

19. Amend the bill, page 1a, title, line 31, after the word "accounts" insert "and provide for the determination of contribution rates of transferee-employers".

20. Amend the bill, page 1a, title, line 35 by inserting after the words and punctuation "annual report;" therein, the following: "to create a division of placement and unemployment insurance; to consolidate the administration of employment service and unemployment insurance therein; to provide for the manner of the appointment of the director of such division; to fix compensation of the director and the commissioner for services rendered with respect to the administration of the placement and unemployment insurance law; to amend the short title of Article 7, Chapter 48, C. S. Supp., 1939, as amended, for purposes of citation;".

21. Amend the bill, page 1, title, line 47, by inserting after the word and punctuation "amended;" therein the following: "to repeal Article 6, Chapter 48, C. S. Supp., 1939;".

22. Amend the bill, page 4, section 1, by striking all of paragraph (4) subsection (g) in lines 91 to 98 inclusive therein; and then renumber succeeding paragraphs (5), (6), (7), subsection (g) pages 4 and 5 to correspond with this amendment.

23. Amend the bill, page 6, section 1, lines 153 and 154 by striking therefrom the words **"irrespective of whether the common-law relationship of master and servant exists".**

(Signed) Sullivan, Chairman

Education

LEGISLATIVE BILL NO. 27. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 27:

1. Amend the bill, page 3, section 1, by striking all underscored matter contained in lines 40 to 45 thereon and by inserting in lieu thereof the following: **"The state may require leases to include provisions that buildings on the premises be insured and that policies be made payable to the state to the extent of any due and unpaid rental where the loss exceeds forty per cent of the sum insured.".**

2. Amend the bill, page 6, by striking all of section 3 thereon and by renumbering the succeeding sections of the bill accordingly.

3. Amend the bill, page 8, section 6, line 3, by inserting after the section symbol and punctuation "72-201." therein the following: **"Subdivision 1.".**

4. Amend the bill, pages 8 and 9, section 6, by striking all of said section after the word and punctuation "month." in line 25 therein and by inserting in lieu thereof the following: **"Subdivision 2. The board with the advice and consent of a majority of the members elected to the legislature, shall, within ten days after the effective date of this act appoint a conservator of the school funds of the state and on the first Thursday after the first Tuesday in January, 1943, and every two years thereafter, the board shall nominate with the advice and consent of a majority of the members elected to the legislature a conservator of school funds who shall also act as secretary for the board, whose term of office, unless sooner removed by board, shall be two years and until a successor shall be duly appointed and qualified. The compensation of the conservator shall not exceed four thousand dollars per annum, payable monthly, as fixed by the board at the time of his nomination as conservator. The con-**

servator shall handle and manage all lands and funds under the control of the board in accordance with good business practices, and to that end, he shall, with the approval of the board take all actions necessary and do all things in keeping with the preservation of said funds and lands and the income arising therefrom. The conservator shall give a bond to the state of Nebraska in the sum of fifty thousand dollars for the faithful discharge of his duties. Subdivision 3. It shall be the duty of all officers having charge of the sale of bonds of indebtedness of the state of Nebraska or of any county, city, village or school district of the state of Nebraska, to send to the conservator of the board of commissioners of educational lands and funds, by registered mail, a notification of the filing with the auditor of public accounts of the transcription of the proceedings required by law preliminary to the issuance of such bonds. The notification shall include sufficient information to apprise the conservator and the board in detail with respect to the nature and character of the bonds that are to be issued and offered for sale. Subdivision 4. The board shall employ such additional assistance as may be necessary to carry out the provisions of this act.".

4. Amend the bill, page 9, section 7, by striking that part of said section commencing with the punctuation and word "; and" in line 3 therein down to and including the word "repealed" in line 4 therein.

6. Amend the bill, page 1, title, by striking that part of said title commencing with the punctuation and preposition "; to" in line 3 down to and including the figures "1929" in line 4 therein.

7. Amend the bill, page 1, title, by striking that part of said title commencing with the words "to provide" in line 5 down to and including the word and punctuation "lands;" in line 8 therein and by inserting in lieu thereof the following: "to authorize the inclusion in leases of provisions for insurance on buildings with loss payable clauses to the extent of due and unpaid rentals where the loss exceeds forty per cent of the sum insured;".

8. Amend the bill, page 1, tile, by striking that part of said title commencing with the words "to provide" in line 11 down to and including the word and punctuation "estate;" in line 13 therein.

9. Amend the bill, page 1, title, by striking that part of said title commencing with the words "to authorize" in line 20 down to and including the word and punctuation "duties;" in line 23 therein and by inserting in lieu thereof the following: "to provide for the appointment of a conservator of the school funds of the state; to fix the compensation and to prescribe the duties of such conservator; to provide that all officers having charge of the sale of bonds of indebtedness of the state of Nebraska or of any of its governmental

subdivisions shall file a notification of the filing with the auditor of public accounts of the transcription of the proceedings required by law preliminary to the issuance of such bonds; to prescribe the contents of such notification;".

(Signed) Matzke, Chairman

Enrollment & Review

Correctly enrolled

L. B. No. 145 L. B. No. 152

Correctly engrossed

L. B. No. 213	L. B. No. 291	L. B. No. 455
L. B. No. 215	L. B. No. 341	L. B. No. 505
L. B. No. 217	L. B. No. 368	

LEGISLATIVE BILL NO. 12. Placed on Select File with amendments.

E and R amendments to L. B. No. 12:

1. Amend the general file amendments, page 2, section 1, line 30, by inserting after the word "traffic" therein the word "and".

2. Amend the general file amendments, page 5, section 3, line 29, by striking the word "or" therein and by inserting in lieu thereof the word "of".

3. Amend the general file amendments, page 6, section 5, line 4, by inserting the punctuation "," after the word "officers".

4. Amend the general file amendments, page 6, section 5, line 17, by inserting after the word "patrol" and before the conjunction "as" therein the punctuation ",".

5. Amend the general file amendments, page 11, section 13, line 17, by inserting after the word "Section" therein the figure "6".

6. Amend the general file amendment, page 11, section 14, line 9, by inserting the punctuation "," after the word "sheriff"; and also in line 10 of said section 14 insert the punctuation "," after the word "sheriffs" therein.

7. Amend the general file amendments, page 12, section 14, line 27, by striking the punctuation ":" therein and by inserting in lieu thereof the punctuation ";".

8. Amend the general file amendments, page 7, section 6, line 4, by inserting the punctuation "," after the word "officers".

9. Amend the general file amendments, page 8, section 8, line 8, by striking the punctuation "." after the abbreviation "viz".

10. Amend the general file amendments, page 13, amendment 2, line 11, by striking the punctuation and figures "31-11,119" and insert in lieu thereof the punctuation and figures "39-11,119".

11. Amend the general file amendments, page 2, section 2, line 9, by inserting the punctuation ' " ' before the word "motor".

12. Amend the general file amendments, page 10, section 11, line 14, by inserting after the word **"that"** and before the word **"more"** therein the abverb **"not"**.

LEGISLATIVE BILL NO. 65. Placed on Select File with amendments.

E and R amendments to L. B. No. 65:

1. Amend the general file amendments, Mekota, amendment No. 2, adopted April 3, 1941, line 3, by inserting the punctuation ";" after the word "candidate" therein.

2. Amend the general file amendments, Mekota, adopted April 3, 1941, amendment No. 1, line 2, by inserting the punctuation "," after the word "value" therein.

3. Amend the bill, page 3, section 1, line 38, by striking the second preposition "to" therein after the conjunction "and" and before the word "make" therein and by inserting in lieu thereof the word "shall".

4. Amend the general file amendments, Mekota, April 3, 1941, amendment No. 1, line 6, by inserting the punctuation "," after the word "expenses" therein.

5. Amend the bill, page 3, section 2, line 2, by inserting after the word "repealed" therein the following: "; and that Section 32-2002, Compiled Statutes of Nebraska, 1929, is hereby repealed".

6. Amend the Enrollment and Review amendments, adopted April 3, 1941, amendment No. 4, line 4, by inserting after the word "section" therein the following: "; and to repeal Section 32-2002, Compiled Statutes of Nebraska, 1929"; and in said line 4 strike the first word "and" therein.

LEGISLATIVE BILL NO. 89. Placed on Select File with amendments.

E and R amendments to L. B. No. 89:

1. Amend the general file amendments, Matzke, adopted 3-24-41, Amendment 1, line 1, by striking the words and figures "page 1" and inserting in lieu thereof the words and figures "page 2".

2. Strike the specific amendment, Peterson, adopted 4-1-41, and then restate the same as follows:

"1. Amend the bill, page 2, section 1, to read as follows:

'Section 1. That Sec. 68-268, C. S. Supp., 1939, as amended by Section 1, Chapter 4, Session Laws of Nebraska, Fifty-fourth (Extraordinary) Session, 1940, be amended to read as follows:

68-268. On the death of a person receiving, or who has received assistance under this Act **act,** or of the survivor of a married couple, both of whom were so assisted, the total amount paid as assistance may be allowed as a claim in favor of the county against the estate of such decedent. Whenever a certificate is issued for such assistance to any person in whom or in whose spouse the title to any real estate is vested, a copy of such certificate shall be indexed and recorded in the manner provided for indexing of real estate mortgages in the office of the register of deeds or country clerk, as the case may be, of the county in which the real estate is situated, and from the time of such filing the assistance furnished under this chapter, including, also, future payments thereof as made, shall constitute a lien on the real estate in such county owned, either by the recipient of such assistance, or his spouse, if the name of the spouse is stated in the lien filed, subject only to prior liens legally existing and appearing upon said record. Said register of deeds or county clerk shall not charge a fee for such recording and indexing. No such claim shall be enforced against any real estate of the recipient, or the real estate of a person who has been a recipient, while it is occupied by the recipient's surviving spouse, or by any child of such recipient or any child of such surviving spouse, who shall have been dependent upon such recipient or surviving spouse for more than one year prior to his or her death. Any claim provided for in this section may be presented to the proper court by the county treasurer, if so directed by the Board board. In the event that any amount is recovered by a county or the state with respect to old age assistance furnished under this Act **act,** such amount shall be paid into the State Assistance Fund **state assistance fund** and the state department is authorized to pay promptly to the United States the proportionate amount of any such recovery to which the Untied States may be entitled."

3. Amend the bill, page 2, by inserting a new section number as follows:

"Sec. 2. That said original Sec. 68-268, C. S. Supp., 1939, as amended by Section 1, Chapter 4, Session Laws of Nebraska, Fifty-fourth (Extraordinary) Session, 1940, is hereby repealed."

4. Amend the general file amendments, Matzke, adopted 3-24-41, amendment 2, page 2, line 1, by striking therefrom the figure "2" and inserting in lieu thereof the figure "3".

5. Amend the bill, page 1, title, line 2, by striking therefrom all of said title after the word "ACT", and insert in lieu thereof the following:

"to amend Sec. 68-268, C. S. Supp., 1939, as amended by Section 1, Chapter 4, Session Laws of Nebraska, Fifty-fourth (Extraordinary) Session, 1940, relating to old age assistance; to abolish liens upon real estate of recipients of old age assistance and their spouses; to repeal said original section; and to declare an emergency."

LEGISLATIVE BILL NO. 151. Placed on Select File.

LEGISLATIVE BILL NO. 161. Placed on Select File with amendment.

E and R amendment to L. B. No. 161:

1. Amend the standing committee amendments, amendment No. 2, line 3, by striking the punctuation "," after the Arabic numeral "1" therein.

LEGISLATIVE BILL NO. 191. Placed on Select File with amendments.

E and R amendments to L. B. No. 191:

1. Amend the Standing Committee amendments, amendment 3, line 5 by inserting the punctuation "," after the word "amendment" and also after the word "adopted" therein; and in line 6 of said amendment 3, insert the punctuation "," after the word "January".

2. Amend the Standing Committee amendments, amendment 4, lines 8 and 15 by inserting the punctuation "," after the word "effective" and also after the word "adopted" wherever the same appear in each of said lines respectively.

3. Amend the Standing Committee amendments, amendment No. 4, line 9 by striking the punctuations '." ' therein and by inserting in lieu thereof the following: ',"and'.

4. Amend the Standing Committee amendments, amendment 4, line 16 by striking the punctuations '." ' and by inserting in lieu thereof the following: ' ".'; and engross those parts of said amend-

ment 4 commencing with the punctuation and word ' "FOR' in line 3 and ' "AGAINST' " in line 10 as separte paragraphs.

5. Amend the bill, page 2, section 2, line 1 by striking the figure "2" therein and by inserting in lieu thereof the figure "3".

6. Amend the bill, page 1, title, by striking that part of said title commencing with the preposition "to" in line 4 down to and including the word and punctuation "Nebraska;" in line 5.

LEGISLATIVE BILL NO. 221. Placed on Select File with amendments.

E and R amendments to L. B. No. 221:

1. Strike the Callan General File amendments, adopted March 7, 1941 and restate the same as follows: "a. Amend the Standing Committee amendments, mimeographed, March 17, 1941, page 1, amendment 1, section 2, line 14 by striking therefrom the words "any source" and by inserting in lieu thereof the following: 'the sale of food or other stamps or any tax levy' ".

2. Amend the Standing Committee amendments, mimeographed, March 17, 1941, page 1, amendment 1, section 3, line 4 by striking therefrom the words "safe keeping" and by inserting in lieu thereof the word **"safekeeping".**

3. Amend the Standing Committee amendments, mimeographed, March 17, 1941, page 2, amendment 1, section 4, line 1, by inserting the punctuation "," after the figures "1939".

LEGISLATIVE BILL NO. 231. Replaced on Select File with amendments.

E and R amendments to L. B. No. 231:

1. Amend the bill, page 3, section 2, line 15, by striking therefrom the punctuation and word ", or" after the word "election" and before the word "who".

2. Amend the standing committee amendments, page 1, amendment 1, line 3, by striking therefrom the word "are" after the word "who" and before the word "engaged", and insert in lieu thereof the word "is".

(Signed) Crosby, Chairman

President signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 145 L. B. No. 152

Communications

A letter was read from Einar Viren, Acting Secretary of the Nebraska Railway Commission, explaining the situation in Nebraska in regard to corn under loan in federal warehouses.

MOTION—To Permit Introduction of Bill

Mr. President: I move that the rules be suspended to permit the introduction of a bill relating to public grain warehouses.

(Signed) Neubauer

A call of the House was ordered.

The call was raised with 25 ayes, no nays, 18 not voting.

The Neubauer motion prevailed with 33 ayes, no nays, 10 not voting.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 508. By Committee on Agriculture.

A bill for an Act to amend Sec. 88-229, C. S. Supp., 1939, relating to public grain warehouses; to provide procedure for termination and renewal of public grain warehouse receipts; to repeal said original section; to repeal Sec. 88-230, C. S. Supp., 1939; and to declare an emergency.

MOTION—To Read Second Time

Mr. President: I move to suspend the rules and read L. B. No. 508 the second time. (Signed) Neubauer

The motion prevailed with 31 ayes, no nays, 12 not voting.

BILLS ON SECOND READING

The following bill was read the second time by title:

(For title, see Bills on First Reading)

LEGISLATIVE BILL NO. 508.

MOTION—To Place on General File

Mr. President: I move to suspend the rules and place L. B. No. 508 on General File. (Signed) Neubauer

The motion prevailed with 34 ayes, no nays, 9 not voting.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 226.

A bill for an Act to amend Section 20-1923, Compiled Statutes of Nebraska, 1929, relating to civil procedure, district court; to prescribe the duties of clerks of district courts with reference to the care and disposition of bills of exception transmitted to them from the clerk of the supreme court; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 36:

Adams, E. A.	Gantz	Mekota	Raecke
Adams, J. Jr.	Greenamyre	Metzger	Reed
Bevins	Hanna	Mischke	Sorrell
Blome	Howard	Mueller	Sullivan
Brodahl	Jeppesen	Murphy	Thomas, Ray
Callan	Johnson	Neubauer	Thornton
Carlson	Knezacek	Norman	Tvrdik
Carmody	Lambert	Peterson	Van Diest
Crossland	Matzke	Price	Weborg

Voting in the negative, 1:

Garber

Not voting, 6:

Asimus	Crosby	Rakow
Bowman	Kotouc	Thomas, Amos

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION—Directions to Change

Mr. President: I move that L. B. No. 171 be returned to the Committee on Enrollment & Review with directions to change the word "appointed" in lines 15d, 15g and 15i to "elected".

(Signed) Hanna

The motion prevailed.

BILLS ON THIRD READING (Continued)

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 239. With emergency clause.

A bill for an Act to amend Section 72-238, Compiled Statutes of Nebraska, 1929, relating to school lands of the state of Nebraska; to provide for the acquisition of easements or rights-of-way under and across school lands by telegraph and telephone companies; to provide for the determination and payment of compensation and damages arising out of the easements so obtained; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Adams, E. A.	Crosby	Matzke	Price
Adams, J. Jr.	Crossland	Mekota	Raecke
Asimus	Gantz	Metzger	Reed
Bevins	Garber	Mischke	Sorrell
Blome	Greenamyre	Mueller	Sullivan
Bowman	Hanna	Murphy	Thomas, Ray
Brodahl	Howard	Neubauer	Thornton
Callan	Johnson	Norman	Tvrdik
Carlson	Knezacek	Peterson	Van Diest
Carmody			Weborg

Voting in the negative, 0.

Not voting, 5:

Jeppesen Lambert Rakow Thomas, Amos
Kotouc

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

REQUEST—To Withdraw Bill

Mr. Mekota asked unanimous consent to withdraw Legislative Bill No. 240.

No objection was offered and the President so ordered.

MOTION—To Place at Head of General File

Mr. President: I move that the rules be suspended and that L. B. No. 375 be placed at the head of General File. Raecke

The motion prevailed with 32 ayes, 1 nay, 10 not voting.

GENERAL FILE

LEGISLATIVE BILL NO. 379. Mr. Peterson's amendment, offered on the Sixty-fifth Day, was withdrawn.

Vote was taken on Mr. Adams amendment, offered on the Sixty-fifth Day, and the amendment was lost with 9 ayes, 16 nays, 19 not voting.

Standing Committee amendments, found in the Legislative Journal for the Fifty-second Day, were adopted.

Mr. Carmody offered the following amendments:

1. Amend the bill, page 2, section 1, line 1 by inserting after the word "teachers" and before the word "retirement" the following: "and employees of school districts".

2. Amend the entire bill in each section and line thereof wherever the word "teachers" appears therein by inserting in each of said lines respectively the words "and employees of school districts" to the end that the retirement system will include not only teachers but also employees of school districts.

3. Amend the bill, page 1, title, line 3 by inserting after the word "teachers" therein the words "and employees of school districts"; also in each line of said title wherever the word "teachers" appears insert the words "and employees of school districts" to conform with the foregoing amendment to the body and text of the bill.

A call of the House was ordered.

Mr. Mueller moved to raise the call.

The motion was lost with 15 ayes, no nays, 28 not voting.

Mr. Howard moved to raise the call.

The motion prevailed with 21 ayes, no nays, 22 not voting.

The call was raised.

Vote was taken on Mr. Carmody's motion to amend.

The result was 19 ayes, 19 nays, 5 not voting.

The President voted aye and the amendment was adopted.

Mr. Price offered the following amendment, which was adopted:

Amend the title of the bill, line 11, by striking the conjunction "and" therein and by inserting after the last word "therefor" therein the following: "to state a validity clause; and to declare an emergency".

Mr. Reed moved that the Legislature reconsider its action on the Carmody amendments set out above.

The motion prevailed with 25 ayes, no nays, 18 not voting.

The President put the motion, "Shall the Carmody amendments be adopted?"

The motion was lost with 9 ayes, 26 nays, 8 not voting.

Mr. Greenamyre moved to indefinitely postpone.

Mr. Van Diest moved to refer to the Standing Committee.

The motion was lost with 6 ayes, 23 nays, 14 not voting.

Mr. Greenamyre's motion to indefinitely postpone was lost with 12 ayes, 21 nays, 10 not voting.

No further action was taken thereon.

Adjournment

At 12:29 p. m. on motion by Mr. Mischke, the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

SIXTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, April 10, 1941.

Pursuant to adjournment the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Amos Thomas who was excused, and except Mr. Price, who was excused excused until 11:20 a. m.

The Journal for the Sixty-sixth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Lambert, one, favoring L. B. No. 470; Mr. Greenamyre, one, opposing L. B. No. 379; Mr. Asimus, one, opposing L. B. No. 379.

Communications

A letter was read from Congressman Karl Stefan acknowledging receipt of Legislative Resolution No. 15.

A letter was read from Cliff Sandahl advising that he was established in his new position and thanking the members for the farewell gift presented to him.

Election Returns—Canvassing Board

A letter was read from Frank Marsh, Secretary of State, advising that no certificates of election had been issued to the duly elected directors of the Northeast Nebraska Rural Public Power District and that the State Canvassing Board had submitted no record of this

vote to the Legislature. This letter was accompanied by a record of a special meeting of the State Canvassing Board, held April 7, 1941.

MOTION—To Appoint Committee

Mr. Jeppesen moved that a committee of three be appointed to invite the Secretary of State to appear and bring with him the unreported returns of the regular election of 1940.

The motion prevailed and the President appointed the following members to serve on said committee:

Jeppesen Weborg Asimus

The Committee withdrew and subsequently returned with Mr. Marsh, Secretary of State, who submitted an abstract showing that the following candidates had been elected:

DIRECTORS OF THE NORTHEAST NEBRASKA RURAL

PUBLIC POWER AND IRRIGATION DISTRICT

for

Dixon, Thurston and Dakota Counties

David Chambers Lawrence Brock

Whereupon Speaker Howard moved that, in accordance with the returns tabulated by the Secretary of State of the election of November 5, 1940 for the Northeast Nebraska Rural Public Power and Irrigation District for Dixon, Thurston and Dakota counties, David Chambers and Lawrence Brock be declared the duly elected directors therefor.

The motion prevailed and the President so declared.

NOTICE OF COMMITTEE HEARINGS

Revenue

L. B. No. 235, Tuesday, April 15, 1941, 2:00 p. m.

L. B. No. 313, Tuesday, April 15, 1941, 2:00 p. m.

L. B. No. 343, Tuesday, April 15, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Public Health & Miscellaneous Subjects

LEGISLATIVE BILL NO. 391. Indefinitely postponed.

LEGISLATIVE BILL NO. 140. Indefinitely postponed.

LEGISLATIVE BILL NO. 302. Indefinitely postponed.

(Signed) Ray Thomas, Chairman

Government

LEGISLATIVE BILL NO. 416. Indefinitely postponed.

LEGISLATIVE BILL NO. 349. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 349:

1. Strike all of the bill after the enacting clause and substitute in lieu thereof the following:

"Section 1. That Sec. 2, legislative bill No. 495, fifty-fifth session, Nebraska state legislature, 1941, be amended to read as follows:

Sec. 2. The agency is hereby empowered to consolidate cities, villages or counties, portions of any city, village or county or any combination of such governmental subdivisions or portions thereof into one governmental subdivision for zoning purposes whenever there is or is about to be located within or near the corporate limits of any city, village or county, a federal fort, airport, manufacturing plant or assembly plant for the construction or assembly of military equipment for the manufacture of explosives, arms or munitions, **or any state, city, county or private airport of the public utility class.**

Sec. 2. **Subdivision 1.** (a) **Airport** means any area of land or water usable for the landing and taking-off of airplanes. (b) An airport is of the **public utility class,** if it is available to the general public for private flying or otherwise as a point of arrival or departure by air. (c) **Structure** means any natural growth or object constructed or installed by man including, but without limitation, buildings, towers, smokestacks and overhead transmission lines. **Subdivision 2.** The state zoning agency is hereby empowered to exercise jurisdiction over any state, city, county or private airport of the public utility class which may be designated and legally described as **Nebraska airport zoning district number** ..... In exercising such jurisdiction the agency may (a) regulate and restrict height, size and location of structures or of objects of natural growth within an area not more than three miles distant from the boundaries of airports and (b) may protect airport approaches against obstruc-

tions and protect the life and property of users of airports of the public utility class and of occupiers of land in their vicinity.

Sec. 3. That said original Sec. 2, legislative bill No. 495, fifty-fifth session, Nebraska state legislature, 1941, is hereby repealed.

Sec. 4. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.".

2. Amend the bill, page 1, title by striking all of said title after the word "ACT" in line 2 therein and by inserting in lieu thereof the following:

"relating to public welfare and public safety; to empower the state zoning agency to exercise jurisdiction over any state, city, county or private airport of the public utility class; to define terms; to amend Sec. 2, legislative bill No. 495, fifty-fifth session, Nebraska state legislature, 1941; to repeal said original section; and to declare an emergency.".

LEGISLATIVE BILL NO. 506. Placed on General File.

(Signed) Sorrell, Chairman

Labor & Public Welfare

LEGISLATIVE BILL NO. 248. Indefinitely postponed.

LEGISLATIVE BILL NO. 378. Placed on General File.

(Signed) Sullivan, Chairman

Judiciary

LEGISLATIVE BILL NO. 17. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 17:

1. Strike all of the bill after the enacting clause and substitute in lieu thereof the following:

"Section 1. **Subdivision 1.** The word **state** as used in this section and act means **state of Nebraska. Subdivision 2.** The word **water** in this section and act means **irrigation water. Subdivision 3.** The words **state engineer** as used in this section and act mean **the state engineer for the department of roads and irrigation, state of Nebraska,** his successor in office, any agent, servant, employee or officer

of the state now or hereafter exercising any powers or duties with respect to the administration of the water in the state, who may be a party in any court of the state in an action where the relief demanded involves the delivery of water to an appropriator or riparian owner. **Subdivision 4.** The word **person** as used in this section and act mean natural persons, artificial persons, such as corporations, copartnerships, associations and all aggregate organizations of whatever character.

Sec. 2. That Section 20-1062, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

20-1062. **Subdivision 1.** The **injunction** provided by this code is a command to refrain from a particular act. It may be the final judgment in an action or may be allowed as a provisional remedy, **subject to the provision of Article 10 (c) Chapter 20, Compiled Statutes of Nebraska, 1929, as amended,** and when so allowed it shall be by order. The writ or injunction is abolished. **Subdivision 2. The terms definied in section 1, subdivisions one to three inclusive, legislative bill No. 17, fifty-fifth session, Nebraska state legislature, 1941, are incorporated in Article 10 (c), Chapter 20, Compiled Statutes of Nebraska, 1929, as amended. Subdivision 3. The word "subarticle" means Article 10 (c) Chapter 20, Compiled Statutes of Nebraska, 1929, as amended.**

Sec. 3. That Section 20-1063, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

20-1063. When it appears by the petition that the plaintiff is entitled to the relief demanded, and such relief or any part thereof consists in restraining the commission or continuance of some act, the commission or continuance of which during the litigation would produce great or irreparable injury to the plaintiff, or when, during the litigation, it appears that the defendant is doing, or threatens, or is about to do, or is procuring or suffering to be done, some act in violation of the plaintiff's rights respecting the subject of the action and tending to render the judgment ineffectual, a temporary injunction may be granted to restrain such act, **subject to the limitations of this subarticle.** It may also be granted in any case where it is specially authorized by statute.

Sec. 4. That Section 20-1064, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

20-1064. The injunction may be granted at the time of commencing the action, or at any time afterward, before judgment, by the supreme court or any judge thereof: **Provided, no restraining order or temporary injunction should be granted at the time of com-**

mencement of the action if relief demanded involves the delivery of water to an appropriator or riparian owner, where the state engineer or an appropriator or riparian owner is a party, except in accordance with procedure as hereinafter provided. The district court of any judge thereof, **except where the relief demanded involves the delivery of water to an appropriator or riparian owner, where the state engineer or an appropriator or riparian owner is a party,** may, upon it appearing satisfactorily to the court or judge, by the affidavit of the plaintiff or his agent, that the plaintiff is entitled thereto, grant a temporary restraining order and direct that a reasonable notice be given to the party against whom said restraining order is issued, to attend for such purpose at a specified time and place before the district court or any judge thereof, to show cause why a temporary injunction should not be issued; said restraining order to remain in full force until such hearing is had by the district court or the judge thereof; and in the absence from the county of said district judges, the county judge thereof, **except where the relief demanded involves the delivery of water to an appropriator or riparian owner, where the state engineer or an appropriator or riparian owner is a party,** may, upon it appearing satisfactorily to the court or judge, by the affidavit of the plaintiff or his agents, that the plaintiff is entitled thereto, grant a temporary restraining order and direct that a reasonable notice be given to the party against whom said temporary restraining order is issued to attend for such purpose at a specified time or place before the district court or any judge thereof, to show cause why a temporary injunction should not be issued and may in the meantime restrain such party. Such time of hearing shall not be fixed in the first instance by the county judge more than ten days from the time of granting such temporary restraining order. **The supreme court or any judge thereof, the district court or any judge thereof or the county judge, if and when he has jurisdiction, shall have no power, where the relief demanded involves the delivery of water to an appropriator or riparian owner, where the state engineer or an appropriator or riparian owner is a party, to grant a restraining order or temporary injunction at the time of commencement of the action, except where notice by registered letter has been mailed seventy-two hours prior to the time of hearing to the state engineer and water superintendent in the water division in which said action is brought and to all prior appropriators and to all riparian owners, of the time and place of said hearing; and, at said hearing, the state engineer, the prior appropriators or the riprian owners are entitled to be heard on the question of whether the restraining order should be granted, and, if so, in what amount the bond or undertaking is to be fixed. Any person injured or likely to be injured by the granting of a restraining order may intervene in said action at any stage of the proceedings and become a party to the litigation if it involves the delivery of water to an appropriator**

or riparian owner, where the state engineer or an appropriator or riparian owner is a party.

Sec. 5. That Section 20-1065, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

20-1065. If the court or judge deem it proper that the defendant, or any party to the suit, should be heard before granting the injunction, it may direct a reasonable notice to be given to such party to attend for such purpose at a specified time and place, and may, in the meantime, restrain such party, **subject to limitations in cases where the relief demanded involves the delivery of water to an appropriator or riparian owner, where the state engineer or an appropriator or riparian owner is a party.**

Sec. 6. That Section 20-1066, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

20-1066. An injunction shall not be granted against a party who has answered unless upon notice; but such party may be restrained, **subject to limitations in cases where the relief demanded involves the delivery of water to an appropriator or riparian owner, where the state engineer or an appropriator or riparian owner is a party,** until the decision of the application for an injunction.

Sec. 7. That Section 20-1067, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

20-1067. No injunction, unless provided by special statute, shall operate until the party obtaining the same shall give an undertaking, executed by one or more sufficient sureties, ~~to be~~ **who shall justify as provided in Sections 20-2223 and 20-2224, Compiled Statutes of Nebraska, 1929, as now existing or as hereafter amended. The undertaking shall be** approved by the clerk of the court granting such injunction, in an amount to be fixed by the court or judge allowing the same, to secure to the party enjoined the damages he may sustain, if it be finally decided that the injunction ought not to have been granted.

Sec. 8. That Section 20-1920, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

20-1920. In all actions in which a temporary injunction has been granted and entered in the district court, which said order allowing the temporary injunction is or has been superseded for by law, and in which action the trial court, on the merits, determined that said temporary injunction ought not to have been granted and a permanent injunction was refused in such action, said cause shall be advanced by the supreme court for hearing and shall be heard in said court within ninety days after the filing of the appeal in said

cause: **Provided,** however, all such actions pending in the supreme court on the eleventh day of April, 1913, shall stand advanced and be heard in said court within sixty days from and after said date. **in all such actions, if the relief demanded involves the delivery of water to an appropriator or riparian owner, where the state engineer or an appropriator or riparian owner is a party, any appeal from the judgment of the district court shall be perfected within thirty days from the entry of judgment by the district court; and the cause shall be advanced for argument before the supreme court within thirty days from the filing of said appeal; and the supreme court shall render its judgment and write and file an opinion in such cases within thirty days after their submission.**

Sec. 9. That Section 20-2159, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

20-2159. When the right to require the performance of the act is clear, and it is apparent that no valid excuse can be given for not performing it, a peremptory mandamus may be allowed in the first instance. In all other cases, the alternative writ must be first issued: **Provided, that a peremptory writ of mandamus shall not be given in any case involving the delivery of irrigation water to an appropriator or riparian owner, where the state engineer or an appropriator or riparian owner is a party.**

Sec. 10. If any division, section, sub-section, sentence, clause, phrase or requirement of this act is for any reason held to be unconstitutional, such decision shall not effect the validity of the remaining portions thereof. The legislature hereby declares that it would have passed this act, and each division, section, sub-section, sentence, clause, phrase, or requirement thereof irrespective of the fact that any one or more divisions, sections, sub-sections, sentences, clauses, phrases or requirements be declared unconstitutional.

Sec. 11. This act shall in no manner effect pending actions, either civil or criminal, founded on or growing out of any statute hereby repealed. This act shall in no manner affect rights, or causes of action, either civil or criminal, not in suit, that may have already accrued or grown out of any statute hereby repealed.

Sec. 12. That said original Sections 20-1062, 20-1063, 20-1064, 20-1065, 20-1066, 20-1067, 20-1920 and 20-2159, Compiled Statutes of Nebraska, 1929, are hereby repealed.

Sec. 13. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.".

2. Amend the bill, pages 1 and 1a, title, by striking all of said title after the word "ACT" in line 2 on page 1 and by substituting in lieu thereof the following:

"relating to courts; to define certain terms used therein; to provide civil procedure incident to the application and issuance of restraining orders and temporary injunctions; to provide that no person, who seeks injunctive relief in any court in the state of Nebraska involving the delivery of irrigation water to an appropriator or riparian owner, where the state engineer, his employees, agents or servants or other state officers, who administer irrigation water of the state or an appropriator or riparian owner is a party, shall obtain a restraining order or temporary injunction in such courts unless and until a notice of the application therefor has been mailed by registered mail to the state engineer and water superintendent in the water division in which said action is brought, to prior appropriators and to riparian owners, together with notice of the time and place of hearing, at least seventy-two hours prior to the hearing on the said application; to authorize the state engineer, prior appropriators and riparian owners to be heard on the propriety of granting such application and on the amount of bond to be fixed in the event the application is allowed; to authorize any person injured or likely to be injured by the granting of the application to intervene and to become a party to the litigation at any stage in the action; to provide procedure on appeal from the judgment of the district court and for the advancement of the argument, for acceleration of the time for judgment and for writing and filing opinion by the supreme court; to provide that a peremptory writ of mandamus shall not be given in any case involving the delivery of irrigation water to an appropriator or riparian owner, where the state engineer or an appropriator or riparian owner is a party; to amend Sections 20-1062, 20-1063, 20-1064, 20-1065, 20-1066, 20-1067, 20-1920 and 20-2159, Compiled Statutes of Nebaska, 1929; to state validity and saving clauses; to repeal said original sections; and to declare an emergency.".

(Signed) Gantz, Chairman

Enrollment & Review

LEGISLATIVE BILL NO. 171. Correctly re-engrossed.

LEGISLATIVE BILL NO. 239. Correctly enrolled.

LEGISLATIVE BILL NO. 226. Correctly enrolled.

LEGISLATIVE BILL NO. 252. Placed on Select File with amendments.

E and R amendments to L. B. No. 252:

1. Amend the general file amendments, Mueller, line 3, by striking therefrom 'figures "10%" ' therein and by inserting in lieu thereof the following:

'words "ten per cent" ';

and in line 4 of said amendment strike 'figures "15%" ' and by inserting in lieu thereof the following:

'words "fifteen per cent" '.

2. Amend the bill, page 1, title, line 12 by striking the second word "state" therein and by inserting in lieu thereof the words "the stock"; and in line 13 of said title insert after the word "brand" and before the word "fund" therein the word "registration".

3. Amend the bill, page 2, section 1, line 13, by inserting the definite article "the" after the word and punctuation "commission," and before the word "stock".

LEGISLATIVE BILL NO. 299. Placed on Select File with amendments.

E and R amendments to L. B. No. 299:

1. Amend the standing committee amendments, mimeographed, March 24, 1941, amendment 1, line 5 by inserting the punctuation "," after the word "both" therein.

2. Amend the standing committee amendments, mimeographed, March 24, 1941, amendment 1, line 8 by inserting the punctuation "," after the word "to" therein.

3. Amend the standing committee amendments, mimeographed, March 24, 1941, amendment 1, line 10 by inserting the punctuation "," after the word "with" therein.

4. Amend the bill, page 3, section 3, line 2 by inserting the punctuation ":" after the word "contain" therein.

5. Amend the bill, page 4, section 5, line 1 by striking therefrom the words "Such compilation" therein and by inserting in lieu thereof the following: "The **'Compiled Statutes of Nebraska, 1943'** ".

6. Amend the bill, page 5, section 8, line 29 by striking therefrom the word "highway" and by inserting in lieu thereof the word "safety".

7. Amend the standing committee amendments, mimeographed, March 24, 1941, amendment 2, line 8, by striking the word "before" and inserting in lieu thereof the word "after".

8. Amend the standing committee amendments, mimeographed, March 24, 1941, amendment 1, line 4, by inserting the word "to" after the word "or".

9. Amend the bill, page 3, section 3, line 2, by striking the word "constitution" and inserting in lieu thereof the word "Constitutions".

10. Amend the bill, page 7, section 1, line 1, by striking the section number "12" and inserting in lieu thereof the figures "11" to conform with the standing committee amendments.

11. Amend the bill, page 3, section 3, line 12, by inserting the definite article "the" after the word "as" and before the word "commission".

12. Amend the bill, page 4, section 4, line 18, by inserting the definite article "the" after the word "if" and before the word "commission".

13. Amend the bill, page 4, section 7, line 8, by inserting the definite article "the" after the word "is" and before the word "commission".

14. Amend the bill, page 6, section 10, line 3, by striking the punctuation '." ' after the word "fund" and inserting in lieu thereof the punctuation ' ".'.

Presented to Governor for approval

Wednesday, April 9, 1941 at 4:55 p. m.

L. B. No. 152 L. B. No. 145

(Signed) Crosby, Chairman

Signed by President

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 239 L. B. No. 226

MOTION—To Reconsider Action

Mr. President: I move that the Legislature reconsider its action on L. B. No. 281 and that the same be placed on General File.

(Signed) Sorrell

Mr. Blome presiding

After debate thereon Mr. Mischke moved the previous question.

The motion prevailed with 27 ayes, 1 nay, 15 not voting.

Vote was taken thereon and Mr. Sorrell's motion to reconsider was lost with 9 ayes, 20 nays, 14 not voting.

SELECT FILE

President Johnson presiding

LEGISLATIVE BILL NO. 12. E and R amendments, found in the Legislative Journal for the Sixty-sixth Day, were adopted.

Mr. Peterson offered the following amendments, which were adopted by unanimous consent:

1. Amend the general file amendments, mimeographed, dated April 1, 1941, page 3, section 2, line 27, by striking the words "division of" therein, and by inserting in lieu thereof the words "division of".

2. Amend the general file amendments, mimeographed, dated April 1, 1941, page 7, section 7, lines 3 and 4, by striking the words "superintendent, with the approval of the governor" therein, and by inserting in lieu thereof the word **"Director"**.

3. Amend the general file amendments, mimeographed, dated April 1, 1941, page 7, section 7, lines 6 and 7, by striking the word "superintendent", and inserting in lieu thereof the word **"Director"**.

4. Amend the general file amendments, mimeographed, dated April 1, 1941, page 7, section 7, lines 8 and 9, by striking the word "superintendent" therein, and by inserting in lieu thereof the word **"Director"**.

5. Amend the general file amendments, mimeographed, dated April 1, 1941, page 11, section 14, line 5, by inserting the words **"assist the superintendent to"** between the words "to" and "enforce".

6. Amend the general file amendments, mimeographed, dated April 1, 1941, page 11, section 14, line 16, by inserting after the word "governor" therein the following:

": Provided, the premiums on the bonds of such deputy state sheriffs may be paid for out of appropriations made available to the state offices, departments, commissions or other agencies to which such deputy state sheriffs are assigned".

7. Amend the general file amendments, mimeographed, dated April 1, 1941, page 11, section 14, line 34, by striking the word "to" preceding the word "in".

Referred to E and R for engrossment.

Visitors

Messrs. C. V. Svoboda of St. Paul, J. N. Norton of Polk and Robert M. Armstrong of Auburn were introduced and Mr. Norton and Mr. Armstrong each addressed the Legislature briefly.

SELECT FILE (Continued)

LEGISLATIVE BILL NO. 65. E and R amendments, found in the Legislative Journal for the Sixty-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 89. Passed over.

LEGISLATIVE BILL NO. 151. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 161. E and R amendment, found in the Legislative Journal for the Sixty-sixth Day, was adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 191. E and R amendments, found in the Legislative Journal for the Sixty-sixth Day, were adopted.

Laid over temporarily.

LEGISLATIVE BILL NO. 221. E and R amendments, found in the Legislative Journal for the Sixty-sixth Day, were adopted.

Laid over.

LEGISLATIVE BILL NO. 231. E and R amendments, found in the Legislative Journal for the Sixty-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 191. John Adams, Jr. offered the following amendments.

Amend Standing Committee amendment No. 4, after the words "by law for" in line 5 by striking the words "an" and "optional" and insert in lieu thereof the word "a" and by striking the word "and" at the end of the line and the word "township" at the beginning of line 6 and after the word government by inserting the following: "in which county officers may be elected or appointed, but such form shall be optional with each county and shall obtain in any county only upon the adoption thereof by the electors of such county"; and to amend the balance of the section accordingly.

Laid over until Monday, April 14, 1941.

GENERAL FILE

LEGISLATIVE BILL NO. 379. Mr. Mischke offered the following amendment:

Amend L. B. No. 379, as amended, page 8, Sec. 5, by striking the first sentence thereof and substituting the following:

The membership of the retirement system shall be composed of all teachers who shall have attained the age of twenty-one on August 30 of each year and such teachers who having not attained that age desire to become members, all of whom are employed in the public schools of this state, except those specifically excluded under subsections 3 and 4 of this section.

Which was adopted with 31 ayes, no nays, 12 not voting.

Mr. Blome moved that the legislature reconsider its action on the Price motion for amendment to L. B. No. 379, offered April 9, 1941, which proposed the following amendments: "Amend Committee amendment page 1, No. 11, line 4, by striking out the words 'required deposit' and inserting in lieu thereof 'accumulated contributions' ".

"Amend committee amendments, page 2, No. 11, line 1, by striking out the words 'two years' and inserting in lieu thereof 'year'."

The motion prevailed with 28 ayes, 6 nays, 9 not voting.

Whereupon the President put the question, "Shall the Price amendment be adopted?"

The motion prevailed with 25 ayes, 4 nays, 14 not voting.

Mr. Greenamyre offered the following amendments:

1. Amend the bill, page 8, section 5, line 6 by inserting after the word "section" therein the following: "and except as hereinafter provided in subsection (6) of this section".

2. Amend the bill, page 9, section 5, line 63 by inserting immediately after the word and punctuation "rights." the following: "(6) Any teacher at his or her option, upon filing written election to do so, may withdraw from the retirement system at any time."

3. Amend the bill, section 7 and other sections, if required, to correspond with the foregoing amendment.

No further action was taken on the bill.

Member Excused

At 11:30 a. m. Mr. Garber was excused for the remainder of the day.

STANDING COMMITTEE REPORTS (Continued)

Enrollment & Review

Presented to Governor for approval

Thursday, April 10, 1941 at 10:40 a. m.

Legislative Bill No. 46

(Signed) Crosby, Chairman

Approved by the Governor

April 10, 1941

To the President, the Speaker and Members of the Legislature

Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day signed the following bills, viz:

L. B. No. 401	L. B. No. 270
L. B. No. 46	L. B. No. 225

Respectfully submitted,

(Signed) Val Peterson
Secretary to the Governor

Adjournment

At 12:05 p. m. Mr. Knezacek moved that the Legislature adjourn until Monday, April 14, 1941, at 10:00 a. m. in compliance with the Mischke motion of the Sixty-third Day.

The motion prevailed.

Hugo F. Srb,
Clerk of the Legislature.

SIXTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, April 14, 1941.

Pursuant to adjournment the Legislature met at 10:00 a. m. Speaker Howard presiding.

Prayer was offered by Brigadier H. E. Burtenshaw of Chicago, Territorial Secretary of the Salvation Army.

The roll was called and all members were present except Mr. Sorrell and Amos Thomas, who were excused.

A quartette, composed of Clayton Elsberry, Forrest Boyd, Paul Roberts and Beverly Wilson, from Wesleyan College of Miltonvale, Kansas, rendered two selections.

The Journal for the Sixty-seventh Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Carmody, five, favoring a tax exemption for gasoline used in farm motors; Mr. Metzger, one, opposing L. B. No. 379; Mr. Thornton, two, opposing L. B. No. 379; Mr. Raecke, two, opposing and one, favoring, L. B. No. 379; Mr. Sorrell, one, favoring L. B. No. 393; all members one, favoring L. B. No. 379.

A petition was received through the Governor's office, opposing any cut in the appropriation for Agricultural Extension work in home economics.

Communications

A letter was read from Senator George W. Norris, regarding recent controversies between labor and management over wages and working conditions in the nation.

STANDING COMMITTEE REPORTS

Revenue

LEGISLATIVE BILL NO. 155. Indefinitely postponed.

LEGISLATIVE BILL NO. 346. Indefinitely postponed.

LEGISLATIVE BILL NO. 385. Indefinitely postponed

LEGISLATIVE BILL NO. 434. Indefinitely postponed.

LEGISLATIVE BILL NO. 437. Indefinitely postponed.

LEGISLATIVE BILL NO. 156. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 156:

1. Amend the bill, pages 2 and 3, by striking all of section 1 thereon.

2. Amend the bill, pages 4, 5 and 6, by renumbering sections 2 to 7, inclusive, to conform with the foregoing amendment.

3. Amend the bill, page 1, title, by striking that part of said title commencing with the words "to provide" in line 2 therein down to and including the word and punctuation "taxation;" therein.

LEGISLATIVE BILL NO. 408. Placed on General File.

LEGISLATIVE BILL NO. 480. Placed on General File.

(Signed) Murphy, Chairman

Enrollment & Review

Presented to Governor for approval

Friday, April 11, 1941 at 1:15 p. m.

L. B. No. 239 L. B. No. 226

LEGISLATIVE BILL NO. 130. Replaced on Select File with amendments.

E and R amendments to L. B. No. 130:

1. First strike section 35, with all amendments adopted, from the bill; then, for the sole purpose of correlating said stricken section with section 1, legislative bill No. 377, fifty-fifth session, Nebraska state legislature, 1941, insert in lieu thereof the following:

"Sec. 35. That Sec. 77-2010, C. S. Supp., 1939, as amended by section 1, legislative bill No. 377, fifty-fifth session, Nebraska state legislature, 1941, be amended to read as follows:

77-2010. Whenever any real estate subject to sale for taxes shall be within the corporate limits of any city, village, school district, drainage district or irrigation district, such city, village, school district, drainage district or irrigation district shall have the right and power through its governing board or body, to purchase such real estate for the use and benefit, and in the name of said city, village, school district, drainage district or irrigation district as the case may be; and the treasurer of said city, village, school district, drainage district or irrigation district may assign the certificate of purchase by indorsement of his name on the back thereof, when directed so to do by written order of the city council of the city, board of trustees of the village, school board or board of education of the school district, board of directors of the drainage district, or of the irrigation district as the case may be. No such sale shall be made to any city, village, school district, drainage district or irrigation district by the county treasurer when such lands have been previously sold to the county, but in any such case, the city or village, school district, drainage district or irrigation district may purchase the tax certificate held by the county: **Provided,** that the county treasurer shall not be required to account to the state treasurer, or to any person, for the amount of taxes due and represented by such certificate or certificates of purchase, until the school district, drainage district or the irrigation district authorities as the case may be, have sold the certificate or certificates of purchase of such real estate, or until, by redemption or forcelosure proceedings, he shall have received the money thereon: **Provided,** that the rights of any such political or governmental subdivisions under any tax sale certificates so issued and still owned and held by such political or governmental subdivisions, shall be subject to the provisions of Secs. 77-1959 and 77-1963, C. S. Supp., 1939, as now existing or as hereafter amended **Sec. 77-1959, C. S. Supp., 1939, as amended by section 2, legislative bill No. 130, fifty-fifth session, Nebraska state legislature, 1941, and Sec. 77-1963, C. S. Supp., 1939, as amended by section 1, legislative bill No. 130, fifty-fifth session, Nebraska state legislature, 1941.".**

2. Amend the bill, page 33, section 41, line 3, by striking the punctuation "," after the section symbol "77-2008" and before the

section symbol "77-2009" and by inserting in lieu thereof the conjunction "and"; and in said line 3 of section 41, strike the section symbol and punctuation "77-2010," therein and insert in lieu thereof the following:

"C. S. Supp., 1939, are hereby repealed; that said original Sec. 77-2010, C. S. Supp., 1939, as amended by section 1, legislative bill No. 377, fifty-fifth session, Nebraska state legislature, 1941, is hereby repealed; and that said original Secs.".

3. Amend the bill, page 1, title, line 11, by striking the punctuation "," after the section symbol "77-2008" and before the section symbol "77-2009" therein and by inserting in lieu thereof the conjunction "and"; and in said line 11, strike the section symbol and punctuation "77-2010," therein and insert in lieu thereof the following:

"C. S. Supp., 1939; to amend Sec. 77-2010, C. S. Supp., 1939, as amended by section 1, legislative bill No. 377, fifty-fifth session, Nebraska state legislature, 1941; to amend Secs.";
and in line 17 of said title after the word and punctuation "sections;" therein, insert the following:

"to repeal said original section, as amended;".

4. Amend the bill, page 25, section 28, line 18, by striking the word "postoffice" therein and by inserting in lieu thereof the word **"post-office"**.

5. Amend the bill, page 27, section 32, line 15, by striking the words "post office" therein and by inserting in lieu thereof the word **"post-office"**.

6. Amend the bill, page 30, section 37, line 4, by striking the word "as" therein and by inserting in lieu thereof the indefinite article **"an"**.

7. Amend the bill, page 2, section 2, line 7, by striking the word "thereof" after the word "One-half" and inserting in lieu thereof the words "~~therof~~ **thereof**"; also in line 14, page 4, section 3, strike the word "thereof" after the word "owner" and insert in lieu thereof the words "~~therof~~ **thereof**".

8. Amend the printed bill only, page 6, section 5, line 46, by inserting the word "Nebraska" after the word **"session,"** and before the word "State".

9. Amend the printed bill only, page 8, section 8, line 14, by inserting the punctuation "," after the word "and" and before the word "upon".

10. Amend the printed bill only, page 9, section 9, line 23, by striking the word "action" and inserting in lieu thereof the word "section".

11. Amend the bill, page 14, section 15, line 67, by striking the word "compiled" and inserting in lieu thereof the word "complied".

12. Amend the printed bill only, page 19, section 21, line 31j, by striking the punctuation "," after the word "unenforceable" and before the word "are".

13. Amend the printed bill only, page 19, section 21, line 31l, by striking the punctuation "," after the syllable "ments" and before the word "have".

14. Amend the bill, page 20, section 21, line 37, by striking the word "into" and inserting in lieu thereof the words "in to".

15. Amend the printed bill only, page 24, section 28, line 8, by inserting the word "the" after the word "from".

16. Amend the printed bill only, page 25, section 28, line 27, by striking the word "redemptions" and insert in lieu thereof the word "redemption".

17. Amend the printed bill only, page 23, section 25, line 12, by inserting the punctuation "," after the word "cents" and before the conjunction "and".

18. Amend the printed bill only, page 33, section 40, line 10, by striking the first word "of" and inserting in lieu thereof the word "or".

LEGISLATIVE BILL NO. 101. Replaced on Select File with amendments.

E and R amendments to L. B. No. 101:

1. Amend the bill, page 17, section 15, line 5, by inserting the punctuation "," after the word "inspectors" and before "and".

2. Amend the bill, page 11, section 12, line 1, by striking the words "article of".

3. Amend the bill, page 11, section 12, line 19, by striking the words "article of drug" and inserting in lieu thereof the word "drugs".

4. Amend the bill, page 12, section 14, line 5, by striking the word "article" and inserting in lieu thereof the word "act".

5. Amend the Select File Amendment, Kotouc, April 3, 1941, line 6, by striking therefrom the words "except as otherwise provided in section 13 of this act".

6. Amend the bill, page 19, present section 16, line 10, by striking the word "in" and inserting in lieu thereof the word "of".

7. Amend the bill, page 5, section 4, line 3, after the word ' "misbranded', also amend the bill, page 7, section 4, line 68, after the words ' "compound', ' "imitation' and ' "blend', also amend the bill, page 8, section 5, line 9, after the word ' "food', strike the punctuation ',"' and insert in lieu thereof the punctuation ' ",'.

8. Amend the bill, page 11, section 12, lines 2 and 3, by striking the words "Article 9, Chapter 81, Compiled Statutes of Nebraska, 1929, as amended" and inserting in lieu thereof the words "sections 9 and 10 of this act".

9. Amend the bill, page 11, section 12, line 7, by striking the word "article" and inserting in lieu thereof the word "drug".

(Signed) Crosby, Chairman

Approved by the Governor

April 12, 1941.

To the President, the Speaker and Members of the Legislature

Gentlemen:

I have been directed by Governor Dwight Griswold to inform your honorable body that he has this day signed the following bills, viz:

L. B. No. 145 L. B. No. 152 L. B. No. 251

Respectfully submitted,

(Signed) Val Peterson
Secretary to Governor Griswold.

BILLS ON THIRD READING

Upon request by Mr. Mekota, L. B. No. 257 and L. B. No. 258 were passed over.

SELECT FILE

LEGISLATIVE BILL NO. 89. Laid over.

LEGISLATIVE BILL NO. 191. By unanimous consent the amendments offered by John Adams, Jr. on the Sixty-seventh Day were withdrawn.

The following amendments were offered by John Adams, Jr. and adopted by unanimous consent:

1. Strike the General File amendments, Adams, 3-28-41.

2. Amend the Standing Committee Amendments, adopted 3-28-41, found in the Journal for the Forty-fourth day, amendment 4, lines 5 and 6, by striking therefrom the words "an optional form of county and township government" and inserting in lieu thereof the following: "a form of county government in which county officers may be elected or appointed, but which form of government shall be optional with each county and shall obtain in any county only upon the adoption thereof by the electors of such county, and shall".

3. Amend the Standing Committee amendments, adopted 3-28-41, found in the Journal for the 44th day, amendment 4, lines 11 and 12, by striking therefrom the words "an optional form of county and township government" and insert in lieu thereof the following: "a form of county government in which county officers may be elected or appointed, but which form of government shall be optional with each county and shall obtain in any county only upon the adoption thereof by the electors of such county, and shall".

Mr. Gantz moved to refer to E and R for engrossment.

The motion prevailed with 19 ayes, 6 nays, 18 not voting.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 221. Laid over.

President Johnson presiding

LEGISLATIVE BILL NO. 252. E and R amendments, found in the Legislative Journal for the Sixty-seventh Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 299. Laid over.

GENERAL FILE

LEGISLATIVE BILL NO. 379. Mr. Greenamyre's amendments, offered on the Sixty-seventh Day, were discussed.

Mr. Van Diest moved that the bill be returned to the Standing Committee for hearing.

A call of the House was ordered.

Mr. Gantz moved to raise the call.

The motion prevailed with 28 ayes, no nays, 15 not voting.

Vote was taken on Mr. Van Diest's motion which prevailed with 24 ayes, 15 nays, 4 not voting.

Mr. Mischke moved to reconsider action on sending L. B. No. 379 back to Committee for further consideration.

The motion prevailed with 23 ayes, 13 nays, 7 not voting.

Mr. Mischke moved that consideration of L. B. No. 379 be made Special Order for Friday, April 18, 1941.

The motion prevailed with 23 ayes, 6 nays, 14 not voting.

REQUEST—To Consider Bill on Select File

Mr. Crosby asked that consent be granted to consider L. B. No. 130 on Select File.

No objection was raised and the President so ordered.

SELECT FILE (Continued)

LEGISLATIVE BILL NO. 130. E and R amendments, found in this Day's Journal, were adopted.

Referred to E and R for engrossment.

MOTION—To Reconsider Action

Mr. President: I move that the Legislature reconsider its action and not concur in the Committee report on L. B. No. 140.

(Signed) Sullivan

A call of the House was ordered.

Mr. Raecke moved to raise the call and the motion prevailed with 21 ayes, 9 nays, 13 not voting.

Vote was taken thereon and Mr. Sullivan's motion was lost with 14 ayes, 4 nays, 25 not voting.

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 17. Sympathy to Frank Sorrell.

Introduced by Fred A. Mueller of Buffalo, E. M. Neubauer of Harlan, H. G. Greenamyre of Madison, John S. Callan of Gage

Preamble

WHEREAS, on Friday April 11, 1941, the father of Frank Sorrell, a member of this legislature, representing Legislative District No. 2, died: NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-FIFTH REGULAR SESSION ASSEMBLED:

That by means of this resolution, this legislature desires to express to our fellow-member, Senator Frank Sorrell, our deepest sympathy at this time by reason of his bereavement.

MOTION—To Adopt Resolution

Mr. President: I move that the rules be suspended and that Legislative Resolution No. 17 be adopted. (Signed) Mueller

The motion prevailed with 40 ayes, no nays, 3 not voting.

Sifting Committee-meeting

The President announced that the Sifting Committee would meet immediately after adjournment for the purpose of organization.

Adjournment

At 12:07 p. m. on motion by Mr. Howard the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

SIXTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, April 15, 1941.

Pursuant to adjournment the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Amos Thomas, who was excused, and except Mr. Price, who was excused until 11:30 a. m.

The Journal for the Sixty-eighth Day was approved as corrected.

PETITIONS AND MEMORIALS

A resolution was received from the Nebraska Advisory Defense Committee urging the immediate enactment of L. B. No. 368 and L. B. No. 501.

STANDING COMMITTEE REPORTS

Revenue

LEGISLATIVE BILL NO. 354. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 354:

1. Amend the bill, pages 2 and 3, by striking all of sections 1, 2 and 3 therein, and by inserting in lieu thereof the following:

"Section 1. That Sec. 77-1804, C. S. Supp., 1939, be amended to read as follows:

77-1804. After the equalization by the county and state boards as hereinbefore provided, and the levy of taxes made by them, and before the first day of November, in counties with a population of

more than fifty thousand and less than one hundred fifty thousand, the county assessor shall be supervisor of tax list and in all other counties, the county clerk shall transcribe the assessments of the several precincts, townships, cities or villages into a suitable book to be provided at the expense of the county properly ruled and headed with the distinct columns in which shall be entered the description of the lands, number of acres and value, number of city and village lots and their value, value of personal property, and each description of tax, with a column for polls, one for the payment, a number of columns for delinquent taxes of previous years, and a double column, showing in the first column thereof the amount of delinquent taxes due on the day the first installment thereof becomes due, as provided by law, and in the second column the amount of delinquent taxes due on the day the second installment thereof becomes due, as provided by law, in the event the taxpayer elects to pay taxes in two equal ~~semi-annual~~ **semiannual** installments : **Provided, that in counties with a population of more than two hundred thousand inhabitants, the county board may, in their discretion, direct the county clerk to transcribe the assessments of the several precincts, townships, cities or villages into unit tax ledgers; and provided further, whenever such board exercises the discretion conferred herein, it shall be the duty of the county clerk to prepare said unit tax ledgers, as hereinafter prescribed, in lieu of the tax lists heretofore provided herein. Unit tax ledgers shall be furnished at the expense of the county, shall be properly ruled and headed to reflect ownership, the description, number of acres and value, number of city and village lots and their valuations, value of personal property and each description of tax, with a column for polls, adequate space for entering the payments of annual or semiannual installments, and adequate space for delinquent taxes of previous years.**

Sec. 2. That said original Sec. 77-1804, C. S. Supp., 1939, is hereby repealed.

Sec. 3. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

2. Amend the bill, page 1, title, by striking all of said title after the word "ACT" in line 2 therein, and by inserting in lieu thereof the following: "to amend Sec. 77-1804, C. S. Supp., 1939, relating to revenue; to grant county boards in counties with a population of more than two hundred thousand inhabitants, authority, in their discretion, to direct the county clerk to prepare unit tax ledgers in lieu of tax lists, and, when so directed to make it the duty of the county clerk to prepare unit tax ledgers; to prescribe the information to be reflected upon unit tax ledgers; to repeal said original section; and to declare an emergency.".

LEGISLATIVE BILL NO. 355. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 355:

1. Amend the bill, page 2, by striking all of sections 1, 2 and 3 thereon and by inserting in lieu thereof the following:

"Section 1. That Section 77-1906, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

77-1906. All tax receipts issued by the county treasurer for taxes paid to him shall be numbered consecutively, commencing with the number one on the first sheet issued for the taxes for any one year, and he shall not receipt for more than one year's taxes on the same property in one tax receipt, but shall keep a separate and distinct series of numbers of receipts issued for the taxes of each year for which the same has been levied and assessed. The numbering of the tax receipts shall be done by the county clerk or printer before they are delivered to the county treasurer. They shall be firmly bound in book form, and the original, duplicate and triplicate of these receipts shall be attached together as one, and each duplicate and triplicate of each original receipt shall bear the same number as the original. The county clerk shall, on the delivery of the receipts, charge the county treasurer with the number of receipts delivered, and the county treasurer shall immediately examine the number of the receipts and report to the county clerk any irregularity found therein. The county treasurer shall receipt to the county clerk therefor, and shall be held strictly accountable for all receipts, including receipts found missing at regular settlement, also for all detached receipts, the duplicates of which do not show the entry of taxes paid. All irregularities in the issuance of receipts that render them worthless must be shown on the face of the original, which must in no case be detached from the duplicate. **In counties with a population of more than two hundred thousand inhabitants, adopting the unit tax ledgers as provided for in section 1, legislative bill No. 354, fifty-fifth session, Nebraska state legislature, 1941, it shall not be necessary to bind the original and duplicate receipts in book form and the triplicate receipt provided for herein may be eliminated.**

Sec. 2. That said original Section 77-1906, Compiled Statutes of Nebraska, 1929, is hereby repealed.

Sec. 3. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.".

2. Amend the bill, page 1, title, by striking all of said title after the word "ACT" in line 2 therein and by inserting in lieu there-

of the following: "to amend Section 77-1906, Compiled Statutes of Nebraska, 1929, relating to revenue; to eliminate in counties with a population of more than two hundred thousand inhabitants, adopting the unit tax ledger as provided for in section 1, legislative bill No. 354, fifty-fifth session, Nebraska state legislature, 1941, the requirement that tax receipts be required to be firmly bound in book form; to eliminate the necessity of a triplicate tax receipt; to repeal said original section; and to declare an emergency.".

LEGISLATIVE BILL NO. 356. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 356:

1. Amend the bill, pages 2 and 3, by striking all of sections 1, 2 and 3 thereon and by inserting in lieu thereof the following:

"Section 1. That Section 77-1602, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

77-1602. On or before the first day of April of each year in which an assessment of real estate is to be made, the county clerk shall make up for the several townships, precincts, cities and villages in the county, in books to be provided for that purpose by the state board of equalization and assessment, a list of the taxable lands and lots in his county. When a whole section, half section, quarter section or half quarter section belongs to one owner, it shall be listed as one tract, and when all lots in the same block belong to one owner, they shall be listed as a block. When several adjoining lots in the same block belong to the same owner, they shall be included in one description. When any tract or parcel of real estate is situated in more than one township, precinct, school, road or other district, the portion thereof in each shall be listed separately. The clerk shall enter in the proper column, opposite each respective tract or lot, the name of the owner thereof, so far as he shall be able to ascertain in the same. Such books shall contain columns in which may be shown the number of acres or lots not improved and the value thereof; the number of acres or lots improved and the value thereof; the improvements and the value thereof; the total value,; the assessed value and such other columns as may be required: **Provided,** in counties of over thirty thousand and less than one hundred thousand inhabitants, the county assessor shall make up the assessment books. **In counties with a population of more than two hundred thousand inhabitants adopting the unit tax ledgers as provided for in section 1, legislative bill No. 354, fifty-fifth session, Nebraska state legislature, 1941, there may be substituted for the books provided for herein, unit valuation ledgers to be furnished by the county board. Whenever any county board adopts the use of unit**

tax ledgers, and furnishes unit valuation ledgers to the county clerk, it shall be the duty of the county clerk to make up the unit valuation ledgers, and it shall be the duty of the county assessor to use the same in lieu of the books provided for herein.

Sec. 2. That said original Section 77-1602, Compiled Statutes of Nebraska, 1929, is hereby repealed.

Sec. 3. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

2. Amend the bill, page 1, title, by striking all of said title after the word "ACT" in line 2 therein and by inserting in lieu thereof the following: "to amend Section 77-1602, Compiled Statutes of Nebraska, 1929, relating to revenue; to provide for the use of unit valuation ledgers, in counties with a population of more than two hundred thousand inhabitants adopting unit tax ledgers as provided for in section 1, legislative bill No. 354, fifty-fifth session, Nebraska state legislature, 1941, to be furnished by county boards; to make it the duty of the county clerk to make up the unit valuation ledgers; to make it the duty of the county assessor to use the unit valuation ledgers; to repeal said original section; and to declare an emergency."

LEGISLATIVE BILL NO. 357. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 357:

1. Amend the bill, pages 1, 2 and 3, by striking all of sections 1, 2 and 3 thereon and by inserting in lieu thereof the following:

"Section 1. That Sec. 77-1805, C. S. Supp., 1939, be amended to read as follows:

77-1805. All taxes which are uniform throughout any precinct or township shall be formed into a single tax, entered upon the tax list in a double column, as required in the preceding section and the total thereof in single columns, shall be denominated a consolidated tax, and each tax receipt shall show percentage levied for each separate fund. The tax list shall be completed by the supervisor of tax list or county clerk by carrying out in a column by itself the consolidated tax as provided in the preceding section, Sec. 77-1804, C. S. Supp., Neb., 1931, **1939,** as amended, with the labor tax, school district tax, and any irregular tax, each in double columns and after adding up each double column of taxes he shall, in an abstract at the end of each precinct, township, city and village list, apportion the consolidated tax among the respective funds to which it

belongs, according to the number of mills levied for each of said funds, showing a summary, in double column, of each distinct tax. The supervisor of tax list shall return his completed tax records to the county clerk in time for transmission to the county treasurer as provided by law. **In counties with a population of more than two hundred thousand adopting the unit tax ledgers as provided for in section 1, legislative bill No. 354, fifty-fifth session, Nebraska state legislature, 1941, the supervisor of the unit tax ledgers or county clerk may consolidate all taxes that are uniform throughout any taxing subdivision of the county. The county clerk, before transmission of the tax lists or unit tax ledgers to the county treasurer, shall set up on his records a controlling account which shall reflect the total tax assessed, against which the clerk shall record the monthly tax collections as shown by the county treasurer's records. The supervisor of tax lists shall return his completed tax records to the county clerk in time for transmission to the county treasurer as provided by law.**

Sec. 2. That said original Sec. 77-1805, C. S. Supp., 1939, is hereby repealed.

Sec. 3. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.".

2. Amend the bill, page 1, title by striking all of said title after the word "ACT" in line 2 therein and by inserting in lieu thereof the following: "to amend Sec. 77-1805, C. S. Supp., 1939, relating to revenue; to permit, in counties with a population of more than two hundred thousand inhabitants adopting the unit tax ledger as provided for in section 1, legislative bill No. 354, fifty-fifth session, Nebraska state legislature, 1941, a consolidation of all taxes uniform throughout any taxing subdivisions of the county; to provide for the county clerk setting up a controlling account reflecting the total taxes assessed, and recording monthly tax collections; to repeal said original section; and to declare an emergency.".

LEGISLATIVE BILL NO. 358. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 358:

1. Amend the bill, pages 2, 3, 4 and 5 by striking all of sections 1, 2 and 3 thereon and by inserting in lieu thereof the following:

"Section 1. That Section 77-1807, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

77-1807. The tax list, when completed, shall be the property of the county, and shall be substantially in the following form with

such additions and amendments thereto as may be necessary to make it conform to law:

TAX LIST

State Levy	
Insane patients	Mills
General	"
Sinking	"
School	"
University	"
State Bonds	"
Total	"
County Levy	
Poor fund	Mills
General	"
Special bridge	"
Sinking	"
Int. Reg. Bonds	"
Total	"

Tax List.....Precinct

.....County, Nebraska

For the Year 19.....

Owners' Names	Description of Lands or Town Lots						No. School District	No Road District	State and County Consolidated Tax.	County and District Taxes					Advertising	Total	No. of Receipt	Remarks
	Part of section or part of town	Section or lot	Town or Block	Range	Acres	Value				Road Tax		Sch. Dist. Tax	Sch. Dist. Bond Tax	Precinct Tax	Poll Tax			

In counties with a population of more than two hundred thousand inhabitants adopting the unit tax ledgers as provided for in section 1, legislative bill No. 354, fifty-fifth session, Nebraska state legislature, 1941, the unit tax ledgers, when completed shall be substantially in the following form with such additions and amendments thereto as may be necessary to make it conform to law:

UNIT TAX LEDGER

In the case of unit tax ledgers the form provided above shall be made to reflect the tax to and including the year 1950, and subsequent forms each ten years thereafter, to facilitate the consolidation of delinquent taxes as provided for by Section 77-1815, Compiled Statutes of Nebraska, 1929, as now existing or as hereafter amended. The unit tax ledgers may also contain, on the reverse side thereof, provisions for recording special assessments.

Sec. 2. That said original Section 77-1807, Compiled Statutes of Nebraska, 1929, is hereby repealed.

Sec. 3. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.".

2. Amend the bill, page 1, title, by striking all of said title after the word "ACT" in line 2 therein and by inserting in lieu thereof the following:

"to amend Section 77-1807, Compiled Statutes of Nebraska, 1929, relating to revenue; to provide, in counties with a population of more than two hundred thousand inhabitants adopting the unit tax ledger as provided for in section 1, legislative bill No. 354, fifty-fifth session, Nebraska state legislature, 1941, for the form of the unit tax ledgers; to require substantial compliance to the form prescribed; to repeal said original section; and to declare an emergency.".

LEGISLATIVE BILL NO. 359. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 359:

1. Amend the bill, page 2, by striking all of sections 1, 2 and 3 thereon and by inserting in lieu thereof the following:

"Section 1. That Section 77-1806, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

77-1806. The tax list shall be completed and delivered to the county treasurer on or before the first day of November annually, and before its delivery the county clerk shall attach a warrant under the seal of the county, which warrant shall be signed by the clerk and shall in general terms command the treasurer to collect the taxes therein mentioned according to law; but no informality therein, and no delay in delivering the same after the time above specified, shall affect the validity of any taxes or sales, or other proceedings for the collection of taxes as provided for in this chapter. Whenever it shall be discovered that the warrant in this section provided for was not at the proper time attached to any tax list, for any preceding year or years, in the hands of the county treasurer, the county clerk shall forthwith attach such warrant which shall be in the same form, and shall have the same force and effect as if it had been attached to such tax list before the delivery thereof to the county treasurer. **In counties with a population of more than two hundred thousand inhabitants, adopting the unit tax ledgers as provided for in section 1, legislative bill No. 354, fifty-fifth session, Nebraska state legislature, 1941, such unit tax ledgers in their original compilation, and the annual additions thereto, shall be completed and delivered to the county treasurer on or before the thirty-first day of December annually, and at the same time, the county clerk shall transmit a warrant under the seal of the county, which warrant shall be signed by the clerk and shall in general terms command the treasurer to collect the taxes for the year in which the original compilation was made, and each annual addition thereto shall be covered by a new warrant separately transmitted.**

Sec. 2. That said original Section 77-1806, Compiled Statutes of Nebraska, 1929, is hereby repealed.

Sec. 3. Whereas, an emergency exists, this act shall be in full force and take effect from and after its passage and approval, according to law.".

2. Amend the bill, page 1, title, by striking all of said title after the word "ACT" in line 2 therein and by inserting in lieu thereof the following: "to amend Section 77-1806, Compiled Statutes of Nebraska, 1929, relating to revenue; to provide in counties with a population of more than two hundred thousand inhabitants, for the delivery of unit tax ledgers in their original compilation and the annual additions thereto, to the county treasurer on or before December thirty-first of each year; to provide that the county clerk shall transmit to the county treasurer a warrant for the collection of taxes for the year for which the annual compilation is made, and new war-

rants for each annual addition to the unit tax ledgers; to repeal said original section; and to declare an emergency.".

(Signed) Murphy, Chairman

Labor & Public Welfare

LEGISLATIVE BILL NO. 486. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 486:

1. Strike all of the bill after the enacting clause, and substitute in lieu thereof the following:

"Section 1. That Sec. 48-205, C. S. Supp., 1939, be amended to read as follows:

48-205. In metropolitan cities and cities of the first class no female shall be employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, ~~or~~ restaurant, **or by any** office ~~or by any public service corporation~~ in this state more than nine hours during any one day or more than fifty-four hours in one week. The hours of each day may be so arranged as to permit the employment of such female at any time from six o'clock A. M. to ~~twelve-thirty~~ one o'clock A. M. of the following day, but in no case shall such employment exceed nine hours in any one day, nor shall such female be employed ~~except by public service corporations~~, between the hours of ~~12:30~~ one o'clock A. M. and ~~6:00~~ six o'clock A. M.: **Provided, that the provisions of this section shall not apply to employees of public service corporations; and provided further, any female may be employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant between the hours of one o'clock A. M. and six o'clock A. M. upon the employer obtaining a permit from the commissioner of labor. The commissioner shall issue the permit only after a careful investigation of the working conditions, from a standpoint of safety, health and general welfare to the employee, in the business or plant operated by such employer.**

Sec. 2. The fee for each permit shall be three dollars and all moneys so collected by the commissioner shall be remitted by him to the state treasurer, who shall credit the money so received to the **"labor fund"** which is hereby created and established. All of the necessary expenses for the administration of this act shall be paid out of the **"labor fund"** upon proper vouchers approved by the labor commissioner, if and when appropriated by the legislature for the uses and purposes of said fund during any biennium.

Sec. 3. The labor commissioner is hereby empowered to make reasonable rules and regulations for the administration of but not

inconsistent with the provisions of this act. If at any time, after a proper hearing before the commissioner, it appears that an employer has violated any of the provisions of this act, such employer's permit may be revoked by the commissioner.

Sec. 4. Any employer who violates any of the provisions of this act shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum of not less than ten dollars nor more than one hundred dollars, and, in default of payment thereof, shall be adjudged to stand committed to the county jail until such fine and costs of prosecution be paid, secured or otherwise discharged according to law.

Sec. 5. That said original Sec. 48-205, C. S. Supp., 1939, is hereby repealed.".

2. Amend the bill, page 1, title, by striking all of said title after the word "ACT" in line 2 therein, and by substituting in lieu thereof the following: "to amend Sec. 48-205, C. S. Supp., 1939, relating to labor; to regulate the hours of employment and working conditions of females in cities of the metropolitan class and in cities of the first class; to except employees of public service corporations from the provisions of this act; to provide for the investigation of working conditions and the issuance of permits by the commissioner of labor; to establish fees; to create and establish the **"labor fund"**; to provide that moneys in said fund shall be paid out only on proper vouchers approved by the labor commissioner; to provide for the revocation of such permits; to provide penalties; and to repeal said original section.".

(Signed) Sullivan, Chairman

Enrollment & Review

LEGISLATIVE BILL NO. 12. Replaced on Select File with amendment.

E and R amendment to L. B. No. 12:

1. Amend the specific amendments, adopted April 10, 1941, amendment 2, line 3, by inserting the punctuation "," after the word "governor" therein.

LEGISLATIVE BILL NO. 429. Correctly engrossed.

LEGISLATIVE BILL NO. 135. Correctly engrossed.

LEGISLATIVE BILL NO. 133. Correctly engrossed.

LEGISLATIVE BILL NO. 21. Correctly engrossed.

(Signed) Crosby, Chairman

Speaker Howard presiding

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 213. With emergency clause.

A bill for an Act relating to interstate county bridges; to provide for the issuance of revenue bonds therefor; to provide the purposes for which such revenue bonds constitute legal investments; to prescribe procedure for the issuance of refunding revenue bonds of interstate county bridges; to provide for the creation of bridge commissions; to prescribe the powers and duties of such commissions; to amend Secs. 39-2101 and 39-2107, C. S. Supp., 1939; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 36:

Adams, J. Jr.	Gantz	Matzke	Rakow
Asimus	Garber	Metzger	Reed
Bevins	Greenamyre	Mischke	Sorrell
Blome	Hanna	Mueller	Sullivan
Bowman	Jeppesen	Murphy	Thomas, Ray
Brodahl	Johnson	Neubauer	Thornton
Carlson	Knezacek	Norman	Tvrdik
Carmody	Kotouc	Peterson	Van Diest
Crossland	Lambert	Raecke	Weborg

Voting in the negative, 0.

Not voting, 7:

Adams, E. A.	Crosby	Mekota	Thomas, Amos
Callan	Howard	Price	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 215.

A bill for an Act to amend Sec. 89-112, C. S. Supp., 1939, relating to weights and measures; to prescribe the weight and size of container or packages of flour permitted to be sold in the state of Nebraska; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 38:

Adams, J. Jr.	Gantz	Matzke	Reed
Asimus	Garber	Mekota	Sorrell
Bevins	Greenamyre	Metzger	Sullivan
Blome	Howard	Mischke	Thomas, Ray
Bowman	Hanna	Mueller	Thornton
Brodahl	Jeppesen	Murphy	Tvrdik
Callan	Johnson	Neubauer	Van Diest
Carlson	Knezacek	Norman	Weborg
Carmody	Kotouc	Peterson	
Crossland	Lambert	Raecke	

Voting in the negative, 0.

Not voting, 5:

Adams, E. A.	Price	Thomas, Amos
Crosby	Rakow	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 217.

A bill for an Act to amend Sec. 33-114, C. S. Supp., 1939, relating to fees and salaries; to establish fees received by the register of deeds or the county clerk as ex officio register of deeds in filing the final decree in probate proceedings as provided in Section 30-1302, Compiled Statutes of Nebraska, 1929; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 40:

Adams, E. A.	Crossland	Lambert	Raecke
Adams, J. Jr.	Gantz	Matzke	Rakow
Asimus	Garber	Mekota	Reed
Bevins	Greenamyre	Metzger	Sorrell

Blome	Hanna	Mischke	Sullivan
Bowman	Howard	Mueller	Thomas, Ray
Brodahl	Jeppesen	Murphy	Thornton
Callan	Johnson	Neubauer	Tvrdik
Carlson	Knezacek	Norman	Van Diest
Carmody	Kotouc	Peterson	Weborg

Voting in the negative, 0.

Not voting, 3:

Crosby	Price	Thomas, Amos

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 291.

A bill for an Act to amend Sec. 32-1164, C. S. Supp., 1939, relating to elections; to provide that delegates to the county convention may not authorize others to appear for or act for them in their stead; to prescribe the method to be followed in the filling of vacancies in the office of delegates elected to the county convention; to provide that the county convention shall elect a county chairman, secretary, treasurer, and precinct committeemen and committeewomen; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 31:

Adams, E. A.	Crosby	Matzke	Reed
Bevins	Crossland	Mekota	Sorrell
Blome	Greenamyre	Metzger	Thomas, Ray
Bowman	Hanna	Mischke	Thornton
Brodahl	Howard	Murphy	Tvrdik
Callan	Jeppesen	Neubauer	Van Diest
Carlson	Johnson	Norman	Weborg
Carmody	Kotouc	Peterson	

Voting in the negative, 6:

Adams, J. Jr.	Garber	Raecke
Gantz	Mueller	Rakow

Not voting, 6:

Asimus	Lambert	Sullivan
Knezacek	Price	Thomas, Amos

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Explanation of Vote

Mr. President: I heartily favor the provision prohibiting proxy voting, but oppose the provision for election of precinct committee members at the county convention. They should be elected at precinct caucuses. (Signed) Raecke

MOTION—To Return to E and R for Amendment

Mr. President: I move that L. B. No. 341 be returned to the Committee on Enrollment and Review with instructions to said committee to amend the bill, page 3, Section 1, line 56, by striking the punctuation and word ". Any" after the word "plant", and inserting in lieu thereof the punctuation and word ", nor".

(Signed) Crosby

The motion prevailed.

President Johnson presiding

BILLS ON THIRD READING (Continued)

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 368. With emergency clause.

A bill for an Act to provide for a "state guard" for the state of Nebraska; to designate a short title; to repeal Article 2, Chapter 55, Compiled Statutes of Nebraska, 1929, relating to home guards; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Adams, E. A.	Crosby	Lambert	Raecke
Adams, J. Jr.	Crossland	Matzke	Rakow
Asimus	Gantz	Mekota	Reed
Bevins	Greenamyre	Metzger	Sorrell
Blome	Hanna	Mischke	Sullivan
Bowman	Howard	Mueller	Thomas, Ray
Brodahl	Jeppesen	Murphy	Thornton

Callan	Johnson	Neubauer	Tvrdik
Carlson	Knezacek	Norman	Van Diest
Carmody	Kotouc	Peterson	Weborg

Voting in the negative, 0.

Not voting, 3:

Garber	Price	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 455.

A bill for an Act to amend Section 39-115, Compiled Statutes of Nebraska, 1929, relating to highways; to provide the time for filing objections to establishing or altering roads upon favorable report of the county surveyor; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 39:

Adams, E. A.	Crossland	Matzke	Rakow
Adams, J. Jr.	Gantz	Mekota	Reed
Asimus	Greenamyre	Metzger	Sorrell
Bevins	Hanna	Mischke	Sullivan
Blome	Howard	Mueller	Thomas, Ray
Bowman	Jeppesen	Murphy	Thornton
Brodahl	Johnson	Neubauer	Tvrdik
Callan	Knezacek	Norman	Van Diest
Carlson	Kotouc	Peterson	Weborg
Carmody	Lambert	Raecke	

Voting in the negative, 0.

Not voting, 4:

Crosby	Garber	Price	Thomas, Amos

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 505.

A bill for an Act relating to insurance; to provide for a deposit to be required of domestic assessment associations hereafter organ-

ized to transact the business of accident or health insurance; to provide for the deposit of same with the department of insurance; to provide a method for the accumulation of such deposit by existing companies; to provide for the withdrawal thereof to pay claims and restoration of any such withdrawal; to provide that no foreign assessment accident and health association shall hereafter be authorized to do business in Nebraska unless it shall have assets on deposit with the insurance department of the state of its domicile in an amount at least equal to those required of like domestic associations.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 41:

Adams, E. A.	Crossland	Lambert	Raecke
Adams, J. Jr.	Gantz	Matzke	Rakow
Asimus	Garber	Mekota	Reed
Bevins	Greenamyre	Metzger	Sorrell
Blome	Hanna	Mischke	Sullivan
Bowman	Howard	Mueller	Thomas, Ray
Brodahl	Jeppesen	Murphy	Thornton
Callan	Johnson	Neubauer	Tvrdik
Carlson	Knezacek	Norman	Van Diest
Carmody	Kotouc	Peterson	Weborg
Crosby			

Voting in the negative, 0.

Not voting, 2:

Price	Thomas, Amos

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL NO. 89. Mr. Peterson offered the following amendments:

1. First strike all amendments adopted to original bill and then strike all of the bill except the enacting clause and insert in lieu thereof the following:

"Section 1. That Sec. 68-268, C. S. Supp., 1939, as amended by Section 1, Chapter 4, Session Laws of Nebraska, fifty-fourth (Extraordinary) session, 1940, be amended to read as follows:

68-268. On the death of a person receiving or who has received assistance under this Act **act,** or of the survivor of a married couple, both of whom were so assisted, the total amount paid as assistance may be allowed as a claim in favor of the county against the estate of such decedent. **The assistance paid may be allowed as a claim against the homestead property, notwithstanding Article 1, Chapter 40, Compiled Statutes of Nebraska, 1929, as now existing or as hereafter amended: Provided, that, if during the time assistance payments were received, all of the taxes and all other expense of maintenance of the homestead are paid by a child or children or next of kin of the recipient, the claim shall not be allowed against the homestead property until all such payments for taxes and maintenance expenses are first refunded.** Whenever a certificate is issued for such assistance to any person in whom or in whose spouse the title to any real estate is vested, a copy of such certificate shall be indexed and recorded in the manner provided for indexing of real estate mortgages in the office of the register of deeds or county clerk, as the case may be, of the county in which the real estate is situated, and from the time of such filing the assistance furnished under this chapter, including, also, future payments thereof as made, shall constitute a lien on the real estate in such county owned, either by the recipient of such assistance, or his spouse, if the name of the spouse is stated in the lien filed, subject only to prior liens legally existing and appearing upon said record. Said register of deeds or county clerk shall not charge a fee for such recording and indexing. No such claim shall be enforced against any real estate of the recipient, or the real estate of a person who has been a recipient, while it is occupied by the recipient's surviving spouse, or by any child of such recipient or any child of such surviving spouse, who shall have been dependent upon such recipient or surviving spouse for more than one year prior to his or her death. Any claim provided for in this section may be presented to the proper court by the county treasurer, if so directed by the Board **board.** In the event that any amount is recovered by a county or the state with respect to old age assisance furnished under this Act **act,** such amount shall be paid into the State Assistance Fund **state assistance fund** and the state department is authorized to pay promptly to the United States the proportionate amount of any such recovery to which the United States may be entitled.

Sec. 2. That Sec. 68-270, C. S. Supp., 1939, as amended by Section 2, Chapter 4, Session Laws of Nebraska, fifty-fourth (Extraordinary) session, 1940, be amended to read as follows:

68-270. The county in which the recipient had legal settlement at the time assistance payments were made may fully release such claims and lien when paid, or it may release such liens for the purpose of clearing the title to the real estate involved when it appears

to it that a recovery thereunder is not probable. Each release shall be signed in the name of the county by the chairman of the Board of County Commissioners or Supervisors after he is authorized by vote of such board: Provided, **Subdivision 1. The board shall satisfy and release the claims accruing under the provisions of Sec. 68-268, C. S. Supp., 1939, as amended by section 1, legislative bill No. 89, fifty-fifth session, Nebraska state legislature, 1941, when fully paid, or when compromised and settled, or when the estate has been probated and the proceeds allowable have been applied on such claims, or when recovery of the claim is not probable. Subdivision 2. From and after the effective date of legislative bill No.89, fifty-fifth session, Nebraska state legislature, 1941, any lien, now filed or hereafter filed, in favor of the county upon real estate which was owned by the recipient of old age assistance or of blind assistance, which arose out of the payment of old age assistance or of blind assistance, shall be promptly released and satisfied of record; and the registers of deeds or the county clerks, as case is, of the various counties are hereby authorized and directed forthwith, to release any such liens upon real estate which are filed and recorded in their respective counties: Provided,** that notwithstanding any other general or specific law, the register of deeds or the county clerk, as the case may be is, shall not charge a fee for filing releases of **releasing** said liens.

Sec. 3. That said original Sec. 68-268, C. S. Supp., 1939, as amended by Section 1, Chapter 4, Session Laws of Nebraska, fifty-fourth (Extraordinary) session, 1940, is hereby repealed; that said original Sec. 68-270, C. S. Supp., 1939, as amended by Section 2, Chapter 4, Session Laws of Nebraska, fifty-fourth (Extraordinary) session, 1940, is hereby repealed; that Secs. 68-271, 68-412, 68-414, 68-417, 68-418, C. S. Supp., 1939, are hereby repealed; and that Secs. 68-413 and 68-416, C. S. Supp., 1939, as amended by Chapter 4, Session Laws of Nebraska, fifty-fourth (Extraordinary) session, 1940, are hereby repealed.

Sec. 4. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.".

2. Amend the bill, page 1, title by striking all of said title after the word "ACT" in line 2 therein and by inserting in lieu thereof the following:

"relating to public welfare and social security; to abolish the old age assistance and blind assistance liens; to abolish the blind assistance claims from estates of deceased recipients of old age and blind assistance; to abolish the procedure for enforcement of such liens and claims; to provide for the release and satisfaction of the old age assistance and blind assistance liens and blind assistance claims, now existing or hereafter filed; to prescribe the duties

of the various county judges, registers of deeds or county clerks with respect thereto; to provide for a claim against the estate of a deceased old age assistance recipient; to provide the manner in which old age assistance claims may be released; to amend Sec. 68-268, C. S. Supp., 1939, as amended by Section 1, Chapter 4, Session Laws of Nebraska, fifty-fourth (Extraordinary) session, 1940; to amend Sec. 68-270, C. S. Supp., 1939, as amended by Section 2, Chapter 4, Session Laws of Nebraska, fifty-fourth (Extraordinary) session, 1940; to repeal said original sections, as amended; to repeal Secs. 68-271, 68-412, 68-414, 68-417 and 68-418, C. S. Supp., 1939; and to repeal Secs. 68-413 and 68-416, C. S. Supp., 1939, as amended by Chapter 4, Session Laws of Nebraska, fifty-fourth (Extraordinary) session, 1940; and to declare an emergency.".

Mr. Peterson asked that the above amendment be read in lieu of the E and R amendments, found in the Legislative Journal for the Sixty-sixth Day.

No objection was offered and the Peterson amendments were read.

Laid over.

LEGISLATIVE BILL NO. 221. Laid over, to be considered with L. B. No. 375.

LEGISLATIVE BILL NO. 299. E and R amendments, found in the Legislative Journal for the Sixty-seventh Day, were adopted.

Mr. Raecke and Mr. Gantz offered the following amendments, which were adopted by unanimous consent:

Amend L. B. No. 299, page 6, Section 8, line 35, after the word "Nebraska" insert "Chief Clerk of the State Fund Relief Commission, clerk of Nebraska legislature, lieutenant governor, and each United States senator from Nebraska and each United States representative from Nebraska."

Laid over until Wednesday, April 16, 1941.

LEGISLATIVE BILL NO. 101. E and R amendments, found in the Legislative Journal for the Sixty-eighth Day, were adopted.

Mr. Peterson offered the following amendments, which were adopted by unanimous consent:

Amend Section 14 by adding after the word "use" in line 104 the following: "nor shall it apply to the sales of economic poisons used

in agricultural and industrial arts or products used for the control of insect or animal pests or weeds or fungus diseases."

Add at end of line 104 the following: "except sales for use in industrial arts, manufacturing or processing."

In line 106 change the figure 2 to 1.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL NO. 375. Read and considered.

Mr. Raecke offered the following amendments, which were adopted:

That L. B. No. 375 be amended, page 2, section 2, line 3 by inserting the number "375" in the blank after the abbreviation "No." and that a similar insertion be made on page 6, section 5, line 125.

Referred to E and R for review.

LEGISLATIVE BILL NO. 328. John Adams, Jr. asked unanimous consent to withdraw his amendments offered on April 3, 1941 and found in the Legislative Journal for the Sixty-second Day.

No objection was offered and the President so ordered.

John Adams, Jr. offered the following amendments:

1. Strike all of the bill after the enacting clause and substitute in lieu thereof the following:

"Section 1. That Section 83-311, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

83-311. The board of ~~commissioners~~ **control** of state institutions is hereby vested with the authority of improving the condition of the blind of this state under the terms of this act.

Sec. 2. That Section 83-312, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

83-312. It shall be the duty of ~~said~~ the board **of control of state institutions,** so far as may be practicable to provide for the following activities: (a) To prepare and maintain a complete register of the blind in the ~~State~~ **state** of Nebraska, showing the name, location, age,

length of residence, condition, cause of blindness, occupation, capacity for educational and industrial training of each, together with such other facts as may seem to the commission to be of value. (b) To provide suitable and practicable home teaching for blind persons who may be unable to attend the Nebraska School **school** for the Blind **blind.** (c) To assist blind persons to find remunerative employment suited to their needs and capacities. (d) To assist blind workers to find a market for their wares and to obtain tools and materials needed in their work. (e) To encourage and stimulate blind persons in their efforts toward self-improvement and self-support. (f) To collect, interpret and disseminate information relating to the cause, prevention and cure of blindness. **(g) To provide for the vocational training for the blind persons other than those in the Nebraska school for the blind, and in this, to coordinate said activities with those of the vocational educational division. (h) To provide treatment, hospitalization and any other service deemed necessary for the prevention of blindness and the restoration of eyesight for persons who are or may be expected to become blind, under the definition of this act; Provided, such services may reasonably be expected to render such persons employable; and provided further, that funds from no other source are available for such services. (i) To take the necessary steps to be named as the licensing agency for operating stands in federal buildings in Nebraska, and to function as the licensing agency, if, and when this permission is granted.**

Sec. 3. That Section 83-313, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

83-313. The board of ~~commissioners~~ **control** of state institutions shall have power in each instance: (a) To employ necessary field agents and teachers and to fix their compensation. (b) To make loans of money to worthy and capable blind persons to assist them in pursuing advanced or technical studies or in carrying on business. (c) To employ necessary clerical help and incur necessary expenses in carrying out the provisions of this act. **(d) To promulgate rules and regulations, not inconsistent with this act, for its proceedings and the administration of the affairs under its jurisdiction. (e) To prescribe qualifications for staff personnel.**

Sec. 4. That Section 83-315, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

83-315. There is hereby appropriated ~~$2,000 as a nucleus of a fund for the relief of the blind in this state~~ **out of the general fund in the state treasury, for the biennium ending June 30, 1943, out of any moneys not otherwise appropriated, the sum of twenty thousand dollars to enable the board of control of state institutions to carry out the provisions of this act. The state treasurer, immediately after the effective date of this act, shall transfer from the general fund the**

sum herein appropriated to the "blind improvement fund". Upon proper vouchers approved by the authorized representative of the board of control of state institutions, the auditor of public accounts shall draw his warrants on said fund; and the state treasurer shall pay the same out of but never in excess of the amount herein specifically appropriated or credited to said fund.

Sec. 5. That Section 83-318, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

83-318. The superintendent of the institution for the blind at Nebraska City and the executive board of the Nebraska association of workers for the blind shall form an advisory board for carrying out the purposes of this act. Said board shall act in co-operation with the board of commissioners of state institutions. All state appropriations and funds contributed to the relief fund provided in this act shall be expended only under the authority and supervision of said board of commissioners of state institutions. **There is hereby established an advisory committee to be known as "the advisory committee for the improvement of the condition of the blind", consisting of the superintendent of the state school for the blind, the state director of vocational rehabilitation, the head of the department of sociology, university of Nebraska, and two persons to be appointed by the governor and selected with reference to their special interest and activity in the problems of the blind, at least one of whom shall be a blind person. The advisory committee shall select one of its members to preside as chairman. The function of the advisory committee shall be to assist in the formulation of plans and policies for the conduct of the program for the blind established by this act. The members of the committee shall receive no compensation for their services as such members, but shall be reimbursed for actual necessary expenses incurred in the discharge of the duties required by this act. The members of the committee who are appointed by the governor shall serve for a term of two years and until their successors are appointed. Any vacancy in the appointive members of the commitee shall be filled by appointment by the governor for the unexpired term. The advisory committee shall meet at such times as shall be fixed by the board.**

Sec. 6. That Section 83-319, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

83-319. The advisory board described in the preceding section, (83-318), may solicit and receive contributions either for immediate use or endowment of the relief **"blind improvement"** fund, therefor. All such funds when received shall be deposited or invested under authority of the board of commissioners control of state institutions and held subject to its order.

Sec. 7. That said original Sections 83-311, 83-312, 83-313, 83-315, 83-316, 83-318 and 83-319, Compiled Statutes of Nebraska, 1929, are hereby repealed.".

2. Amend the bill, title, page 1, by striking all of said title after the word "ACT" in line 2 therein and by substituting in lieu thereof the following: "relating to the blind; to provide for improving the conditions of the blind of the state of Nebraska under the authority and direction of the board of control of state institutions; to provide for said board to become the licensing agency for operating stands by the blind in federal building in Nebraska; to provide for an advisory committee for the improvement of the condition of the blind; to define its function; to appropriate for the uses and purposes of this act, for the biennium ending June 30, 1943, the sum of twenty thousand dollars; to amend Sections 83-311, 83-312, 83-313, 83-315, 83-316, 83-318 and 83-319, Compiled Statutes of Nebraska, 1929; and to repeal said original sections.".

Laid over.

LEGISLATIVE BILL NO. 470. Mr. Neubauer offered the following amendments:

1. Strike all of the bill after the enacting clause and substitute in lieu thereof the following:

"Section 1. **Subdivision 1.** When used in this act: the word **state** means **state of Nebraska. Subdivision 2.** The word **administrator** means the chief of the bureau of motor fuels who is the titular head of the division of motor fuels in the department of agriculture and inspection, as now established, or the successor to his duties and functions. **Subdivision 3.** The words **motor vehicles** or **motor vehicle fuels** are construed as defined in Sec. 66-401, C. S. Supp., 1939, as now existing or as hereafter amended. **Subdivision 4.** The word **distributor** means persons or agencies that sell and have paid the excise tax for any one purchase upon fifty gallons or more of motor vehicle fuels obtained from **dealers,** as defined in Sec. 66-401, C. S. Supp., 1939, as now existing or as hereafter amended, for purposes of resale at retail to consumers or users of motor vehicle fuels to be used solely for agricultural purposes; and if dealers be also distributors, that portion of their ordinary business transactions carried on as distributors shall be governed, controlled and amenable to the duties imposed by this act.

Sec. 2. **Subdivision 1.** The chief of the bureau of motor fuels shall administer and enforce the provisions of this act. He may call to his aid when necessary any member of the Nebraska safety patrol, any police officer, any county attorney or the attorney general. The administrator or his assistants, are empowered to stop and inspect

motor vehicles, to inspect premises and temporarily to impound motor vehicles or motor vehicle fuels, when the same is necessary to administer the provisions of this act. **Subdivision 2.** The administrator may, from time to time, make and promulgate such reasonable rules and regulations, not inconsistent with this act, as are necessary for its prompt and effective enforcement. The administrator shall have power to make rules and regulations concerning the nature and use of identifying chemicals which may be used for the purpose of identifying refund tax gasoline, and the distributor shall, in accordance with the rules and regulations of the administrator, mix identifying chemicals in all refund tax gasoline at the time of sale or purchase, which identifying chemicals shall be furnished by the administrator, without cost to distributors; and it shall be unlawful for anyone to use such refund tax gasoline or motor vehicle fuels in any motor vehicle operated or intended to be operated upon any public streets or highways of the state or for a purpose other than for an agricultural purpose as in this act defined. All refund tax gasoline shall be placed, when delivered by distributor to purchaser, in a special storage container and each container must be labeled **refund tax gasoline** in large legible letters. The administrator is empowered to suspend the permit granted to any person, firm or corporation under this act at any time he suspects such person, firm or corporation violates any of the provisions thereof. **Subdivision 3.** (a) Every person, hereinafter referred to as **purchaser and claimant** who has paid for any one purchase the excise tax to a distributor upon forty or more gallons of gasoline or motor vehicle fuel, which gasoline or motor vehicle fuel was or is to be used solely and exclusively by such person for agricultural purposes in the state, shall be entitled to a refund equal to the amount of tax so paid, less the amount allocated to the state assistance fund, if any, upon compliance with the provisions of this act, and not otherwise: **Provided,** no refund shall be made to anyone other than the actual purchaser of such gasoline or motor vehicle fuel. (b) Every person who desires to take advantage of the provisions of this act, shall, before making any claim for a refund, make application under oath upon a form prescribed by the administrator, for a permit to obtain refunds in accordance therewith. Said application shall contain the name of the applicant, his address, his occupation, the uses to which the applicant intends to put such gasoline or motor fuel upon which he will claim refund, the make, horse power, and other mechanical description of machinery in which the same is to be used, and such other information as may be deemed necessary by the administrator who shall make a charge of one dollar for the issuing of the permit; and funds so derived shall be used for the cost of administration of this act. Upon investigation by the administrator, if the statements contained in the application shall be found to be true, the administrator shall thereupon issue to said applicant a permit which shall be valid during the cur-

rent calendar year, unless cancelled as hereinafter provided. The permit so issued shall contain a number to be given to each applicant and shall be in such form as may be prescribed by said administrator. Any permittee desiring to take advantage of the provisions of this act shall make application for refund upon a form to be prescribed and supplied by the administrator which shall be executed by the permittee and shall contain a statement to the effect that the motor fuel upon which a refund of the tax is claimed has been used or is to be used solely for agricultural purposes in the state of Nebraska, and in conformity with the purposes contained in the claimant's application for permit for refund. The application shall contain such other information as the administrator may prescribe. Upon issuance of said permit the administrator shall furnish to the permittee a form of receipt prescribed by the administrator, which receipt shall be serially numbered, the permittee being held accountable for all such receipts issued to him or it. Upon purchase by the permittee, the receipt shall be presented by the permittee to the distributor and licensee who will execute thereon the required information. After due execution of tax refund gasoline invoices, as herein provided, the permittee shall attach the original of the invoice to his application for refund and it shall become a part thereof. If any purchaser or claimant for refund makes any false statement on any of the reports required by the administrator, or upon any application for a permit or upon any application for a refund, or if any person uses refund tax gasoline as provided in this act in any motor vehicle upon the highways of the state of Nebraska, the administrator shall forthwith cancel his permit for refund and he shall not be issued a new permit for one year from the date of such cancellation.

Sec. 3. **Subdivision 1.** Any purchaser or any person who purchases motor vehicle fuel in the state, purchased by such purchaser or person for operating or propelling any stationary gas engine, tractor, combine, machinery or motor used solely for agricultural purposes, on which motor vehicle fuel tax has been paid, either directly or indirectly, shall be deemed and considered as a purchaser of refund tax gasoline and shall be entitled to be refunded the amount of such taxes so paid by the dealer, exclusive of the deduction for the amount of gasoline tax allocated to the state assistance fund or for evaporation and loss in the manner and subject to compliance with the provisions, remedies and conditions described in this act. No greater amount, the amount allocated to state assistance deducted, shall be refunded than has been paid into the gasoline tax fund in the state treasury on any motor vehicle fuel. The tax actually paid by any distributor shall be refunded as provided herein: **Provided,** under no circumstances shall such refund be made to anyone other than the actual purchaser of such **refund tax gasoline** or motor vehicle fuels. **Subdivision 2.** Any distributor desiring to sell motor

vehicle fuel on which a refund of the tax is authorized by this act, shall, before making such sale, make application to the administrator, upon forms prescribed by the administrator and containing such information as the administrator may require, for a license to sell such refund tax motor vehicle fuel; and the administrator shall make a charge of one dollar for the issuing of each license and funds so derived shall be used for the cost of administration of this act; and it shall be unlawful for any person to sell any motor vehicle fuel upon which a refund of tax will be made, or is intended to be made, without first having obtained from the administrator a license to sell such motor vehicle fuel. **Subdivision 3.** A separate application shall be made to the administrator by such distributor for each place of business from which refund tax motor vehicle fuel is to be distributed by such distributor; and the administrator shall issue a separate license for each such place of business. The administrator shall examine each application for license received by him, and, if found in due form, and if within the discretion of the administrator the applicant is entitled to such license, the same shall be issued. Specimen signatures of every distributor, truck drivers and other employees authorized to act as agents for distributor shall accompany application for distributor's license to sell refund tax gasoline. **Subdivision 4.** When such application is approved by the administrator, the applicant for license as a distributor shall be required to file oath with the administrator that he will faithfully perform and comply with the statute making provisions for the sale and distribution of motor vehicle fuel subject to a refund of motor vehicle fuel taxes. **Subdivision 5.** Each license issued hereunder shall remain in full force and effect until the first day of March following its date of issue, and annually on the first day of March each applicant, person, or dealer, desiring to sell motor vehicle fuel upon which a refund of the tax is authorized must obtain from the administrator a license, or a renewal of his existing license, to sell such motor vehicle fuel as herein provided. Any license issued hereunder is not transferable unless such transfer is authorized by the administrator. **Subdivision 6.** Any person, as distributor, who sells motor vehicle fuel upon which a refund of the tax may be authorized, or is claimed, under the provisions of this act, without having obtained a license, as provided for under this act, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not to exceed five hundred dollars or shall be imprisoned in the county jail not to exceed six months, or may be both so fined and imprisoned, and the trial court, as part of the judgment of conviction, may order the revocation of the license of the distributor, so found guilty, for a period of time not exceeding one year.

Sec. 4. Any person licensed as distributor under the provisions of this act shall be required to maintain the records prescribed in

section 10, legislative bill No. 470, fifty-fifth session, Nebraska state legislature, 1941, and, in addition thereto shall affix his license number to each invoice of sale of refund tax gasoline that he may issue under the provisions of this act.

Sec. 5. The administrator shall prescribe the form of distributor's license to be used under this act. If any licensee hereunder violates any provisions of this act, is prosecuted for such violation and is found guilty thereof, the trial court, as part of the judgment of conviction, may, if circumstances warrant, order the revocation or suspension of the license of the licensee, so found guilty, for a period of time not exceeding one year; and in such case the court shall forthwith transmit to the administrator a certified copy of such judgment of conviction. Upon receipt of the certified copy of the judgment of conviction, the administrator shall cancel the license for the period of time that the court directs in the judgment. When the administrator cancels any distributor's license in the manner this section directs, then all books containing invoices of refund held by such distributor licensee, shall be accounted for and surrendered to the administrator.

Sec. 6. No refund of the tax shall be granted on any motor vehicle fuel to any person, claimant, firm, corporation, or otherwise, unless such motor vehicle fuel has been purchased from or used by a licensed distributor as provided in this act. The administrator is hereby prohibited from approving any claim for the payment of any refund tax gasoline on any motor vehicle fuel that is not purchased from a licensed distributor of refund tax gasoline.

Sec. 7. **Subdivision 1.** All refund tax gasoline shall be delivered by distributor only to the premises of the applicant for refund: **Provided,** that a barrel, tank or other container, properly labeled as provided in section 2 of this act, may be filled by the distributor off the premises of the permittee, if such container also bears the name of the permittee. Upon each delivery of motor vehicle fuel upon which a refund of the tax may be claimed, an invoice of refund shall be made out at the time of such delivery, which invoice shall contain a serial number, not to be repeated through any one calendar year and which invoice of refund shall state: The name of the distributor (printed or rubber stamped) selling the refund tax gasoline and his license number; the number of the permit of the purchaser; the number of gallons of motor vehicle fuel thus purchased and delivered; the date on which purchase was made; the purpose for which such motor vehicle fuel will be used, or is intended to be used; the price paid for such motor vehicle fuel and the date and place of delivery; the name of the purchaser or user; the name of the agent or employee actually making the purchase, if any; the seller and place of business of seller; a statement showing that the motor vehicle fuel on

the invoice has been dyed or chemically treated, if required by the administrator; and the amount of such other motor vehicle fuels, if any, purchased for use or usable for the purpose of generating power for the propulsion of motor vehicles, regardless of whether a refund of the tax may be due or claimed under the provisions of this act; and the manner of delivery. The invoice of refund shall show thereon such other information as the administrator may require. No refund shall be allowed unless the seller or licensee, at the time of any such delivery and not thereafter, executed such an invoice of refund. **Subdivision 2.** The distributor selling refund tax motor vehicle fuel, or the licensee, in issuing invoices of refund to the user or purchaser of such motor vehicle fuel, shall make such invoices in triplicate, the original of which shall be delivered to the user or purchaser of such motor vehicle fuel for attachment to his application for refund as a part thereof; the first duplicate original shall be retained by the distributor or licensee for a period of two years, at the place or business designated in the distributor's license, in the same manner and subject to the same examination as required that other records of motor vehicle fuels be kept; and the second duplicate original shall be forwarded to the office of the administrator for his files. **Subdivision 3.** Each invoice of refund issued by distributor or licensee shall be issued at the time of delivery by the distributor, licensee or his employee, and shall also be signed by the user or purchaser of such motor vehicle fuel, or by his duly authorized agent. The licensee or employee of licensee shall not sign for the purchaser when issuing the invoice of refund. Double face carbon shall be used in making up the serially numbered triplicate invoices. In filling out the invoice, distributor or his agent shall record the number of tax refund gas gallons purchased in words not figures.

Sec. 8. After a claimant purchases or acquires for use motor vehicle fuel upon which a refund of the tax may be due, he may file with the administrator an affidavit on such forms as may be prescribed by the administrator: **Provided,** the claimant shall not file more than four claims annually; **and provided further,** no claim shall be allowed after six months have elapsed from the time of the purchase. The affidavit shall include a statement as to the source or place of business or the acquisition of such motor vehicle fuel used solely for agricultural purposes; that the information stated in the attached original copy of the invoice of refund is true and correct, and the manner in which said motor vehicle fuel was used, and that no part of said motor vehicle fuel was used in propelling motor vehicles over the highways of this state and that the motor vehicle fuel for which refund is claimed was used solely for agricultural purposes as defined in section 3 of this act: **Provided,** application for refund shall in no event be considered or allowed upon a total quantity of less than forty gallons of refund tax gasoline.

The affidavit shall be accompanied by the original copy of the invoice or refund above referred to, and the administrator may require other affidavits in such form and time as he may deem advisable or refer the same to a field representative for investigation; and if he finds that all refund tax gasoline is consumed at the time claims are filed and that such claims are just and that the taxes claimed have actually been paid, then he shall within sixty days transmit all claims approved by him to the auditor of public accounts who shall forthwith draw his warrant against the gasoline tax fund in the state treasury upon the presentation of proper vouchers for each claim for reimbursement; and the state treasurer shall pay said warrants out of moneys in said fund without specific appropriation: **Provided,** no warrant shall be paid by the state treasurer after twelve months from the date thereof, and if such warrant is not presented within twelve months from the date thereof, claimant shall forfeit his right to the refund. No refund of the tax shall be allowed on motor vehicle fuel used in any registered or licensed motor vehicle or in any motor vehicle operated or intended to be operated in whole or in part upon any of the highways, roads or streets in the state or if such motor vehicle is not used solely for agricultural purposes.

Sec. 9. When the administrator has issued license to any person desiring to sell or distribute motor vehicle fuel upon which a refund of the tax is authorized, or upon which a claim is to be filed for a refund of the tax, the administrator shall issue to such licensee and distributor, a book or books, of blank invoices of refund, which invoices shall be serially numbered, and an original and two duplicates of each invoice shall be made. The administrator shall keep accurate records of the number of books of invoices of refund issued and furnished to each licensee, and the licensee shall, at all times, account for all such books of invoices of refund received by him. Any invoices of refund, mutilated or unusable, must be returned to the administrator by the distributor or licensee; and any unused invoice of refund lost or destroyed must be reported to the administrator by such licensee. The administrator shall not issue any additional books of invoices of refund to a distributor or licensee until such licensee has made proper accounting for each invoice of refund theretofore issued to him. The book of invoices of refund issued to a licensee are not transferable or assignable by such licensee unless such transfer or assignment is authorized by the administrator; and failure by such licensee to make proper accounting for all invoices or exemption issued to him by the administrator shall be cause for the revocation of his license. The invoices of refund required by this act shall be furnished, free of cost, by the administrator to the licensee or distributor. No forms of invoice of refund shall be used by the distributor of tax refund motor vehicle fuel other than those issued and furnished to him by the administrator.

Sec. 10. The administrator shall make rules and regulations

for the keeping of records of the sale, distribution and use of refund motor vehicle fuel as provided herein; and such records shall be kept by distributors, dealers and service station operators who are licensed to deal in tax refund motor vehicle fund.

Sec. 11. That Sec. 66-411 (A), C. S. Supp., 1939, be amended to read as follows:

66-411 (A) All sums of money received under this Act **act** by the state treasurer shall be placed by him in a fund to be known as the Gasoline Tax Fund **gasoline tax fund. From and after the effective date of legislative bill No. 470, fifty-fifth session, Nebraska state legislature, 1941, the state treasurer shall first pay out of the gasoline tax fund all warrants drawn by the auditor of public accounts for motor vehicle fuel tax refunds.** Commencing July 1, 1939 **From and after the effective date of this act** and until June 3 **June 30, 1941, and also until June 30, 1943,** twenty per cent of said fund shall be credited and shall inure to the State Assistance Fund **state assistance fund;** thirty per cent of said fund shall be, by the state treasurer, upon the first day of each month transferred to the various county treasurers of the state in the proportion that the total motor vehicle registration of the county bears to the total motor vehicle registration of the state, computed on the basis of the motor vehicle registration for the previous calendar year. Said moneys, so transferred to the various county treasurers shall be allocated as follows: (1) **(a)** Ten per cent to be credited to the road fund of the cities and incorporated villages within said county in the proportion that the total population of each city or village, based on the last federal census, bears to the total population of all the cities and incorporated villages within said county, and the sum of money so allocated shall be used solely by each city or incorporated village for constructing street improvements; (2) **(b)** Twenty per cent to be credited to the county bridge fund, and if any portion thereof be not required for bridges it shall be used to pay the interest on and to retire any outstanding county road or highway construction bonds of the county, and the balance thereof, if any, shall be credited to the County Road Fund **county road fund;** and (3) **(c)** The remainder, seventy per cent to be credited to the County Road Fund **county road fund,** to be used by the county board for the purpose of maintaining, grading, graveling, regraveling, claying, littering, oiling or paving, and for no other purpose whatsoever: **Provided,** that thirty-five per cent of the money so transferred shall be used by the county treasurer to pay the interest on and retire any existing or outstanding county highway construction bonds, and the balance, if any, shall be credited to the County Road Fund **county road fund.** Fifty per cent of the Gasoline Tax Fund **gasoline tax fund** shall be transferred by the state

treasurer on the first day of each month to the ~~Department of Roads and Irrigation~~ **department of roads and irrigation,** and said fifty per cent of said fund shall be expended by the ~~Department of Roads and Irrigation~~ **department of roads and irrigation** for the specific uses and purposes as follows: For acquiring real estate, road materials, equipment and supplies to be used in the construction, reconstruction, improvement and maintenance of federal or state highways or federal feeder roads; for the construction, reconstruction, improvement and maintenance of state or federal highways or federal feeder roads including grading, drainage, structures, surfacing, roadside development including landscaping, and other incidentals necessary for proper completion and protection of federal or state highways or federal feeder roads as the department shall after investigation find and determine shall be for the best interests of the highway system of the state, either independent of or in conjunction with federal aid money for highway purposes; and for planning studies in conjunction with federal highway funds for the purpose of analyzing traffic problems and financial conditions and problems relating to state, county, township, municipal, federal and all other roads in the state and for incidental costs in connection with the federal aid grade crossing program, for roads not on state or federal highways or federal feeder roads: Provided, ~~however~~, that after ~~June 30, 1941,~~ **1943,** three-eighths instead of thirty per cent of the gasoline tax fund shall be transferred to the various county treasurers of the state in the same manner, and for the same uses and purposes as are hereinabove provided, and the balance remaining in said fund shall be transferred to the ~~Department of Roads and Irrigation~~ **department of roads and irrigation** in the same manner and for the same uses and purposes as are hereinabove provided in this section, and no part of said fund shall thereafter be transferred to any fund of the state, created or which may be created by any assistance, relief or welfare act of this state: **Provided,** that no part of the moneys received under this Act **act** shall be expended for or upon interstate bridges.

Sec. 12. Any person, firm or corporation, their agents, employees, or servants who shall violate the provisions of this act, or who shall violate any rule or regulation made and promulgated under the provisions of this act, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be imprisoned in the penitentiary for not more than five years or shall be imprisoned in the county jail for not less than one month nor more than six months or shall be fined not more than five hundred dollars or shall be both so fined and imprisoned; and, as part of the judgment of conviction, the trial judge may order that the license or permit, as case is, of the person so convicted shall be revoked for a period of time not exceeding one year.

Sec. 13. That said original Sec. 66-411 (A), C. S. Supp., 1939, is hereby repealed; and that Secs. 66-411 (B), 66-431, 66-432, 66-433, 66-434 and 66-435, C. S. Supp., 1939, are hereby repealed.

Sec. 14. If any division, section, subsection, sentence, clause, phrase or requirement of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions thereof. The legislature hereby declares that it would have passed this act, and each division, section, subsection, sentence, clause, phrase, or requirement thereof irrespective of the fact that any one or more divisions, sections, subsections, sentences, clauses, phrases or requirements be declared unconstitutional.

Sec. 15. This act shall in no manner affect pending actions, either civil or criminal, founded on or growing out of any statute hereby repealed. This act shall in no manner affect rights, or causes of actions, either civil or criminal, not in suit, that may have already accrued or grown out of any statute hereby repealed.

Sec. 16. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.".

2. Strike all of the title of the bill after the word "ACT" in line 2 therein and substitute in lieu thereof the following:

"relating to motor vehicle fuels; to provide procedure for the payment of refunds of taxes imposed on motor vehicle fuels, with allocations to the state assistance fund deducted, if any, to persons who purchase motor vehicle fuels on which motor vehicle fuel tax is paid, either directly or indirectly, in the event that the taxed motor vehicle fuel is used solely for agricultural purposes; to define terms used in this act; to provide that the chief of the bureau of motor fuels in the department of agriculture and inspection shall administer the provisions thereof; to provide, if required by rule of the administrator, for the mixing of identifying chemicals in all tax refund motor vehicle fuels at the time of sale or purchase, which identifying chemicals, if and when required, shall be furnished without cost to distributors by the administrator; to amend Sec. 66-411 (A), C. S. Supp., 1939; to repeal said original sections; to repeal Secs. 66-411 (B), 66-431, 66-432, 66-433, 66-434 and 66-435, C. S. Supp., 1939; to provide penalties for the violation thereof; to state validity and saving clauses; and to declare an emergency.".

3. Amend the bill, page 1, caption "Introduced by", line 1, by

inserting after the word and punctuation "Harlan," therein the following:

"John S. Callan of Gage".

No further action was taken on the bill.

Adjournment

At 12:04 p. m. on motion by Mr. Reed the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

SEVENTIETH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, April 16, 1941.

Pursuant to adjournment the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Amos Thomas, who was excused, and except Mr. Price, who was excused until 11:00 a. m.

The Journal for the Sixty-ninth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Carmody, one, favoring a tax exemption for gasoline used in farm motors; Mr. Greenamyre, one, opposing L. B. No. 379; Mr. Matzke, one, favoring L. B. No. 379.

Communications

Copies of the Congressional Record for March 20 and March 31, 1941 were received, containing speeches by Senator Hugh Butler.

Invitations

A letter was read from Richard Moses, extending an invitation to the Members of the Legislature to attend a banquet of the Nebraska Pharmaceutical Association at the Cornhusker Hotel on April 16, 1941 at 6:30 p. m.

A letter was read from A. A. Misegadis in behalf of the First Congressional District Taxpayers Association and the Missouri Valley

Coursing Club extending an invitation to the Members and employees of the Legislature to attend the Spring Coursing Meet at Talmage on April 20, 1941.

NOTICE OF COMMITTEE HEARINGS

Labor and Public Welfare

L. B. No. 386, Monday, April 21, 1941, 2:00 p. m.

STANDING COMMITTEE REPORTS

Appropriations

LEGISLATIVE BILL NO. 462. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 462:

1. Amend the bill, page 2, by striking all of sections 1, 2, 3 and 4 thereon and by inserting in lieu thereof the following:

"Section 1. The board of regents of the university of Nebraska shall be authorized to conduct research investigations to develop new scientific, chemical and technical uses and outlets for farm commodities, products and by-products. For this purpose the board of regents shall employ a competent research executive and provide such assistants and such equipment and supplies as is deemed necessary.

Sec. 2. There shall be made a survey of all research being conducted within this field by the federal government, by the states, by all public and private agencies and by individuals. The research executive duly employed shall keep himself constantly and continuously informed of all research progress in this general field. Conduct of this duty shall include personal travel, if and when authorized by the board of regents.

Sec. 3. Specific technical research projects into the use of any agricultural product or by-product as industrial raw material shall be conducted by the board of regents at its discretion. The nature of specific projects shall be determined by the surveys herein provided for, and such projects shall be conducted by means of special research fellowships or in whatever manner the board of regents may deem advisable. Findings of such research shall be available to public inspection at all times.

Sec. 4. Research field studies to determine the adaptability of Nebraska soils for new crops for industrial use shall be author-

ized by this act: **Provided,** that such field studies shall include only the experimental growing of crops for direct use as industrial raw materials and shall exclude the experimental growing of crops for animal feed and for purposes properly included in the customary research of the **agricultural experiment station,** university of Nebraska. It is the intention that research studies authorized by this act shall not in any way duplicate or overlap any research studies being pursued for other purposes.

Sec. 5. The board of regents shall be authorized to cooperate with all agencies, departments and bureaus of government, both federal and state, and with corporations, associations, universities, scientific societies and individuals in carrying out the purposes of this act.

Sec. 6. There is hereby created and established in the office of the state treasurer, the **chemurgy fund,** university of Nebraska. The board of regents of the university of Nebraska shall receive and account for all moneys appropriated for the purpose of administering this act. There is hereby specifically appropriated from the general fund of the state of Nebraska the sum of twenty-five thousand dollars, or so much thereof as may be necessary, for the uses and purposes of the **chemurgy fund,** for the biennium ending June 30, 1943. Upon presentation of proper vouchers, approved by the board of regents, university of Nebraska, the auditor of public accounts shall issue his warrants, and the state treasurer shall pay the same out of but never in excess of the moneys credited to the **chemurgy fund.**

Sec. 7. The board of regents shall make, in its annual report to the governor of the state, a full accounting of the use or non-use of all money appropriated under this act.

Sec. 8. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.".

2. Amend the bill, page 1, title, by striking all of said title after the word and punctuation "chemurgy;" in line 2 therein and by inserting in lieu thereof the following:

"to provide for research into the use of agricultural products and by-products as raw materials of industry; to prescribe the nature and scope of such research; specifically to appropriate the sum of twenty-five thousand dollars for the biennium ending June 30, 1943 from the general fund of the state of Nebraska to the **chemurgy fund** for the uses and purposes this act; to prescribe the duties of the board of regents, university of Nebraska with respect to research investigations thereunder; and to declare an emergency.".

(Signed) Callan, Chairman

Revenue

LEGISLATIVE BILL NO. 343. Indefinitely postponed.

LEGISLATIVE BILL NO. 296. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 296:

1. Amend the bill, page 5, section 3, line 23, by striking the words **"in the state of Nebraska"** therein and by restoring to the bill the words "by them".

". Amend the bill, page 6, section 3, line 39 by inserting after the word and punctuation "thereof." the following: **"(f) Those using such vehicles for transporting hay, grain or rough feed for livestock."**.

(Signed) Murphy, Chairman

Enrollment & Review

LEGISLATIVE BILL NO. 65. Replaced on Select File with amendments.

E and R amendments to L. B. No. 65:

1. Amend the enrollment and review amendments, March 26, 1941, amendment No. 2, line 4, by striking therefrom the word and punctuation **"second;"** and by inserting in lieu thereof the word and punctuation **"First,"**.

2. Amend the enrollment and review amendments, March 26, 1941, amendment No. 3, line 4, by striking therefrom the word and punctuation **"third;"** and by inserting in lieu thereof the word and punctuation **"second,"**.

LEGISLATIVE BILL NO. 372. Placed on Select File with amendments.

E and R amendments to L. B. No. 372:

1. Amend the bill, page 4, section 7, line 30, by striking the word "desires" therein and by inserting in lieu thereof the word **"desire"**; and in line 39 in section 7 on page 4, strike the punctuation "," after the conjunction "if" and before the indefinite article "a" therein.

2. Amend the bill, page 4, section 7, line 40, by striking the words "members elect" therein and by inserting in lieu thereof the words "members-elect".

3. Amend the bill, page 7, section 7, line 115, by striking the first word "and" therein.

4. Amend the bill, page 8, section 8, lines 8, 10, 18 and 21; pages 9 and 10, section 11, lines 5, 6, 9, 35 and 40; page 11, section 12, lines 5, 7, 18 and 21, by striking the punctuation ";" at the end of each subsection in each of said lines respectively and by inserting in lieu thereof the punctuation ".".

5. Amend the bill, page 8, section 9, line 7, by underscoring the words "or to the".

6. Amend the bill, page 15, section 16, lines 10 and 11, by striking therefrom the words "the second preceding section" and by inserting in lieu thereof the following: **"Section 15-829, Compiled Statutes of Nebraska, 1929, as now existing or as hereafter amended".**

7. Amend the bill, page 19, section 19, line 3, by striking the punctuation "," after the section symbol "16-705" therein.

8. Amend the bill, page 6, section 7, line 94, by striking the word "costs" and inserting in lieu thereof the word **"cost".**

9. Amend the bill, page 15, section 16, line 29, by inserting the punctuation "," after the word "elected" and before "any".

10. Amend the bill, page 10, section 11, line 24, by inserting the punctuation "," after the word "city".

11. Amend the bill, page 15, section 16, line 24, by striking the words "And no" and inserting in lieu thereof the word **"No".**

12. Amend the bill, page 10, section 11, line 17, by striking the word "section" and inserting in lieu thereof the word "Section".

13. Amend the bill, page 11, section 12, line 18, by inserting the punctuation and figures **", 1941"** after the word **"legislature".**

14. Amend the bill, page 14, section 15, line 7, by striking the word "is" and inserting in lieu thereof the word **"are".**

LEGISLATIVE BILL NO. 151. Correctly engrossed.

LEGISLATIVE BILL NO. 161. Correctly engrossed.

LEGISLATIVE BILL NO. 231. Correctly engrossed.

(Signed) Crosby, Chairman

Approved by the Governor

April 15, 1941

To the President, the Speaker and Members of the Legislature

Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day signed the following bills, viz:

L. B. No. 239 L. B. No.226

Respectfully submitted,

(Signed) Val Peterson
Secretary to the Governor.

BILLS ON THIRD READING

Speaker Howard presiding

MOTION—To Return to E & R for Amendment

Mr. President: I move that L. B. No. 258 be referred to the Committee on Enrollment and Review with instructions to amend as follows: On page 3, section 3, line 2, insert the punctuation and words ", which would cease to be or constitute notice under the provisions of Section 2 of this act," after the word "record" and before the word "shall"; that said bill be then re-engrossed. (Signed) Mekota

The motion prevailed.

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO 171. With emergency clause.

A bill for an Act to amend Sec. 17-401, C. S. Supp., 1939, relating to municipal corporations; to extend the delegated charter powers of cities of the second class and villages so that they may receive and safeguard donations in trust; to provide for the appointment of a "board of public trust" and to authorize the definition of their duties and powers by ordinance; to provide that the city or village, donee of the trust shall supervise and regulate the principal and income constituting the foundation or community trust by ordinance; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Adams, J. Jr.	Gantz	Metzger	Rakow
Asimus	Garber	Mischke	Reed
Bowman	Greenamyre	Mueller	Sorrell
Brodahl	Hanna	Murphy	Thomas, Ray
Callan	Howard	Neubauer	Thornton
Carlson	Johnson	Norman	Tvrdik
Carmody	Knezacek	Peterson	Van Diest
Crosby	Kotouc	Raecke	Weborg
Crossland	Matzke		

Voting in the negative, 0.

Not voting, 9:

Adams, E. A.	Jeppesen	Price
Bevins	Lambert	Sullivan
Blome	Mekota	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

SELECT FILE

LEGISLATIVE BILL NO. 89. Mr. Peterson's amendments, found in the Legislative Journal for the Sixty-ninth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 221. Laid over.

LEGISLATIVE BILL NO. 299. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 12. E and R amendment, found in the Legislative Journal for the Sixty-ninth Day, was adopted.

Referred to E and R for engrossment.

MOTION—To Reconsider Action

Mr. President: I move that the Legislature reconsider their action and not concur in the committee report on L. B. No. 346.

(Signed) Sullivan

A call of the House was ordered.

Mr. Lambert moved to raise the call.

The motion prevailed with 20 ayes, 9 nays, 14 not voting.

Vote was taken thereon and Mr. Sullivan's motion was lost with 17 ayes, 1 nay, 25 not voting.

GENERAL FILE

Mr. Garber presiding

LEGISLATIVE BILL NO. 470. Mr. Neubauer moved to adopt his amendments found in the Legislative Journal for the Sixty-ninth Day.

The motion prevailed.

Mr. Lambert offered the following amendments, which were adopted with 21 ayes, 2 nays, 20 not voting:

Sec. 1, Subdivision 1, line 13, after the figures 1939 insert the words "and retailers or both". Sec. 3, Subdivision 2, line 25, after the word "fuel" and semicolon, strike the words "and the administrator shall make a charge of one dollar for the issuing of each license and funds so derived shall be used for the cost of administration of this act" and insert therein the word "except any person, firm, copartnership, company, agency, association, or corporation that holds an importing dealer's license in accord with 66-403, C. S. Supp., 1939, shall be permitted to handle refund tax gas without being required to obtain any further license or permit."

Mr. Howard offered the following amendments and moved their adoption:

Amend L. B. No. 470 by inserting in the title, line 14, after the word "administrator" the following; ". . . To provide for the distribution of motor vehicle fuel tax".

That Section 11 be amended by striking the words "thirty percent" from line 15 and inserting therein the words "twenty-seven percent".

That Section 11 be amended by striking the words "fifty percent" from line 47 and inserting therein the words "fifty-three percent".

That Section 11 be amended by striking the words "fifty percent" from line 51 and inserting therein the words "fifty-three percent".

That Section 11 be amended by adding the following after the word "roads" in line 75:

"Provided that not more than six percent of the total amount of the gasoline tax fund transferred by the State Treasurer to the Department of Roads and Irrigation shall be used by said Department for matching funds allocated by the United States Government to Nebraska for the construction of Federal feeder roads."

A call of the House was ordered.

Mr. Metzger moved to raise the call.

The motion prevailed with 29 ayes, no nays, 14 not voting.

Vote was taken thereon and the Howard amendments were adopted with 18 ayes, 15 nays, 10 not voting.

Mr. Greenamyre offered the following amendments, which were adopted:

That L. B. No. 470 be amended by striking all of line 7 and the words "imprisoned in the" at the beginning of line 8, Section 12, page 9 of the mimeographed substitute bill."

Amend Section 2 of the substituted bill by adding thereto the following words: "If any person uses refund tax gasoline as provided in this act in any motor vehicle upon the highways of the state of Nebraska, the administrator shall certify such fact to the Director of Motor Vehicles and the said Director of Motor Vehicles shall forthwith suspend such operator's driver's license for a period of twelve months".

Amend Section 12 of the bill by adding thereto the following words: "Upon conviction in any court within this state of operating upon the public highways thereof any motor vehicle by using therein refund tax gasoline, the trial judge shall suspend the operator's driver's license of such convicted person for a period of time not less than twelve months".

Amend Section 3 of the substituted bill, line 19, by removing the period (.) after the word "fuels" and substituting in lieu thereof a semicolon (;), and thereafter adding the following words: "and provided further that in the event the fees collected by the administrator for the issuance of permits and licenses under this act are not sufficient to pay the costs of the efficient administration of this act, the said administrator is hereby directed to ascertain from time to time the estimated amounts by which the cost of the efficient administration of the act exceeds the receipts from permit and license fees, and thereafter to deduct upon a pro rata basis the cost of administration from all refunds allowable under the act."

President Johnson presiding

Mr. Crosby offered the following amendment, which was adopted:

Amend L. B. No. 470, as amended, on page 2, Sec. 2, line 51, by inserting the following language after the word and punctuation "used,"; "a description of the land upon which the said gasoline or motor fuel will be used, together with a statement of the number of cultivated acres of such land and of the acreage of each kind of crops to be grown or produced upon said land by him,".

Mr. Mekota offered the following amendment, which was adopted:

Amend page 2, Section 2, lines 44 and 45 by striking the following words: "before making any claim for a refund".

Mr. Tvrdik presiding

Mr. Murphy offered the following amendments, which were adopted:

Amend the bill by striking all of Section 16 and amend the title by striking the punctuation and words: "; and to declare an emergency".

No further action was taken on the bill.

President Johnson presiding

MOTION—To Reconsider Action

Mr. President: I move that the Legislature reconsider its action on L. B. No. 434 and that same be placed on General File.

(Signed) Sorrell

No action was taken on the motion. Laid over.

STANDING COMMITTEE REPORTS (Continued)

Enrollment & Review

LEGISLATIVE BILL NO. 12. Correctly engrossed.

Correctly enrolled

L. B. No. 215
L. B. No. 291
L. B. No. 368
L. B. No. 455
L. B. No. 505
L. B. No. 213

(Signed) Crosby, Chairman

Adjournment

At 12:09 p. m. on motion by Mr. Greenamyre the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

SEVENTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, April 17, 1941.

Pursuant to adjournment the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Amos Thomas, who was excused, and except Mr. Price, who was excused until 11:00 a. m.

The Journal for the Seventieth Day was approved as corrected.

PETITIONS AND MEMORIALS

Mr. Garber introduced a petition asking for legislation to keep production and industry in action.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 375. Placed on Select File with amendments.

E and R amendments to L. B. No. 375:

1. Amend the bill, page 3, section 5, line 6 by striking the word "dollars" therein and by inserting in lieu thereof the word and punctuation **"dollars' "**.

2. Amend the bill, page 3, section 5, line 11 by inserting after the figures and punctuation **"1939,"** the following: **"as now existing or as hereafter amended,"**

Correctly engrossed

L. B. No. 252 L. B. No. 130

LEGISLATIVE BILL NO. 217. Correctly enrolled.

(Signed) Crosby, Chairman

SELECT FILE

Mr. Carmody presiding

LEGISLATIVE BILL NO. 221. Laid over.

LEGISLATIVE BILL NO. 65. E and R amendments, found in the Legislative Journal for the Seventieth Day, were adopted.

Referred to E and R for engrossment.

President Johnson presiding

LEGISLATIVE BILL NO. 372. E and R amendments, found in the Legislative Journal for the Seventieth Day, were adopted.

Referred to E and R for engrossment.

President signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 215	L. B. No. 455
L. B. No. 291	L. B. No. 505
L. B. No. 368	L. B. No. 213

MOTION—To Reconsider Action

Mr. Sorrell called up his motion of the Seventieth Day to reconsider action on L. B. No. 434 and place the same on General File.

A call of the House was ordered.

Mr. Rakow moved to raise the call.

The motion prevailed with 34 ayes, no nays, 9 not voting.

Vote was taken thereon and Mr. Sorrell's motion prevailed with 27 ayes, no nays, 16 not voting.

Placed on General File.

GENERAL FILE

LEGISLATIVE BILL NO. 470. Mr. Mekota offered the following amendment:

That General File amendment, Neubauer, be amended as follows: On page 7, Section 11, line 13, insert after the word "fund" and before the word "shall" the following: "less such amount as shall be necessary for the purchase of the identifying chemicals provided for by Section 2 hereof".

A call of the House was ordered.

The call was raised with 29 ayes, no nays, 14 not voting.

The Mekota amendment was adopted with 20 ayes, 14 nays, 9 not voting.

Mr. Hanna moved to lay the bill over and make it a Special Order for Monday, April 21, 1941.

The motion prevailed.

Mr. Mischke presiding

LEGISLATIVE BILL NO. 328. The General File amendments offered by John Adams, Jr., found in the Legislative Journal for the Sixty-ninth Day, were read and considered.

John Adams, Jr. moved that the amendments be adopted.

The motion prevailed.

Referred to E and R for review.

LEGISLATIVE BILL NO. 418. Read and considered.

Mr. Van Diest offered the following amendment, which was adopted:

Insert a period in line 37 after the word purposes and strike the remainder of the sentence.

Referred to E and R for review.

LEGISLATIVE BILL NO. 432. Read and considered.

Mr. Howard offered the following amendments, which were adopted:

Amend Sec. 1, line 6, strike out remainder of line 6 after word "title" and insert: "Such fees shall be retained by the county."

Amend Sec. 1, line 13 by inserting after the word "retain" the words "for the county".

Amend Sec. 1, line 31, strike out after the word "shall" remainder of the section and insert "remit all fees not due the state of Nebraska to their respective county treasurers to go into the county general fund".

Referred to E and R for review.

MOTION—To Reconsider Action

Mr. President: I move that we reconsider our action on L. B. No. 470 and take it up immediately. (Signed) Sorrell

The motion prevailed with 25 ayes, no nays, 18 not voting.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 470. Mr. Mekota offered the following amendments, which were adopted:

Amend the general file amendments, mimeographed, April 15, 1941, as follows:

1. Amendment 1, page 1, section 2, line 9, by inserting immediately before the definite article "The" therein, the following: "a. Administrator."

2. Amendment 1, page 1, section 2, line 24, by inserting immediately after the word and punctuation "defined." therein, the following: "b. Container."

3. Amendment 1, page 2, section 2, line 28, by inserting immediately before the definite article "The" therein, the following: "c. Suspension of permit."

4. Amendment No. 1, page 2, section 2 by striking that part of said section after the word and punctuation "thereof." in line 31 on page 2, down to and including the word and punctuation "cancellation." in line 88 on page 3 and by inserting in lieu thereof the following:

"(d) Permit. Every person who desires to be eligible to receive gasoline tax refunds and who desires to be classified for that purpose as a purchaser and claimant as defined in paragraph (f) of subdivision 2 of this section, shall, before making any claim for a refund, make application under oath upon a form prescribed by the administrator, for such classification and for a permit to obtain such refunds. The application for classification and permit shall contain the name of the applicant, his address, his occupation, the uses to which the applicant intends to put such gasoline or motor fuel upon which he will claim refund, the make, horse power, and other mechanical description of machinery in which the same is to be used, and such other information as may be deemed necessary by the administrator who shall make a charge of one dollar for the issuing of the permit; and funds so derived shall be used for the cost of administration of this act. Upon investigation by the administrator, if the statements contained in the application shall be found to be true, the administrator shall thereupon issue to said applicant a permit which shall be valid during the current calendar year, unless cancelled as hereinafter provided. The permit so issued shall contain a number to be given to each applicant and shall be in such form as may be prescribed by said administrator. Upon issuance of a permit to the applicant, the administrator shall furnish to the recipient of the permit a form of receipt prescribed by the administrator, which receipt shall be serially numbered. The permittee shall be held accountable for all such receipts issued to him or it. Upon purchase of tax refund gasoline by the recipient of the permit, the receipt shall be presented by the recipient to the distributor and licensee who will execute thereon the required information. After due execution of tax refund gasoline invoices, as in this act provided, the recipient of the permit shall attach the original of the invoice to his affidavit of claim for refund and it shall become a part thereof. (e) Revocation of Permit. If any purchaser or claimant, as defined in paragraph (f) of subdivision 2 of this section, for refund makes any false statement on any of the reports required by the administrator, or upon any application for a permit or upon any affidavit of claim for a refund, or if any recipient of a permit to obtain gasoline tax refunds uses refund tax gasoline as provided in this act in any motor vehicle upon the highways of the state of Nebraska, the administrator shall forthwith cancel recipient's permit to obtain refunds; and the recipient shall not be issued a new permit for one year from the date of such cancellation. (f) Refund. Every recipient of a permit as described in paragraph (d) of subdivision 2 of this section shall hereinafter be referred to as **purchaser and claimant,** if he has paid for any one purchase the excise tax to a distributor upon forty or more gallons of gasoline or motor vehicle fuel, which gasoline or motor vehicle fuel was or is to be used solely and exclusively by such person for agricultural purposes in the state; and, as such pur-

chaser and claimant, he shall be entitled to a refund equal to the amount of tax so paid, less the amount allocated to the state assistance fund, if any, upon compliance with the provisions of this act, and not otherwise: **Provided,** no refund shall be made to anyone other than the actual purchaser of such refund tax gasoline or motor vehicle fuel; **and provided further,** no purchaser and claimant shall be entitled to a refund unless the dealer shall have paid into the state treasury the motor vehicle fuel tax thereon. The purchaser and claimant shall make affidavit of claim for refund upon a form to be prescribed and supplied by the administrator which shall be executed by the purchaser and claimant, and which shall contain a statement to the effect that the motor fuel upon which a refund of the tax is claimed has been used or is to be used solely for agricultural purposes in the state of Nebraska, and in conformity with the purposes contained in the purchaser's and claimant's application for permit as provided in paragraph (d) of subdivision 2 of this section. The affidavit of claim for refund shall contain such other information as the administrator may prescribe.

5. Amendment 1, page 3, section 3, by striking that part of said section commencing with the word **"Subdivision"** in line 1 therein down to and including the word and punctuation "fuels." in line 19 therein; Amend Section 3 of the substituted bill, line 19, by removing the period (.) after the word "fuels" and substituting in lieu thereof a semicolon (;), and thereafter adding the following words: "and provided further that in the event the fees collected by the administrator for the issuance of permits and licenses under this act are not sufficient to pay the costs of the efficient administration of this act, the said administrator is hereby directed to ascertain from time to time the estimated amounts by which the cost of the efficient administration of the act exceeds the receipts from permit and license fees, and thereafter to deduct upon a pro rata basis the cost of administration from all refunds allowable under the act." and renumber the succeeding subdivisions of said section to conform with the within amendment.

6. Amendment 1, page 4, section 3, by inserting immediately after the word "year" therein in line 68, the following: "; and in such case the court shall forthwith transmit to the administrator a certified copy of such judgment of conviction. Upon receipt of the certified copy of the judgment of conviction, the administrator shall cancel the license for the period of time that the court directs in the judgment. When the administrator cancels any distributor's license in the manner this section directs, then all books containing invoices of refund held by such distributor licensee, shall be accounted for and surrendered to the administrator".

7. Amendment 1, page 4, section 4, line 3, by striking the fig-

ures "10" therein, and by inserting in lieu thereof the figure "9".

8. Amendment 1, page 4, by striking all of section 5 thereon; then renumber the succeeding sections to conform with the within amendment.

9. Amendment 1, page 5, section 7, line 6, by striking the word "permittee" and by inserting in lieu thereof the following: "recipient of a permit to obtain gasoline tax refunds".

10. Page 5, section 7, lines 21 and 22 by striking therefrom the punctuation and words as follows: ", if required by the administrator".

11. Amendment 1, page 5, section 7, line 29 by striking the word "licensee" therein and by inserting in lieu thereof the words "licensed distributor".

12. Amendment 1, page 5, section 7, line 31 by inserting the word "licensed" after the definite article "The" and before the word "distributor" therein.

13. Amendment 1, page 5, section 7, line 46 by striking the words "user or" therein and by inserting the words "and claimant" after the word "purchaser" therein.

14. Amendment 1, page 6, section 8, line 1 by inserting after the indefinite article "a" therein and before the word "claimant" therein the words "purchaser and".

15. Amendment 1, page 6, section 8, line 3 by inserting after the word "affidavit" therein the following: "of claim, hereinafter called **claim**".

16. Amendment 1, page 6, section 8, lines 7 and 19 by striking the word "affidavit" in each of said lines respectively and by inserting in lieu thereof the word "claim".

17. Amendment 1, page 6, section 8, lines 16 and 17 by striking the word "applications" therein and by inserting in lieu thereof the word "claims".

18. Amendment 1, page 6, section 8, line 21 by inserting after the word "affidavit" and before the preposition "in" therein the words "in addition to the claim".

19. Amendment 1, page 6, section 8, line 25, by striking the word "taxes" therein and by inserting in lieu thereof the following: "motor vehicle fuel taxes against which gasoline tax refunds are"; and insert the punctuation "," after the word "claimed" and before the word "have" therein.

20. Amendment 1, page 6, section 8, line 35 by striking the words "refund of the tax" therein and by inserting in lieu thereof the words "claim for gasoline tax refund".

21. Amendment No. 1, page 6, section 9, lines 3 and 4, by striking the words "refund of the tax" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the words "gasoline tax refund".

22. Amendment No. 1, page 7, section 9, line 16, by inserting the word "licensed" after the indefinite article "a" and before the syllables "distribu" therein; and in lines 17, 19, 20 and 22 of said section 9, strike the word "licensee" wherever the same appears therein and insert in lieu thereof the words "licensed distributor"; and in line 17 of said section, strike the words "or licensee" therein.

23. Amendment No. 1, page 7, section 9, line 26, by striking the words "licensee or" therein and by inserting in lieu thereof the word "licensed"; and in line 27 of said section 9, insert the word "licensed" after the definite article "the" and before the word "distributor".

24. Amendment No. 1, page 7, section 10, line 6, by striking the word "fund" and by inserting in lieu thereof the word "fuel".

25. Amendment No. 1, page 7, section 11, line 13, by inserting after the word "fund" and before the word "shall" therein the following: **", less such amount thereof as shall be necessary to provide the identifying chemicals as required in section 2 of this act,".**

26. Amendment No. 1, page 9, section 12, line 5, by inserting after the word and punctuation "act," and before the word "shall" therein the following: "for which penalty is not elsewhere in this act provided,"; and strike that part of said section commencing with the words "in the" in line 6 therein down to and including the word "imprisoned" in line 8 therein; and in line 14 of said section 12, insert immediately after the word "year" therein the following: "; and in such case the court shall forthwith transmit to the administrator a certified copy of such judgment of conviction. Upon receipt of the certified copy of the judgment of conviction, the administrator shall cancel the license for the period of time that the court directs in the judgment. When the administrator cancels any distributor's license in the manner this section directs, then all books containing invoices of refund held by such distributor licensee, shall be accounted for and surrendered to the administrator.".

27. Amendment No. 2, page 10, lines 13 and 14, by striking therefrom the following: ", if required by rule of the administrator,"; and in lines 16 and 17 of amendment No. 2 on said page 10, strike the following: ", if and when required,".

Mr. Sorrell moved that the bill be mimeographed forthwith, with all amendments included, and that copies be furnished to the members by 9:00 a. m. Friday, April 18, 1941.

The motion prevailed.

Laid over. Retains place on file.

MOTION—To Place at Head of General File

Mr. President: I move that L. B. No. 334 be placed at the head of General File. (Signed) Callan

The motion prevailed with 36 ayes, no nays, 7 not voting.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 334. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 463. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Forty-seventh Day, were adopted.

Mr. Raecke offered the following amendments, which were adopted:

Amend by striking section 8, being the emergency clause.

Amend the title to conform to the bill as amended, with the emergency clause stricken.

Referred to E and R for review.

LEGISLATIVE BILL NO. 502. Laid over. Retains place on File.

LEGISLATIVE BILL NO. 290. Read and considered.

Mr. Carmody offered the following amendment, which was adopted.

Amend Section 1, line 17, after the word "installments" by adding "And the salary of the Director of the Department of Insurance forty-five hundred dollars, payable annually in monthly installments".

Referred to E and R for review.

MOTION—To Send Letter of Appreciation

Mr. President: I move that the Clerk of the Legislature be instructed to write to Richard Moses, Secretary of the Nebraska Pharmaceutical Association expressing the appreciation of the Legislature for the invitation extended and for a most enjoyable evening spent with members of that organization. (Signed) Howard

The motion prevailed.

STANDING COMMITTEE REPORTS (Continued)

Enrollment and Review

LEGISLATIVE BILL NO. 65. Correctly engrossed.

(Signed) Crosby, Chairman

Member excused

Mr. Rakow was excused from the session on Friday, April 18, 1941.

Adjournment

At 12:08 p. m. on motion by Mr. Blome the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

SEVENTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Friday, April 18, 1941.

Pursuant to adjournment the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Rakow and Amos Thomas, who were excused.

The Journal for the Seventy-first Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Reed, one, favoring L. B. No. 379; Mr. Carlson, one, opposing L. B. No. 379; Mr. Hanna, one, opposing L. B. No. 379; Mr. Asimus, ten, asking that grain, hay and rough feed be exempted from the provisions of the itinerant merchant's bill.

A petition was received through the Governor's office asking that no cut be made in the appropriation for agricultural extension work in Nebraska.

Invitation

An invitation was extended to the Members of the Legislature to attend the Feeders' Day dinner at the Agricultural College at noon, April 18, 1941.

STANDING COMMITTEE REPORTS

Appropriations

LEGISLATIVE BILL NO. 422. Indefinitely postponed.

(Signed) Callan, Chairman

Enrollment and Review

Presented to Governor for approval

Thursday, April 17, 1941 at 3:30 p. m.

L. B. No. 213	L. B. No. 455
L. B. No. 215	L. B. No. 368
L. B. No. 291	L. B. No. 505

LEGISLATIVE BILL NO. 171. Correctly enrolled.

(Signed) Crosby, Chairman

SELECT COMMITTEE REPORTS

Sifting Committee

Mr. President: The following bills were selected by the Sifting Committee to be considered in the following order: 482, 508, 250, 156, 403, 27, 466, 192, 503, 301, 17, 441, 199, 174, 202, 507.

(Signed) Murphy, Chairman

Signed by the President

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 217	L. B. No. 171

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 429. With emergency clause.

A bill for an Act to ratify the compact entered into by the states of Colorado, Kansas and Nebraska on March 19, 1941, relating to the Republican river; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Adams, E. A.	Crossland	Lambert	Price
Adams, J. Jr.	Gantz	Matzke	Raecke
Asimus	Garber	Mekota	Reed
Bevins	Greenamyre	Metzger	Sorrell
Blome	Hanna	Mischke	Sullivan
Bowman	Howard	Mueller	Thomas, Ray
Brodahl	Jeppesen	Murphy	Thornton
Callan	Johnson	Neubauer	Tvrdik
Carlson	Knezacek	Norman	Van Diest
Carmody	Kotouc	Peterson	Weborg
Crosby			

Voting in the negative, 0.

Not voting, 2:

Rakow	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 135. With emergency clause.

A bill for an Act to amend Secs. 17-162, 17-163, 17-164 and 17-165, C. S. Supp., 1939; to amend Sections 16-101, 16-102, 16-103 and 16-104, Compiled Statutes of Nebraska, 1929, relating to municipal corporations; to provide that, notwithstanding decreases of population, cities of the first class having a population of more than five thousand and less than twenty-five thousand inhabitants, shall continue to be governed as such first class cities until reorganized; to prescribe procedure whereby such cities of the first class may reorganize and be governed as cities of the second class, and may subsequently, if it is so desired, reorganize and again be governed as cities of the first class; to provide that, notwithstanding increases of population, cities of the second class having a population of more than one thousand and less than five thousand inhabitants, shall continue to be governed as such second class cities until reorganized; to prescribe procedure whereby such cities of the second class may reorganize and be governed as cities of the first class, and may subsequently, if it is so desired, reorganize and again be governed as cities of the second class; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 17:

Adams, J. Jr.	Greenamyre	Neubauer	Reed
Blome	Howard	Norman	Sorrell
Callan	Matzke	Peterson	Sullivan
Carlson	Murphy	Price	Tvrdik
Gantz			

Voting in the negative, 15:

Asimus	Crossland	Johnson	Raecke
Bowman	Garber	Knezacek	Thomas, Ray
Brodahl	Hanna	Mischke	Thornton
Carmody	Jeppesen	Mueller	

Not voting, 11:

Adams, E. A.	Kotouc	Metzger	Van Diest
Bevins	Lambert	Rakow	Weborg
Crosby	Mekota	Thomas, Amos	

A constitutional two-thirds majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause attached.

Vote on L. B. No. 135 With Emergency Clause Stricken

A call of the House was ordered.

Mr. Carmody moved to raise the call.

The motion was lost with 18 ayes, 13 nays, 12 not voting.

Mr. Mischke changed his vote from nay to aye and moved to raise the call.

The motion was lost with 16 ayes, 16 nays, 11 not voting.

Mr. Raecke moved to raise the call.

The motion prevailed with 20 ayes, 11 nays, 12 not voting.

Mr. Van Diest moved a call of the House.

The vote thereon was 17 ayes, 17 nays, 9 not voting.

President Johnson voted nay and the motion was lost.

Mr. Mischke changed his vote from aye to nay.

Mr. Van Diest voted aye.

Mr. Gantz changed his vote from aye to nay and moved a call of the House.

The motion prevailed with 20 ayes, 14 nays, 9 not voting.

Mr. Gantz changed his vote from nay to aye.

Mr. Metzger voted aye.

Speaker Howard presiding

E. A. Adams moved to raise the call.

The motion prevailed with 21 ayes, 1 nay, 21 not voting.

Mr. Matzke voted aye.

Voting in the affirmative, 22: (on passage of the bill)

Adams, E. A.	Greenamyre	Murphy	Reed
Adams, J. Jr.	Howard	Neubauer	Sorrell
Blome	Kotouc	Norman	Tvrdik
Callan	Matzke	Peterson	Van Diest
Carlson	Mekota	Price	Weborg
Gantz	Metzger		

Voting in the negative, 14:

Asimus	Crossland	Knezacek	Raecke
Bowman	Hanna	Mischke	Thomas, Ray
Brodahl	Jeppesen	Mueller	Thornton
Carmody	Johnson		

Not voting, 7:

Bevins	Garber	Rakow	Thomas, Amos
Crosby	Lambert	Sullivan	

A constitutional majority having voted in the affirmative, the bill was declared passed with the emergency clause stricken.

President Johnson presiding

LEGISLATIVE BILL NO. 133.

A bill for an Act to amend Sec. 70-704, C. S. Supp., 1939, relating to public power districts and to public power and irrigation districts; to provide for the election of directors of such districts; to provide that in districts comprising three or more counties, subdivisions of such districts for the nomination and election of directors may be formed by following county boundary lines without regard to population if in the judgment of the state engineer the interests of rural users of electrcity or users of irrigation water service in such district will not be prejudiced thereby; to provide that precincts or fractional parts of precincts in a county not within such district shall

for voting purposes be attached to an adjoining or adjacent county within such district and such county shall furnish ballots to the precinct election board, election results to be certified by such precinct election board to the county furnishing the ballots; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 35:

Adams, E. A.	Crosby	Lambert	Raecke
Adams, J. Jr.	Gantz	Metzger	Reed
Asimus	Garber	Mischke	Sorrell
Bevins	Greenamyre	Mueller	Sullivan
Blome	Hanna	Murphy	Thomas, Ray
Brodahl	Howard	Neubauer	Thornton
Callan	Jeppesen	Norman	Tvrdik
Carlson	Johnson	Peterson	Weborg
Carmody	Kotouc	Price	

Voting in the negative, 0.

Not voting, 8:

Bowman	Knezacek	Mekota	Thomas, Amos
Crossland	Matzke	Rakow	Van Diest

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 21.

A bill for an Act to amend Section 14-1015, Compiled Statutes of Nebraska, 1929, relating to the powers of metropolitan water and metropolitan utilities districts; to provide for the control and rights of appointees and employees thereof; to empower the board of directors of such districts to provide benefits for and insurance of present and future appointees and employees against accident, disease, death, disability or retirement under plans and conditions determined by the board; to provide that certain appointees and employees shall not be entitled to the benefits provided for by this act; to empower such board of directors to establish and maintain reserves and funds and provide for premiums for the foregoing purposes and to adopt plans for beneficiaries' contributions; to provide retirement ages for certain employees and appointees and limits of retirement income for such retired and disabled employees and appointees; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 36:

Adams, E. A.	Carmody	Knezacek	Price
Adams, J. Jr.	Crosby	Matzke	Raecke
Asimus	Crossland	Metzger	Reed
Bevins	Gantz	Mischke	Sorrel
Blome	Greenamyre	Mueller	Sullivan
Bowman	Hanna	Murphy	Thomas, Ray
Brodahl	Howard	Neubauer	Thornton
Callan	Jeppesen	Norman	Tvrdik
Carlson	Johnson	Peterson	Weborg

Voting in the negative, 0.

Not voting, 7:

Garber	Lambert	Rakow	Van Diest
Kotouc	Mekota	Thomas, Amos	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

REQUEST—To Consider Bills on Select File

Mr. Lambert asked unanimous consent to consider bills on Select File at once.

No objection was offered and the President so ordered.

SELECT FILE

LEGISLATIVE BILL NO. 221. Mr. Callan offered the following amendments, which were adopted by unanimous consent:

1. First strike all standing committee amendments, general file amendments and enrollment and review amendments heretofore adopted to the bill, and then strike all of the bill after the enacting clause and insert in lieu thereof the following:

"Section 1. **Subdivision 1.** There is hereby specifically appropriated out of the general fund of the state of Nebraska, not otherwise appropriated the sum of four hundred thousand dollars as a revolving fund to promote the expansion of the surplus commodity stamp plan, school lunch program and such other similar purposes for facilitating the distribution of surplus commodities. Such re-

volving fund shall be used (a) for the purchase of county warrants by the state treasurer as provided in Sec. 77-2501, C. S. Supp., 1939, as amended by section 3, legislative bill No. 221, fifty-fifth session, Nebraska state legislature, 1941, or (b) for the acquisition by the board of control of state institutions of the state of Nebraska of food or cotton order stamps to be issued by such board in the state of Nebraska in accordance with the food or cotton stamp plan. In connection with the acquisition and issuance of such stamps the board of control is authorized to make and promulgate rules and regulations not inconsistent with regulations and conditions, as may be amended, issued by the secretary of agriculture of the United States governing the food or cotton stamp plan; or any agreement or agreements by and between the United States department of agriculture or any of its agencies and the board of control, or the county boards and soldiers' relief commissions of the several counties of the state of Nebraska pursuant to legislative bill No. 234, fifty-fifth session, Nebraska state legislature, 1941, approved March 28, 1941. The sum herein appropriated shall be used solely for the purposes herein set forth and shall be immediately available. **Subdivision 2.** Any person, other than the person authorized by the regulations and conditions prescribed by the secretary of agriculture of the United States governing the food or cotton stamp plan, who shall have in his possession, or who shall purchase, sell or exchange any food or cotton stamps, books, book covers or any other instruments or documents relating to food or cotton stamps, for money or for any other article or articles other than those foods or cotton goods authorized by the regulations and conditions prescribed by the secretary of agriculture of the United States governing the food or cotton stamp plan or for food or cotton goods the value of which is less than the face amount of such food or cotton stamps, or in any other manner in violation of the regulations and conditions prescribed by the secretary of agriculture of the United States governing the food or cotton stamp plan shall be deemed guilty of a misdemeanor, and, upon conviction thereof shall be fined not exceeding five hundred dollars for each offense or shall be imprisoned in the county jail not exceeding six months, or may be both so fined and imprisoned. As used herein, the word **"person"** means any individual, partnership, corporation or association, whether or not such individual, partnership, corporation or association is eligible to participate or is participating in the food or cotton stamp plan.

Sec. 2. The sum specifically appropriated for the purposes set forth in section 1, legislative bill No. 221, fifty-fifth session, Nebraska state legislature, 1941, shall be held and kept by the state treasurer in a fund to be known as **"state surplus agricultural revolving fund".** Against said revolving fund, so established, the auditor of public accounts is hereby authorized and directed to draw warrants from

time to time upon said fund upon vouchers properly approved by the board of control of state institutions for the acquisition from the United States government or its agencies, of food order or of cotton order stamps; and the state treasurer shall pay such warrants out of any moneys to the credit of, but never in excess of, the amount in said revolving fund. Upon application by a county treasurer for a loan to be made to the county from the **"state surplus agricultural revolving fund"**, the state treasurer shall purchase county warrants issued upon the **"county food or cotton stamp revolving fund"**, as established in legislative bill No. 375, fifty-fifth session, Nebraska state legislature, 1941, for the amount of the loan so requested, but never in excess of the amount to the credit of the **"state surplus agricultural revolving fund"**: **Provided,** the county warrants purchased by the state treasurer shall be redeemed by the county from the first funds received thereafter in the county from any source, notwithstanding any provision in Chapter 26, Article 21, C. S. Supp., 1939, as now existing or as hereafter amended.

Sec. 3. That Sec. 77-2501, C. S. Supp., 1939, be amended to read as follows:

77-2501. The ~~State Treasurer~~ **state treasurer** shall deposit, and at all times keep ~~in~~ **on** deposit for safe keeping, in the state or national banks, or some of them doing business in this state and of approved standing and responsibility, the amount of money in his hands belonging to the several current funds in the state treasury, ; and any such bank may apply for the privilege of keeping on deposit such funds or some part thereof; ~~all.~~ **All** such deposits shall be subject to payment when demanded by the ~~State Treasurer~~ **state treasurer** on his check, and **shall be** subject also to such regulations as are imposed by law and the rule adopted by the ~~State Treasurer~~ **state treasurer** in receiving and holding such deposits. : **Provided,** that the ~~State Treasurer~~ **state treasurer** may invest not more than ~~60%~~ **sixty per cent** of the money of said funds in warrants of this state or of any county, or of any irrigation district situated in the ~~State~~ **state** of Nebraska thereof at par whenever he deems it proper, and carry the same at their value as cash: ~~Provided;~~ **and provided further, the state treasurer may invest money appropriated to the "state surplus agricultural revolving fund" in county warrants as provided in sections 1 and 2, legislative bill No. 221, fifty-fifth session, Nebraska state legislature, 1941; and provided further,** that the ~~State Treasurer~~ **state treasurer** may invest such current funds not needed for daily needs in United States ~~Bonds~~ **bonds.**

Sec. 4. That said original Sec. 77-2501, C. S. Supp., 1939, is hereby repealed; and that Secs. 68-337, 68-338 and 68-339, C. S. Supp., 1939, are hereby repealed.

Sec. 5. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.".

2. Amend the bill, page 1, title, by striking all of said title after the word "ACT" in line 2 therein and by inserting in lieu thereof the following:

"relating to public welfare, public health and social security; to establish a **"state surplus agricultural revolving fund"**; to promote the expansion of the surplus commodity stamp plan for facilitating the distribution of surplus commodities; specifically to appropriate from the general fund of the state of Nebraska the sum of four hundred thousand dollars for the uses and purposes of said revolving fund; to empower the state treasurer to invest the moneys appropriated to said revolving fund in county warrants issued upon the **"county food or cotton stamp revolving fund"** of the several counties; to provide penalties for the violation thereof; to amend Sec. 77-2501, C. S. Supp., 1939; to repeal said original section; to repeal Secs. 68-337, 68-338 and 68-339, C. S. Supp., 1939; and to declare an emergency.".

Mr. Gantz presiding

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 375. E and R amendments, found in the Legislative Journal for the Seventy-first Day, were adopted.

Referred to E and R for engrossment.

President Johnson presiding

GENERAL FILE

Special Order

LEGISLATIVE BILL NO. 379. Mr. Greenamyre moved that his amendments, found in the Legislative Journal for the Sixty-seventh Day, be adopted.

A call of the House was ordered.

Mr. Lambert moved to raise the call.

The motion was lost with 19 ayes, no nays, 24 not voting.

Mr. Howard moved to raise the call.

The motion prevailed with 24 ayes, no nays, 19 not voting.

Vote was taken on Mr. Greenamyre's motion and the amendments were adopted with 21 ayes, 14 nays, 8 not voting.

No further action was taken on the bill.

Approved by the Governor

April 18, 1941

To the President, the Speaker and Members of the Legislature

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day signed the following bills, viz:

L. B. No. 368
L. B. No. 455
L. B. No. 291
L. B. No. 215
L. B. No. 505

Respectfully submitted,

(Signed) Val Peterson,
Secretary to the Governor.

STANDING COMMITTEE REPORTS (Continued)

Enrollment & Review

LEGISLATIVE BILL NO. 101. Correctly engrossed.

LEGISLATIVE BILL NO. 429. Correctly enrolled.

(Signed) Crosby, Chairman

President signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill No. 429.

Adjournment

At 12:03 p. m. Mr. Howard moved that the Legislature adjourn until 9:00 a. m. Saturday, April 19, 1941.

The motion prevailed with 26 ayes, 9 nays, 8 not voting.

Hugo F. Srb,
Clerk of the Legislature.

SEVENTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Saturday, April 19, 1941.

Pursuant to adjournment the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Metzger, and except Messrs. Kotouc, Rakow and Amos Thomas, who were excused.

The Journal for the Seventy-second Day was approved as corrected.

NOTICE OF COMMITTEE HEARINGS

Education

L. B. No. 379, Monday, April 21, 1941, 2:00 p. m.

GENERAL FILE

LEGISLATIVE BILL NO. 379. Mr. Peterson offered the following amendments and moved their adoption:

1. Amend the bill, page 12, section 8, line 22 by inserting after the word "retirement" therein the following: "; **and provided further,** that no service retirement allowance shall be payable under the provisions of this act until July 1, 1942".

2. Amend the bill, page 26, section 21, lines 3 and 4 by striking the word "annually" therein.

The motion prevailed with 21 ayes, no nays, 22 not voting.

A call of the House was ordered.

Mr. Raecke moved to raise the call.

The motion prevailed with 26 ayes, no nays, 17 not voting.

Mr. Raecke moved that the bill be amended as follows:

Strike from paragraph 2 of the Greenamyre amendment adopted April 18, 1941 the following words: "Any teacher at his or her option, upon filing written election to do so, may withdraw from the retirement system at any time", and insert in lieu thereof the following: "Any present teacher may elect, within three months after September 1, 1941, to remain out of the retirement system by furnishing to the board satisfactory proof that said teacher had, on September 1, 1941, annuity insurance in good standing and unencumbered, providing for payment of an annuity of not less than twenty-five dollars per month upon attaining the age of sixty-five."

Mr. Peterson asked for a division of the question.

The President stated the question "Shall the Legislature reconsider the Greenamyre amendment?"

A call of the House was ordered.

Mr. Lambert moved to raise the call.

The motion prevailed with 25 ayes, no nays, 18 not voting.

Vote was taken on the question of reconsideration and the motion was lost with 17 ayes, 19 nays, 7 not voting.

Mr. Van Diest moved to send L. B. 379 back to the Committee on Education.

Mr. Raecke moved that the Van Diest motion be amended by adding the words "and that said committee be instructed to report the bill back to General File within eight legislative days".

The motion was lost with 16 ayes, 18 nays, 9 not voting.

Mr. Van Diest's motion prevailed.

The bill was returned to the Committee on Education.

MOTION—To Recall from E and R

Mr. President: I move to recall L. B. No. 341 from the Committee on Enrollment and Review for consideration of the following specific amendment:

Amend Section 3 by adding at the end thereof the following: "Nothing in this act shall be construed so as to restrict the sale in this state of any proprietary medicine, liniment, ointment or other preparation, the sale of which does not now require registration under the provisions of the acts of Congress known as the Harrison Narcotic Law as amended, or the Marihuana Tax Act of 1937."

(Signed) Van Diest

Mr. Crosby presiding

The motion prevailed.

SELECT FILE

LEGISLATIVE BILL NO. 341. Mr. Van Diest asked that his specific amendment, above set out be adopted by unanimous consent.

No objection was offered and the amendment was declared adopted.

Referred to E and R for engrossment.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor for Approval

L. B. No. 429, Friday, April 18, 1941 at 2:45 p. m.

L. B. No. 171, Friday, April 18, 1941 at 4:00 p. m.

L. B. No. 217, Friday, April 18, 1941 at 4:00 p. m.

LEGISLATIVE BILL NO. 133. Correctly enrolled.

LEGISLATIVE BILL NO. 21. Correctly enrolled.

LEGISLATIVE BILL NO. 258. Correctly re-engrossed.

LEGISLATIVE BILL NO. 89. Correctly engrossed.

LEGISLATIVE BILL NO. 191. Replaced on Select File with amendments.

E and R amendments to L. B. No. 191:

A. Amend the standing committee amendments, page 1, amendment 4, line 6 by striking the preposition "to" therein.

B. Amend the standing committee amendments, page 1, amendment 4, line 12 by striking the preposition "to" therein.

LEGISLATIVE BILL NO. 299. Replaced on Select File with amendments.

E and R amendments to L. B. No. 299:

1. Amend the bill, page 2, section 2, line 16 by striking the word "employer" therein and by inserting in lieu thereof the word "employees".

LEGISLATIVE BILL NO. 328. Placed on Select File with amendments.

E and R amendments to L. B. No. 328:

A. Amend the general file amendments, mimeographed, dated April 15, 1941, as follows:

1. Amendment No. 1, page 1, section 2, line 27, by striking the punctuation ";" therein and by inserting in lieu thereof the punctuation ":".

2. Amendment No. 1, page 2, section 5, line 1, by inserting the punctuation "," after the section symbol "83-318" and before the word "Compiled" therein; and in said line 1 of section 5, strike the word "Statute" and insert in lieu thereof the word "Statutes".

3. Amendment No. 1, page 2, section 5, line 21, by striking the asterisk after the word "assist" and before the definite article "the" therein and the footnote on page 2 and by inserting in lieu thereof the word "in".

4. Amendment No. 1, page 3, section 6, line 1, by inserting the punctuation "," after the section symbol "83-319"; and in said line 1 of section 6, by striking the word "Statute" therein and by inserting in lieu thereof the word "Statutes".

5. Amendment No. 1, page 3, section 7, line 2, by striking the section symbol and punctuation "83-316," therein.

6. Amendment No. 2, page 3, line 8, by striking the word "building" therein and by inserting in lieu thereof the word "buildings"; and in line 13 of said amendment No. 2, by striking the section symbol and punctuation "83-316," therein.

7. Amend the general file amendments, adopted 4-17-41, amend-

ment No. 1, page 3, section 6, line 4, by striking the punctuation and figures "{83-319},".

LEGISLATIVE BILL NO. 432. Placed on Select File with amendments.

E and R amendments to L. B. No. 432:

1. Amend the general file amendments, Howard, by striking his amendment No. 1 and by restating the same as follows:

"Amend the bill, page 2, section 1, line 6, by striking the words "said clerks" therein and by inserting in lieu thereof the word **"county"**.

2. Amend the general file amendments, Howard, amendment No. 3, line 3, by striking the words **"to go into"** therein and by inserting in lieu thereof the words **"who shall credit said fees so remitted to"**; and in line 4 of said amendment No. 3, insert the punctuation "." after the word **"fund"** therein.

3. Amend the bill, page 1, title, line 9, by inserting after the word and punctuation "legislature;" therein the following:

"to provide that the clerks of the various counties shall remit all fees arising under said law to their respective county treasurers who shall credit said fees so remitted to the county general fund;".

LEGISLATIVE BILL NO. 334. Placed on Select File with amendments.

E and R amendments to L. B. No. 334:

1. Amend the bill, page 2, section 1, line 17, by striking therefrom the punctuation and word "; **provided,**" therein and by inserting in lieu thereof the following:

": Provided, that".

2. Amend the bill, page 2, section 1, line 21 by striking therefrom the punctuation and words **"provided, further,** however" and by inserting in lieu thereof the following:

"and provided further".

3. Amend the bill, page 2, section 1, lines 28 and 34 by striking the word "tuberculosis" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the words **"tuberculous".**

4. Amend the bill, page 2, section 1, line 6, by striking the word "animals" and inserting in lieu thereof the word **"animal".**

LEGISLATIVE BILL NO. 463. Placed on Select File with amendments.

E and R amendments to L. B. No. 463:

1. Amend the bill, page 2, section 1, line 10, by striking the punctuation "," after the word "deaf" and before the conjunction "or" therein.

2. Amend the bill, page 2, section 4, line 6, by striking the punctuation "," after the word "care" therein.

3. Amend the bill, page 2, section 4, line 11, by striking therefrom the words "home-bound" therein and by inserting in lieu thereof the word "homebound" therein.

4. Amend the bill, page 1, title, line 4, by inserting after the word and punctuation "classes;" therein the conjunction "and"; and in line 7 of said title, strike the punctuation ";" after the syllable "struction" therein and insert in lieu thereof the punctuation ".".

LEGISLATIVE BILL NO. 290. Placed on Select File with amendments.

E and R amendments to L. B. No. 290:

1. Amend the general file amendments, Carmody, by striking all of said amendment and restating the same as follows:

"Amend the bill, page 2, section 1, by restoring the stricken matter in lines 17 and 19 therein and by inserting after the word "thirty-two" in line 18, the following: **"director of insurance, forty-five".**

2. Amend the bill, page 1, title, by striking that part of said title commencing with the word "salaries" in line 4 therein down to and including the word "governor" in line 6 therein and by inserting in lieu thereof the following:

"salary to be paid to the director of insurance".

3. Amend the bill, page 2, section 1, line 15, by striking the word "and" after the punctuation ";" and before the word "the".

(Signed) Crosby, Chairman

President Johnson presiding

Approved by the Governor

April 18, 1941

To the President, the Speaker and Members of the Legislature

Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day signed the following bill, viz:

L. B. No. 429.

Respectfully submitted,

(Signed) Val Peterson,
Secretary to the Governor.

President signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 21 L. B. No. 133

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 470. Mr. Mekota offered the following amendments, which were adopted:

Strike all of said bill after the enacting clause, and all amendments thereto, and insert in lieu thereof the following:

"Section 1. Subdivision 1. When used in this act: the word **state** means **state of Nebraska. Subdivision 2.** The word **administrator** means the chief of the bureau of motor fuels who is the titular head of the division of motor fuels in the department of agriculture and inspection, as now established, or the successor to his duties and functions. **Subdivision 3.** The words **motor vehicles** or **motor vehicle fuels** are construed as defined in Sec. 66-401, C. S. Supp., 1939, as now existing or as hereafter amended. **Subdivision 4.** The word **distributor** means persons or agencies that sell and have paid the excise tax for any one purchase upon fifty gallons or more of motor vehicle fuels obtained from **dealers,** as defined in Sec. 66-401, C. S. Supp., 1939, as now existing or as hereafter amended, and retailers or both for purposes of resale at retail to consumers or users of motor vehicle fuels to be used solely for agricultural purposes; and if dealers be also distributors, that portion of their ordinary business transactions carried on as distributors shall be governed, controlled and amenable to the duties imposed by this act.

Sec. 2. **Subdivision 1.** The chief of the bureau of motor fuels shall administer and enforce the provisions of this act. He may call to his aid when necessary any member of the Nebraska safety patrol, any police officer, any county attorney or the attorney general. The administrator or his assistants, are empowered to stop and inspect motor vehicles, to inspect premises and temporarily to impound motor vehicles or motor vehicle fuels, when the same is necessary to administer the provisions of this act. **Subdivision 2.** a. Administrator. The administrator may, from time to time, make and promulgate such reasonable rules and regulations, not inconsistent with this act, as are necessary for its prompt and effective enforcement. The administrator shall have power to make rules and regulations concerning the nature and use of identifying chemicals which may be used for the purpose of identifying refund tax gasoline, and the distributor shall, in accordance with the rules and regulations of the administrator, mix identifying chemicals in all refund tax gasoline at the time of sale or purchase, which identifying chemicals shall be furnished by the administrator, without cost to distributors; and it shall be unlawful for anyone to use such refund tax gasoline or motor vehicle fuels in any motor vehicle operated or intended to be operated upon any public streets or highways of the state or for a purpose other than for an agricultural purpose as in this act defined. b. Container. All refund tax gasoline shall be placed, when delivered by distributor to purchaser, in a special storage container and each container must be labeled **refund tax gasoline** in large legible letters. c. Suspension of permit. The administrator is empowered to suspend the permit granted to any person, firm or corporation under this act at any time he suspects such person, firm or corporation violates any of the provisions thereof. d. Permit. Every person who desires to be eligible to receive gasoline tax refunds and who desires to be classified for that purpose as a purchaser and claimant as defined in paragraph (f) of subdivision 2 of this section, shall, before making any claim for a refund, make application under oath upon a form prescribed by the administrator, for such classification and for a permit to obtain such refunds. The application for classification and permit shall contain the name of the applicant, his address, his occupation, the uses to which the applicant intends to put such gasoline or motor fuel upon which he will claim refund, the make, horse power, and other mechanical description of machinery in which the same is to be used, and such other information as may be deemed necessary by the administrator who shall make a charge of one dollar for the issuing of the permit; and fund so derived shall be used for the cost of administration of this act. Provided, however, that in the event the fees collected by the administrator for the issuance of permits and licenses under this act are not sufficient to pay the costs of the efficient administration of this act, the said administrator is hereby directed to ascertain from time to time the estimated

amounts by which the cost of the efficient administration of the act exceeds the receipts from permit and license fees, and thereafter to deduct upon a pro rata basis the cost of administration from all refunds allowable under the act. Upon investigation by the administrator, if the statements contained in the application shall be found to be true, the administrator shall thereupon issue to said applicant a permit which shall be valid during the current calendar year, unless cancelled as hereinafter provided. The permit so issued shall contain a number to be given to each applicant and shall be in such form as may be prescribed by said administrator. e. Revocation of permit. If any purchaser or claimant, as defined in paragraph (f) of subdivision 2 of this section, for refund makes any false statement on any of the reports required by the administrator, or upon any application for a permit or upon any affidavit of claim for a refund, or if any recipient of a permit to obtain gasoline tax refunds uses refund tax gasoline as provided in this act in any motor vehicle upon the highways of the state of Nebraska, the administrator shall forthwith cancel recipient's permit to obtain refunds; and the recipient shall not be issued a new permit for one year from the date of such cancellation. f. Refund. Every recipient of a permit as described in paragraph (d) of subdivision 2 of this section shall hereinafter be referred to as **purchaser and claimant,** if he has paid for any one purchase the excise tax to a distributor upon forty or more gallons of gasoline or motor vehicle fuel, which gasoline or motor vehicle fuel was or is to be used solely and exclusively by such person for agricultural purposes in the state; and, as such purchaser and claimant, he shall be entitled to a refund equal to the amount of tax so paid. less the amount allocated to the state assistance fund, if any, upon compliance with the provisions of this act, and not otherwise: **Provided,** no refund shall be made to anyone other than the actual purchaser of such refund tax gasoline or motor vehicle fuel; **and provided further,** no purchaser and claimant shall be entitled to a refund unless the dealer shall have paid into the state treasury the motor vehicle fuel tax thereon.

Sec. 3. **Subdivision 1.** Any distributor desiring to sell motor vehicle fuel on which a refund of the tax is authorized by this act, shall, before making such sale, make application to the administrator, upon forms prescribed by the administrator and containing such information as the administrator may require, for a license to sell such refund tax motor vehicle fuel; except any person, firm, copartnership, company, agency, association, or corporation that holds an importing dealer's license in accord with Sec. 66-403, C. S. Supp., 1939, shall be permitted to handle refund tax gas without being required to obtain any further license or permit; and it shall be unlawful for any person to sell any motor vehicle fuel upon which a refund tax will be made, or is intended to be made, without first having obtained from the administrator a license to sell such motor vehicle fuel. **Subdivision 2.**

A separate application shall be made to the administrator by such distributor for each place of business from which refund tax motor vehicle fuel is to be distributed by such distributor; and the administrator shall issue a separate licnese for each such place of business. The administrator shall examine each application for license received by him, and, if found in due form, and if within the discretion of the administrator the applicant is entitled to such license, the same shall be issued. Specimen signatures of every distributor, truck drivers and other employees authorized to act as agents for distributor shall accompany application for distributor's license to sell refund tax gasoline. **Subdivision 3.** When such application is approved by the administrator, the applicant for license as a distributor shall be required to file oath with the administrator that he will faithfully perform and comply with the statute making provisions for the sale and distribution of motor vehicle fuel subject to a refund of motor vehicle fuel taxes. **Subdivision 4.** Each license issued hereunder shall remain in full force and effect until the first day of March following its date of issue, and annually on the first day of March, each applicant, person, or dealer, desiring to sell motor vehicle fuel upon which a refund of the tax is authorized must obtain from the administrator a license, or a renewal of his existing license, to sell such motor vehicle fuel as herein provided. Any license issued hereunder is not transferable unless such transfer is authorized by the administrator. **Subdivision 5.** Any person, as distributor, who sells motor vehicle fuel upon which a refund of the tax may be authorized, or is claimed, under the provisions of this act, without having obtained a license, as provided for under this act, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not to exceed five hundred dollars or shall be imprisoned in the county jail not to exceed six months, or may be both so fined and imprisoned, and the trial court, as part of the judgment of conviction, may order the revocation of the license of the distributor, so found guilty, for a period of time not exceeding one year; and in such case the court shall forthwith transmit to the administrator a certified copy of such judgment of conviction. Upon receipt of the certified copy of the judgment of conviction, the administrator shall cancel the license for the period of time that the court directs in the judgment. When the administrator cancels any distributor's license in the manner this section directs, then all books containing invoices of refund held by such distributor licensee, shall be accounted for and surrendered to the administrator.

Sec. 4. Any person licensed as distributor under the provisions of this act shall be required to maintain the records prescribed in section 9, legislative bill No. 470, fifty-fifth session, Nebraska state legislature, 1941, and, in addition thereto shall affix his license number to each invoice of sale of refund tax gasoline that he may issue under the provisions of this act.

Sec. 5. No refund of the tax shall be granted on any motor vehicle fuel to any person, claimant, firm, corporation, or otherwise, unless such motor vehicle fuel has been purchased from or used by a licensed distributor as provided in this act. The administrator is hereby prohibited from approving any claim for the payment of any refund tax gasoline on any motor vehicle fuel that is not purchased from a licensed distributor of refund tax gasoline.

Sec. 6. **Subdivision 1.** All refund tax gasoline shall be delivered by distributor only to the premises of the applicant for refund: **Provided,** that a barrel, tank or other container, properly labeled as provided in section 2 of this act, may be filled by the distributor off the premises of the permittee, if such container also bears the name of the recipient of a permit to obtain gasoline tax refunds. Upon each delivery of motor vehicle fuel upon which a refund of the tax may be claimed, an invoice of refund shall be made out at the time of such delivery, which invoice shall contain a serial number, not to be repeated through any one calendar year and which invoice of refund shall state: The name of the distributor (printed or rubber stamped) selling the refund tax gasoline and his license number; the number of the permit of the purchaser; the number of gallons of motor vehicle fuel thus purchased and delivered; the date on which purchase was made; the purpose for which such motor vehicle fuel will be used or is intended to be used; the price paid for such motor vehicle fuel and the date and place of delivery; the name of the purchaser or user; the name of the agent or employee actually making the purchase, if any; the seller and place of business of seller; a statement showing that the motor vehicle fuel on the invoice has been dyed or chemically treated; and the amount of such other motor vehicle fuels, if any, purchased for use or usable for the purpose of generating power for the propulsion of motor vehicles, regardless of whether a refund of the tax may be due or claimed under the provisions of this act; and the manner of delivery. The invoice of refund shall show thereon such other information as the administrator may require. No refund shall be allowed unless the seller or licensed distributor, at the time of any such delivery and not thereafter, executed such an invoice of refund. **Subdivision 2.** The licensed distributor selling refund tax motor vehicle fuel, or the licensee, in issuing invoices of refund to the user or purchaser of such motor vehicle fuel, shall make such invoices in triplicate, the original of which shall be delivered to the user or purchaser of such motor vehicle fuel for attachment to his application for refund as a part thereof; the first duplicate original shall be retained by the distributor or licensee for a period of two years, at the place or business designated in the distributor's license, in the same manner and subject to the same examination as required that other records of motor vehicle fuels be kept; and the second duplicate original shall be forwarded to the office of

the administrator for his files. **Subdivision 3.** Each invoice of refund issued by distributor or licensee shall be issued at the time of delivery by the distributor, licensee or his employee, and shall also be signed by the purchaser and claimant of such motor vehicle fuel, or by his duly authorized agent. The licensee or employee of licensee shall not sign for the purchaser when issuing the invoice of refund. Double face carbon shall be used in making up the serially numbered triplicate invoices. In filling out the invoice, distributor or his agent shall record the number of tax refund gas gallons purchased in words not figures.

Sec. 7. After a purchaser and claimant purchases or acquires for use motor vehicle fuel upon which a refund of the tax may be due, he may file with the administrator an affidavit of claim, hereinafter called **claim,** on such forms as may be prescribed by the administrator: **Provided,** the claimant shall not file more than four claims annually; **and provided further,** no claim shall be allowed after six months have elapsed from the time of the purchase. The claim shall include a statement as to the source or place of business or the acquisition of such motor vehicle fuel used solely for agricultural purpose; that the information stated in the attached original copy of the invoice of refund is true and correct, and the manner in which said motor vehicle fuel was used, and that no part of said motor vehicle fuel was used in propelling motor vehicles over the highways of this state and that the motor vehicle fuel for which refund is claimed was used solely for agricultural purposes as defined in this act: **Provided,** claims for refund shall in no event be considered or allowed upon a total quantity of less than forty gallons of refund tax gasoline. The claim shall be accompanied by the original copy of the invoice or refund above referred to, and the administrator may require other affidavits in addition to the claim in such form and time as he may deem advisable or refer the same to a field representative for investigation; and if he finds that all refund tax gasoline is consumed at the time claims are filed and that such claims are just and that the motor vehicle fuel taxes against which gasoline tax refunds are claimed have actually been paid, then he shall within sixty days transmit all claims approved by him to the auditor of public accounts who shall forthwith draw his warrant against the gasoline tax fund in the state treasury upon the presentation of proper vouchers for each claim for reimbursement; and the state treasurer shall pay said warrants out of moneys in said fund without specific appropriation: **Provided,** no warrant shall be paid by the state treasurer after twelve months from the date thereof, and if such warrant is not presented within twelve months from the date thereof, claimant shall forfeit his right to the refund. No claim for gasoline tax refund shall be allowed on motor vehicle fuel used in any registered or licensed motor vehicle or in any motor vehicle operated or intended

to be operated in whole or in part upon any of the highways, roads or streets in the state or if such motor vehicle is not used solely for agricultural purposes.

Sec. 8. The administrator shall issue free of cost to each licensee and distributor, a book or books, of blank invoices of refund required by this act. The administrator shall keep accurate records of the number of books of invoices of refund issued and furnished to each licensee, and the licensee shall, at all times, account for all such books of invoices of refund received by him. Any invoices of refund, mutilated or unusable, must be returned to the administrator by the distributor or licensee; and any unused invoice of refund lost or destroyed must be reported to the administrator by such licensee. The administrator shall not issue any additional books of invoices of refund to a licensed distributor until such licensed distributor has made proper accounting for each invoice of refund theretofore issued to him. The book of invoices of refund issued to a licensed distributor are not transferable or assignable by such licensed distributor unless such transfer or assignment is authorized by the administrator; and failure by such licensed distributor to make proper accounting for all invoices or exemption issued to him by the administrator shall be cause for the revocation of his license. No forms of invoice of refund shall be used by the licensed distributor of tax refund motor vehicle fuel other than those issued and furnished to him by the administrator.

Sec. 9. The administrator shall make rules and regulations for the keeping of records of the sale, distribution and use of refund motor vehicle fuel as provided herein; and such records shall be kept by distributors, dealers and service station operators who are licensed to deal in tax refund motor vehicle fuel.

Sec. 10. That Sec. 66-411 (A), C. S. Supp., 1939, be amended to read as follows:

66-411 ~~(A)~~ All sums of money received under this ~~Act~~ act by the state treasurer shall be placed by him in a fund to be known as the ~~Gasoline Tax Fund~~ **gasoline tax fund. From and after the effective date of legislative bill No. 470, fifty-fifth session, Nebraska state legislature, 1941, the state treasurer shall first pay out of the gasoline tax fund all warrants drawn by the auditor of public accounts for motor vehicle fuel tax refunds.** ~~Commencing July 1, 1939~~ **From and after the effective date of this act and** until ~~June 3~~ **June 30, 1941, and also until June 30, 1943,** twenty per cent of said fund, **less such amount thereof as shall be necessary to provide the identifying chemicals required in section 2 of this act,** shall be credited and shall inure to the ~~State Assistance Fund~~ **state assistance fund;** twenty-seven per cent of said fund, shall be, by the state treasurer, upon the first day of each month transferred to the various county treasurers of

the state in the proportion that the total motor vehicle registration of the county bears to the total motor vehicle registration of the state, computed on the basis of the motor vehicle registration for the previous calendar year. Said moneys, so transferred to the various county treasurers shall be allocated as follows: ~~(1)~~ **(a)** Ten per cent to be credited to the road fund of the cities and incorporated villages within said county in the proportion that the total population of each city or village, based on the last federal census, bears to the total population of all the cities and incorporated villages within said county, and the sum of money so allocated shall be used solely by each city or incorporated village for constructing street improvements: ~~(2)~~ **(b)** Twenty per cent to be credited to the county bridge fund, and if any portion thereof be not required for bridges it shall be used to pay the interest on and to retire any outstanding county road or highway construction bonds of the county, and the balance thereof, if any, shall be credited to the ~~County Road Fund~~ **county road fund;** and ~~(3)~~ (c) The remainder, seventy per cent to be credited to the ~~County Road Fund~~ **county road fund,** to be used by the county board for the purpose of maintaining, grading, graveling, regraveling, claying, littering, oiling or paving, and for no other purpose whatsoever: **Provided,** that thirty-five per cent of the money so transferred shall be used by the county treasurer to pay the interest on and retire any existing or outstanding county highway construction bonds, and the balance, if any, shall be credited to the ~~County Road Fund~~ **county road fund.** Fifty-three per cent of the ~~Gasoline Tax Fund~~ **gasoline tax fund** shall be transferred by the state treasurer on the first day of each month to the ~~Department of Roads and Irrigation~~ **department of roads and irrigation,** and said fifty-three per cent of said fund shall be expended by the ~~Department of Roads and Irrigation~~ **department of roads and irrigation** for the specific uses and purposes as follows: For acquiring real estate, road materials, equipment and supplies to be used in the construction, reconstruction, improvement and maintenance of federal or state highways or federal feeder roads; for the construction, reconstruction, improvement and maintenance of state or federal highways or federal feeder roads including grading, drainage, structures, surfacing, roadside development including landscaping, and other incidentals necessary for proper completion and protection of federal or state highways or federal feeder roads as the department shall, after investigation find and determine shall be for the best interests of the highway system of the state, either independent of or in conjunction with federal aid money for highway purposes; and for planning studies in conjunction with federal highway funds for the purpose of analyzing traffic problems and financial conditions and problems relating to state, county, township, municipal, federal and all other roads in the state and for incidental costs in connection with the federal aid grade crossing program, for roads not on state or federal highways or federal feeder roads: **Provided,** that

not more than six percent of the total amount of the gasoline tax fund transferred by the State Treasurer to the Department of Roads and Irrigation shall be used by said Department for matching funds allocated by the United States Government to Nebraska for the construction of Federal feeder roads; **and provided further,** however, that after June 30, 1941, **1943,** three-eighths instead of thirty per cent of the gasoline tax fund shall be transferred to the various county treasurers of the state in the same manner, and for the same uses and purposes as are hereinabove provided, and the balance remaining in said fund shall be transferred to the ~~Department of Roads and Irrigation~~ **department of roads and irrigation** in the same manner and for the same uses and purposes as are hereinabove provided in this section, and no part of said fund shall thereafter be transferred to any fund of the state, created or which may be created by any assistance, relief or welfare act of this state: **Provided,** that no part of the moneys received under this ~~Act~~ **act** shall be expended for or upon interstate bridges.

Sec. 11. Any person, firm or corporation, their agents, employees, or servants who shall violate the provisions of this act, or who shall violate any rule or regulation made and promulgated under the provisions of this act, for which penalty is not elsewhere in this act provided, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be imprisoned in the county jail for not more than six months or shall be fined not more than five hundred dollars or shall be both so fined and imprisoned; and, as part of the judgment of conviction, the trial judge may order that the license or permit, as case is, of the person so convicted shall be revoked for a period of time not exceeeding one year and in such case the court shall forthwith transmit to the administrator a certified copy of such judgment of conviction. Upon receipt of the certified copy of the judgment of conviction, the administrator shall cancel the license for the period of time that the court directs in the judgment. When the administrator cancels any distributor's license in the manner this section directs, then all books containing invoices of refund held by such distributor licensee, shall be accounted for and surrendered to the administrator. Upon conviction in any court within this state of operating upon the public highways thereof any motor vehicle by using therein refund tax gasoline, the trial judge shall suspend the operator's driver's license of such convicted person for a period of time not less than twelve months.

Sec. 12. That said original Sec. 66-411 (A), C. S. Supp., 1939, is hereby repealed; and that Secs. 66-411 (B), 66-431, 66-432, 66-433, 66-434 and 66-435, C. S. Supp., 1939, are hereby repealed.

Sec. 13. If any division, section, subsection, sentence, clause, phrase or requirement of this act is for any reason held to be uncon-

stitutional, such decision shall not affect the validity of the remaining portions thereof. The legislature hereby declares that it would have passed this act, and each division, section, subsection, sentence, clause, phrase, or requirement thereof irrespective of the fact that any one or more divisions, sections, subsections, sentences, clauses, phrases or requirements be declared unconstitutional.

Sec. 14. This act shall in no manner affect pending actions, either civil or criminal, founded on or growing out of any statute hereby repealed. This act shall in no manner affect rights, or causes of actions, either civil or criminal, not in suit, that may have already accrued or grown out of any statute hereby repealed.

No further action was taken on the bill.

MESSAGE FROM THE GOVERNOR

Bryan Memorial

April 19, 1941

To the President, the Speaker, and Members of the Legislature

Gentlemen:

In accordance with Legislative Resolution No. 5 we wish to announce the appointment of John H. Morehead, Chairman, Falls City, L. B. Fenner, Burwell, W. Bruce Shurtleff, Lincoln, William Ritchie, Jr., Omaha, and T. S. Allen, Lincoln, as members of the Nebraska Memorial Commission for the erection of a William Jennings Bryan Memorial.

Respectfully submitted,
(Signed) Dwight Griswold
Governor
(Signed) A. E. Sheldon
Secretary of the Nebraska
Historical Society.

Adjournment

At 10:42 a. m. Mr. Tvrdik moved that the rules be suspended and that the Legislature adjourn until Monday, April 21, 1941 at 10:00 a. m.

The motion prevailed 29 ayes, 2 nays, 12 not voting.

Hugo F. Srb,
Clerk of the Legislature.

SEVENTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, April 21, 1941.

Pursuant to adjournment the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Bowman and Amos Thomas, who were excused.

The Journal for the Seventy-third Day was approved as corrected.

Communications

A letter was read from Sadie Griffin regarding the estate of M. E. Griffin of Spencer, Iowa.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 221. Correctly engrossed.

LEGISLATIVE BILL NO. 375. Correctly engrossed.

LEGISLATIVE BILL NO. 135. Correctly enrolled.

(Signed) Crosby, Chairman

President signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill No. 135

Approved by the Governor

April 19, 1941

To the President, the Speaker and Members of the Legislature

Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day signed the following bills, viz:

L. B. No. 217 L. B. No. 171

Respectfully submitted.

(Signed) Val Peterson,
Secretary to the Governor.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 151. With emergency clause.

A bill for an Act to amend Section 84-106, Compiled Statutes of Nebraska, 1929, relating to state officers; to fix the compensation of the private secretary of the governor; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

A call of the House was ordered.

Mr. Sorrell moved to raise the call.

The motion was lost with 14 ayes, no nays, 29 not voting.

Mr. Murphy moved to raise the call.

The motion prevailed with 31 ayes, no nays, 12 not voting.

Voting in the affirmative, 30: (on passage of the bill)

Adams, E. A.	Crossland	Matzke	Sullivan
Asimus	Gantz	Mueller	Thomas, Ray
Bevins	Greenamyre	Murphy	Thornton
Blome	Hanna	Norman	Tvrdik
Brodahl	Howard	Peterson	Van Diest

Callan	Jeppesen	Price	Weborg
Carlson	Knezacek	Rakow	
Crosby	Kotouc	Reed	

Voting in the negative, 8:

Carmody	Johnson	Mekota	Raecke
Garber	Lambert	Mischke	Sorrell

Not voting, 5:

Adams, J. Jr.	Metzger	Neubauer	Thomas, Amos
Bowman			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Statement

Mr. President: Had I been present I would have voted aye on L. B. No. 151. (Signed) Metzger.

LEGISLATIVE BILL NO. 161. With emergency clause.

A bill for an Act to amend Secs. 3-202 and 3-222, C. S. Supp., 1939, relating to aircraft and airmen; to empower the Nebraska aeronautics commission to purchase aircraft out of the aviation fund; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Adams, E. A.	Garber	Mekota	Rakow
Adams, J. Jr.	Greenamyre	Metzger	Sorrell
Asimus	Hanna	Mischke	Sullivan
Bevins	Howard	Mueller	Thomas, Ray
Blome	Jeppesen	Murphy	Thornton
Brodahl	Johnson	Neubauer	Tvrdik
Carlson	Knezacek	Norman	Van Diest
Carmody	Kotouc	Peterson	Weborg
Crosby	Lambert	Price	
Gantz	Matzke	Raecke	

Voting in the negative, 0.

Not voting, 5:

Bowman	Crossland	Reed	Thomas, Amos
Callan			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 231.

A bill for an Act to amend Secs. 32-1806 and 32-1809, C. S. Supp., 1939; to amend Sections 32-1804, 32-1808, 32-1813, 32-1814, 32-1816 and 32-1820, Compiled Statutes of Nebraska, 1929, relating to elections; to establish rules and regulations for elections in counties having a population over one hundred fifty thousand; to establish salaries of election officials; and to repeal said original sections.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 38:

Adams, E. A.	Gantz	Mekota	Rakow
Adams, J. Jr.	Garber	Metzger	Reed
Asimus	Greenamyre	Mischke	Sorrell
Bevins	Hanna	Mueller	Sullivan
Blome	Jeppesen	Murphy	Thomas, Ray
Brodahl	Johnson	Neubauer	Thornton
Carlson	Knezacek	Norman	Tvrdik
Carmody	Kotouc	Peterson	Weborg
Crosby	Lambert	Price	
Crossland	Matzke	Raecke	

Voting in the negative, 0.

Not voting, 5:

Bowman	Howard	Thomas, Amos	Van Diest
Callan			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Statement

Mr. President: Had I been present I would have voted aye on L. B. No. 231. (Signed) Van Diest

LEGISLATIVE BILL NO. 12. With emergency clause.

A bill for an Act relating to state administrative departments; to prescribe the uses to which the **motor vehicle operators' license fund** shall be put; to provide for a superintendent of law enforcement and public safety, who is appointed by and functions under the governor in the administration and enforcement of laws pertaining to the Nebraska safety patrol and to the laws of the state that constitute felonies and who may be known and designated as state sheriff; to provide the qualifications, powers and duties of the superintendent; to prescribe the powers and duties of his subordinates; to fix the penalty in bonds required to be given by the superintendent, his assistants and deputies; to amend Secs. 60-407, 60-409, 60-416, 60-417, 60-418, 60-419, 60-420, 60-421, 60-422, 60-423, 60-424, 60-425 and 39-11,119, C. S. Supp., 1939; to amend Section 84-107, Compiled Statutes of Nebraska, 1929; to repeal said original sections; to repeal Section 84-108, Compiled Statutes of Nebraska, 1929; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 36:

Adams, E. A.	Gantz	Matzke	Raecke
Adams, J. Jr.	Garber	Mekota	Rakow
Asimus	Greenamyre	Metzger	Reed
Bevins	Hanna	Mueller	Sullivan
Blome	Howard	Murphy	Thomas, Ray
Brodahl	Jeppesen	Neubauer	Thornton
Carlson	Knezacek	Norman	Tvrdik
Crosby	Kotouc	Peterson	Van Diest
Crossland	Lambert	Price	Weborg

Voting in the negative, 3:

Carmody	Johnson	Mischke

Not voting, 4:

Bowman	Callan	Sorrell	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Explanation of Vote

Mr. President: If a state police is to be established I believe it should be made up of a more permanent personnel and a distinct

organization. The present safety patrol is functioning well for the purpose for which it was created and should not be disturbed.

(Signed) Johnson-Mischke

LEGISLATIVE BILL NO. 252. With emergency clause.

A bill for an Act to appropriate fifteen per cent of all fees remitted into the state treasury by the state board of examiners in medicine, osteopathy, chiropractic, dentistry, optometry, pharmacy, embalming (including fees received from applicant or practicing funeral directors and undertakers as well as embalmers), chiropody and veterinary medicine, the state board of cosmetologist examiners, the state board of barber examiners, the athletic division under the governor, the bureau of education and registration for nurses, the state real estate commission, the stock brand registration fund of the secretary of state, the state board of professional engineering and architectural examiners; and by any other state board, bureau, division, fund or commission, not mentioned above, now existing or hereafter created, except as otherwise provided herein, if and when specifically appropriated or reappropriated by the legislature during any biennium; to direct the method of handling fees remitted into the state treasury by each of said boards, bureaus, divisions and commissions, as provided by law; specifically to appropriate fifteen per cent of all said fees remitted into the state treasury during the biennium ending June 30, 1943, for the uses and purposes of the general fund of the state; to repeal Secs. 33-158, 33-159 and 33-160, C. S. Supp., 1939, as of June 30, 1941; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 36:

Adams, E. A.	Crossland	Lambert	Price
Adams, J. Jr.	Gantz	Matzke	Raecke
Asimus	Garber	Mekota	Rakow
Bevins	Greenamyre	Metzger	Sorrell
Blome	Hanna	Mischke	Sullivan
Brodahl	Howard	Mueller	Thornton
Carlson	Jeppesen	Murphy	Tvrdik
Carmody	Johnson	Neubauer	Van Diest
Crosby	Knezacek	Norman	Weborg

Voting in the negative, 1:

Thomas, Ray

Not voting, 6:

Bowman	Kotouc	Reed
Callan	Peterson	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION—To Refer to Select File

Mr. President: I move that L. B. No. 130 be referred to Select File for specific amendment of striking the enacting clause.

(Signed) Howard

The motion was lost with 3 ayes, 27 nays, 13 not voting.

BILLS ON THIRD READING (Continued)

LEGISLATIVE BILL NO. 130. With emergency clause.

A bill for an Act relating to revenue; to provide for the cancellation of interest on general real property and personal taxes delinquent March 8, 1939, if payment of such taxes with interest thereon from said date is made on or before July 1, 1942; to provide for the collection of such taxes; to amend Secs. 77-1963, 14-553, 15-822, 16-702, 77-1502, 77-1903, 77-1904, 77-1908, 77-1910, 77-1922, 77-1931, 77-2006, 77-2007, 77-2008 and 77-2009, C. S. Supp., 1939; to amend Sec. 77-2010, C. S. Supp., 1939, as amended by section 1, legislative bill No. 377, fifty-fifth session, Nebraska state legislature, 1941; to amend Secs. 77-2011, 77-2014, 77-2018, 77-2021, 77-2040, 77-2041, 77-2105, 77-2106, 77-2107, 77-2117, 77-2120, 77-2142, 17-567, 77-1815, 77-1915, 77-2001, 77-2002, 77-2004, 77-2020, 77-2101, 77-1959, 15-812, 77-2039 and 77-1964, C. S. Supp., 1939; to repeal said original sections; to repeal said original section, as amended; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Adams, E. A.	Crossland	Metzger	Reed
Adams, J. Jr.	Gantz	Mischke	Sorrell
Asimus	Garber	Mueller	Sullivan
Bevins	Greenamyre	Murphy	Thomas, Ray
Blome	Hanna	Neubauer	Thornton
Brodahl	Jeppesen	Norman	Tvrdik
Callan	Johnson	Peterson	Van Diest

Carlson	Knezacek	Price	Weborg
Carmody	Kotouc	Raecke	
Crosby	Lambert	Rakow	

Voting in the negative, 0.

Not voting, 5:

Bowman	Matzke	Mekota	Thomas, Amos
Howard			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 65.

A bill for an Act to amend Section 32-2001, Compiled Statutes of Nebraska, 1929, relating to elections; to regulate corrupt practices by candidates for public offices which are filled by popular election; to repeal said original section; and to repeal Section 32-2002, Compiled Statutes of Nebraska, 1929.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 36:

Adams, E. A.	Crosby	Kotouc	Raecke
Adams, J. Jr.	Crossland	Lambert	Rakow
Asimus	Gantz	Metzger	Sorrell
Bevins	Garber	Mischke	Sullivan
Blome	Greenamyre	Mueller	Thomas, Ray
Brodahl	Howard	Murphy	Thornton
Cailan	Jeppesen	Neubauer	Tvrdik
Carlson	Johnson	Peterson	Van Diest
Carmody	Knezacek	Price	Weborg

Voting in the negative, 0.

Not voting, 7:

Bowman	Matzke	Norman	Thomas, Amos
Hanna	Mekota	Reed	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

STANDING COMMITTEE REPORTS (Continued)

Enrollment and Review

Presented to Governor for approval

Monday, April 21, 1941 at 9:30 a. m.

L. B. No. 133 L. B. No. 21

(Signed) Crosby, Chairman

Adjournment

Mr. Mischke moved that the rules be suspended and that the Legislature adjourn until Tuesday, April 22, 1941 at 8:30 a. m.

The motion was lost with 23 ayes, 8 nays, 12 not voting.

At 12:18 p. m. Mr. Tvrdik moved that the Legislature adjourn.

The motion prevailed.

Hugo F. Srb,
Clerk of the Legislature.

SEVENTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, April 22, 1941.

Pursuant to adjournment the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Bevins, and except Amos Thomas, who was excused.

The Journal for the Seventy-fourth Day was approved as corrected.

PETITIONS AND MEMORIALS

Mr. Carmody introduced six petitions favoring a tax exemption for gasoline used in farm motors.

Members Excused

Mr. Greenamyre, Mr. Tvrdik and Mr. Garber were excused for the day to make an inspection trip to the Chadron Normal as members of the Committee on Appropriations.

REQUEST—To Pass Over L. B. No. 502

Mr. Garber requested that L. B. No. 502 be passed over and retain its place on General File.

No objection was offered and the President so ordered.

MOTION—To Accept Invitation

Mr. Howard moved that the Legislature accept the invitation extended by the Grand Island Chamber of Commerce for April 24, 1941.

The motion prevailed.

STANDING COMMITTEE REPORTS

Education

LEGISLATIVE BILL NO. 379. Indefinitely postponed.

(Signed) Matzke, Chairman

Labor and Public Welfare

LEGISLATIVE BILL NO. 293. Placed on General File.

(Signed) Sullivan, Chairman

Enrollment and Review

Presented to Governor for approval

Monday, April 21, 1941 at 4:00 p. m.

Legislative Bill No. 135

(Signed) Crosby, Chairman

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 101.

A bill for an Act relating to public health and welfare; to amend Secs. 71-701, 71-2909, 81-903, 81-904 and 28-481, C. S. Supp., 1939; to amend Sections 81-905, 81-906, 81-909 and 81-910, Compiled Statutes of Nebraska, 1929; to prescribe the amount of annual renewal fees to be collected from practitioners in pharmacy; to transfer the duties and powers pertaining to the manufacture, sale and distribution of medicine, drugs, chemicals, narcotic drugs and barbital and other hypnotic and somnifacient drugs heretofore vested in the director of agriculture and inspection, department of agriculture and inspection, to the director of health, department of health; to define and classify poisons and to prescribe safeguards for their keeping, labeling and distribution to the general public; to define the duties of the director of health concerning the administration of laws pertaining to narcotic drugs and barbital and other hypnotic and somnifacient drugs; to prescribe penalties for violations thereof; to state validity and saving clauses; to repeal said original sections; and to

repeal Sections 28-423, 28-424 and 28-425, Compiled Statutes of Nebraska, 1929.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'shall the bill pass?' "

A call of the House was ordered.

The call was raised with 28 ayes, 1 nay, 14 not voting.

Voting in the affirmative, 29:

Adams, E. A.	Crosby	Matzke	Sorrell
Adams, J. Jr.	Crossland	Mekota	Sullivan
Blome	Gantz	Mischke	Thomas, Ray
Bowman	Hanna	Murphy	Thornton
Brodahl	Howard	Norman	Van Diest
Callan	Jeppesen	Peterson	
Carlson	Johnson	Raecke	
Carmody	Lambert	Reed	

Voting in the negative, 6:

Asimus	Kotouc	Rakow
Knezacek	Neubauer	Weborg

Not voting, 8:

Bevins	Greenamyre	Mueller	Thomas, Amos
Garber	Metzger	Price	Tvrdik

A constitutional majorty having voted in the affirmative, the bill was declared passed and the title agreed to.

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 18. Revolving Fund—Furniture for Governor's Mansion

Reimbursement of Purchasing Department Revolving Fund for Purchase of Furniture and Furnishings for Governor's Mansion

Introduced by Callan of Gage

Preamble

WHEREAS, section 2, Legislative Resolution No. 13, adopted March 14, 1941 (see page 613 Legislative Journal) provides that the

amount of the emergency purchases authorized for furniture and furnishings for governor's mansion, heretofore expended, by legislative authority, from the purchasing department revolving fund, Aud. Acct. No. 700, be reimbursed from appropriations for the administration of the state government to be made at the present legislative session, and

WHEREAS, Chapter 286, Laws of Nebraska, 1919, which created said revolving fund provides, among other things, that said fund shall be kept at all times at its original amount, which is the sum of three thousand dollars, and

WHEREAS, the reimbursement contemplated in legislative resolution No. 13 is neither needed nor required to replenish said fund, there being to its credit at this time more than the sum of three thousand dollars, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-FIFTH REGULAR SESSION ASSEMBLED:

Section 1. That section 2, Legislative Resolution No. 13, adopted March 14, 1941 (see page 613, Legislative Journal) is hereby repealed.

GENERAL FILE

LEGISLATIVE BILL NO. 470.

Mr. Mekota offered the following amendments, which were adopted:

That General File amendment to L. B. No. 470 be amended, page 3, Sec. 2, line 92 by adding the words "for propelling or operating a stationary gas engine, tractor, combine or machinery used solely" after the word "person" in line 92.

Page 1, Sec. 2, line 24, by striking the words "as in this act defined" and by inserting in lieu thereof the words "as provided for in this act" and on page 7, Sec. 7, line 16, by striking the word "defined" and inserting in lieu thereof the words "provided for".

By striking subdivision 3 of Section 3, and by renumbering the following subdivisions of said section 3 accordingly.

That the title of L. B. No. 470 be amended by adding the following words after the word and punctuation "administrator;" in line 18: "to provide for the distribution of motor vehicle fuel tax; to amend Sec. 66-411 (A), C. S. Supp., 1939; to repeal said original sections; to repeal Secs. 66-411 (B), 66-431, 66-432, 66-433, 66-434 and 66-435, C. S. Supp., 1939; to provide penalties for the violation thereof; to state validity and saving clauses." and by adding the words "John S. Callan of Gage" after the word and punctuation "Harlan," in line 21.

Mr. Howard offered the following amendment, which was adopted:

Section 10, line 77, strike out words "not more" and in line 78 strike out the word "than".

Mr. Brodahl offered the following amendment, which was adopted:

Amend Section 6, Subdivision 1, page 6, line 23, by adding after the word "treated;" "if required by the administrator".

Mr. Neubauer offered the following amendments, which were adopted:

Sec. 7, line 20, after the word "invoice" strike the word "or" and insert the word "for".

Sec. 7, line 39, after the word "the" insert the word "public".

Mr. Neubauer offered the following amendments:

1. Amend the general file amendments, mimeographed, adopted April 19, 1941, amendment No. 1, page 11, by inserting immediately after line 6, section 14, a new section as follows:

"Sec. 15. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.".

2. Amend the general file amendments, mimeographed, adopted April 19, 1941, amendment No. 2, page 12, last line, by inserting after the word "clauses" therein the following: "; and to declare an emergency".

3. Amend the general file amendments, mimeographed, adopted April 19, 1941, page 1, section 1, line 19, by inserting immediately after the word and punctuation "act." therein the following: "**Subdivision 5.** The administrator is hereby specifically granted a period of time from and after the effective date of this act until June 1, 1941, to issue permits or licenses or to perform any other ministerial act enjoined upon him hereunder.".

The president declared the first part of the amendments amounted to a reconsideration of the previous action taken by the Legislature in striking the emergency clause.

Mr. Neubauer did not vote with the prevailing side and Mr. Murphy moved reconsideration of the previous action thereon.

The motion prevailed with 33 ayes, no nays, 10 not voting.

Mr. Murphy withdrew his motion of the Seventieth Day to strike the emergency clause, which replaced the emergency clause on the bill.

Vote was taken and the Neubauer amendment No. 3 was adopted.

Mr. Van Diest asked unanimous consent to lay the bill over and that it retain its place on the File.

No objection was offered and the President so ordered.

SELECT FILE

LEGISLATIVE BILL NO. 191. E and R amendments, found in the Legislative Journal for the Seventy-third Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 299. E and R amendments, found in the Legislative Journal for the Seventy-third Day, were adopted.

Referred to E and R for engrossment.

Mr. Callan presiding

LEGISLATIVE BILL NO. 328. E and R amendments, found in the Legislative Journal for the Seventy-third Day, were adopted.

Mr. Gantz moved to refer to E and R for engrossment.

Mr. Raecke moved to indefinitely postpone.

The motion prevailed with 14 ayes, 12 nays, 17 not voting.

LEGISLATIVE BILL NO. 432. E and R amendments, found in the Legislative Journal for the Seventy-third Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 334. E and R amendments, found in the Legislative Journal for the Seventy-third Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 463. E and R amendments, found in the Legislative Journal for the Seventy-third Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 290. E and R amendments, found in the Legislative Journal for the Seventy-third Day, were adopted.

Referred to E and R for engrossment.

REQUEST—To Direct Amendment

Mr. Peterson asked unanimous consent that the Committee on Enrollment and Review be directed to amend L. B. No. 341 by striking from line 12, Section 3 the last comma and the last word "or" and from line 13 the word "more".

No objection was offered and the President so ordered.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 502. Passed over. Retains place on File.

LEGISLATIVE BILL NO. 482. Special Order for Monday, April 28, 1941 at 11:00 a. m.

LEGISLATIVE BILL NO. 508. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 250. Laid over until afternoon.

LEGISLATIVE BILL NO. 156. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Sixty-eighth Day, were adopted.

President Johnson presiding

Referred to E and R for review.

REQUEST—To Revert to Bills on Third Reading

Mr. Callan asked consent to revert to Bills on Third Reading.

No objection was offered and the President so ordered.

MOTION—To Recommit to E and R for amendment

Mr. President: I move that L. B. No. 221 be recommitted to the Committee on Enrollment and Review, with instructions to said committee to amend said bill, in the Select File amendments, April 18, 1941, mimeographed, page 2, section 2, line 25 by striking therefrom the words "any source" and by inserting in lieu thereof the following: "the sale of food or other stamps or any tax levy"; and to re-engross said bill with said amendment. (Signed) Callan

The motion prevailed.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 403. Read and considered.

Laid over until Wednesday, April 23, 1941.

Approved by the Governor

April 22, 1941

To the President, the Speaker and Members of the Legislature

Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. No. 133 L. B. No. 21 L. B. No. 213

Respectfully submitted,

(Signed) Val Peterson
Secretary to the Governor.

Recess

At 12:07 p. m. Mr. Kotouc moved that the Legislature recess until 2:00 p. m.

The motion prevailed.

After Recess

Pursuant to adjournment the Legislature reconvened at 2:00 p. m. President Johnson presiding.

The roll was called and all members were present except Messrs. Norman and Reed, and except Messrs. Garber, Greenamyre, Price, Amos Thomas and Tvrdik, who were excused.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 250. Standing Committee amendments read and considered.

Standing Committee amendments, found in the Legislative Journal for the Fifty-seventh Day, were adopted.

Mr. Gantz offered the following amendments, which were adopted:

Amend line 23 of Sec. 71, page 72 by adding the words "sureties or" between the words "such" and "security" in said line 23.

Amend line 19 of Sec. 72, page 73 by striking the word "and" between the words "sureties" and "security" in said line and substitute in lieu thereof the word "or".

Mr. Mekota offered the following amendment, which was adopted:

Page 5, Sec. 5, line 5, amend by striking the words and punctuation "or limited,".

Mr. Raecke offered the following amendment, which was adopted:

Amend by striking Section 90, page 92, being the emergency clause, and that the title be amended to correspond.

Referred to E and R for review.

LEGISLATIVE BILL NO. 27. Passed over.

LEGISLATIVE BILL NO. 466. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Forty-fifth Day, were adopted.

Referred to E and R for review.

Mr. Crosby presiding

LEGISLATIVE BILL NO. 192. Read and considered.

Mr. Mueller offered the following amendment, which was adopted:

Amend Sec. 4, page 6, line 15 by striking the word "with" between the words "shall" and "a", in said line, and inserting the word "within" in lieu thereof.

Mr. Gantz offered the following amendment, which was adopted:

Amend Sec. 7, page 10, line 16 of the original bill by striking the word "fifty", same being first word in said line 16, and inserting in lieu thereof the word "fifth".

Mr. Howard offered the following amendment, which was adopted:

Amend Section 10, line 43, strike line beginning with the word "The" and strike remainder of sentence.

Referred to E and R for review.

LEGISLATIVE BILL NO. 503. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 301. Read and considered.

Mr. Rakow moved to indefinitely postpone.

A call of the House was ordered.

Mr. Mischke moved to raise the call.

The motion prevailed with 18 ayes, 6 nays, 19 not voting.

Mr. Rakow's motion was lost with 15 ayes, 17 nays, 11 not voting.

Mr. Van Diest moved that the bill be laid over until he could prepare a further amendment.

The motion prevailed with 18 ayes, 10 nays, 15 not voting.

LEGISLATIVE BILL NO. 17. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Sixty-seventh Day, were adopted.

Mr. Crosby offered the following amendments, which were adopted:

Amend Standing Committee amendment 1, page 2, Sec. 4, line 49, by striking the words "and to all riparian owners"; and in line 9 strike the word "of", and insert in lieu thereof the word "or".

Amend Standing Committee amendment 1, page 4, Sec. 9, line 11, by adding the following words and punctuation after the word "party"; "except where notice by registered letter has been mailed seventy-two hours prior to the time of hearing to the state engineer and water superintendent in the water division in which said action is brought and to all junior appropriators, of the time and place of said hear-

ing; and in such case any person injured or likely to be injured by the granting of such writ may intervene in said action at any stage of the proceedings and become a party to such litigation".

Amend Standing Committee amendment 2, page 5, line 16, by striking the words "and to riparian owners".

Mr. Mueller offered the following amendment, which was adopted by unanimous consent:

Add Mr. Crosby's name as a co-introducer of L. B. No. 17.

Referred to E and R for review.

MOTION—To Adjourn

At 4:30 p. m. Mr. Carmody moved to adjourn.

The motion was lost with 8 ayes, 16 nays, 19 not voting.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 441. Read and considered.

Laid over. Retains place on File.

LEGISLATIVE BILL NO. 199. Laid over. Retains place on File.

LEGISLATIVE BILL NO. 174. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 202. Laid over. Retains place on File.

STANDING COMMITTEE REPORTS (Continued)

Banking, Commerce & Insurance

LEGISLATIVE BILL NO. 18. Indefinitely postponed.

LEGISLATIVE BILL NO. 50. Indefinitely postponed.

LEGISLATIVE BILL NO. 100. Indefinitely postponed.

LEGISLATIVE BILL NO. 127. Indefinitely postponed.

LEGISLATIVE BILL NO. 169. Indefinitely postponed.

LEGISLATIVE BILL NO. 208. Indefinitely postponed.

LEGISLATIVE BILL NO. 282. Indefinitely postponed.

LEGISLATIVE BILL NO. 339. Indefinitely postponed.

LEGISLATIVE BILL NO. 342. Indefinitely postponed.

LEGISLATIVE BILL NO. 344. Indefinitely postponed.

LEGISLATIVE BILL NO. 389. Indefinitely postponed.

LEGISLATIVE BILL NO. 394. Indefinitely postponed.

LEGISLATIVE BILL NO. 409. Indefinitely postponed.

LEGISLATIVE BILL NO. 410. Indefinitely postponed.

LEGISLATIVE BILL NO. 472. Indefinitely postponed.

(Signed) Thornton, Chairman

Claims and Deficiencies

LEGISLATIVE BILL NO. 426. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 426:

1. Amend the bill, page 2, line 3, and the title, page 1, line 2, by striking the figures "1000" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the words "five hundred".

(Signed) Lambert, Chairman

Enrollment and Review

Correctly enrolled

L. B. No. 231	L. B. No. 151	L. B. No. 12
L. B. No. 161	L. B. No. 252	L. B. No. 130
L. B. No. 65		

(Signed) Crosby, Chairman

Adjournment

At 4:50 p. m. Mr. Mischke moved to adjourn.

A call of the House was ordered.

Mr. Johnson moved to raise the call.

The motion prevailed with 18 ayes, 5 nays, 20 not voting.

The motion to adjourn prevailed with 16 ayes, 14 nays, 13 not voting.

Hugo F. Srb,
Clerk of the Legislature.

SEVENTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, April 23, 1941.

Pursuant to adjournment the Legislature met at 9:00 a. m. Speaker Howard presiding.

Prayer was offered by The Reverend Robert E. Hanson of Clay Center, Nebraska.

The roll was called and all members were present except Amos Thomas, who was excused.

The Journal for the Seventy-fifth Day was approved.

Visitor

Speaker Howard introduced Mrs. Marzelle Jackson, representing the Builders of America, who addressed the Legislature briefly.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Carmody, six, favoring a tax exemption for gasoline used in farm motors; Messrs. Neubauer and Carmody, petitions from one hundred five Nebraska towns favoring L. B. No. 502.

MOTION—Not to Concur in Report

Mr. President: I move that we do not concur in the Standing Committee report on L. B. No. 282 and that the bill be placed on General File. (Signed) Matzke

Member Excused

At 9:55 a. m. Mr. Raecke was excused to appear before the Supreme Court.

Vote was taken and Mr. Matzke's motion prevailed with 29 ayes, 4 nays, 10 not voting.

MOTION—Not to Concur in Report

Mr. President: I move that we do not concur with the committee report on L. B. No. 339 and that the bill be placed on General File. (Signed) Greenamyre

President Johnson presiding

The motion prevailed with 34 ayes, no nays, 9 not voting.

MOTION—To Change Position on File

Mr. President: I move that L. B. No. 282 and L. B. No. 339 be placed on General File just ahead of L. B. No. 507. (Signed) Murphy

The motion prevailed with 30 ayes, no nays, 13 not voting.

MOTION—To Change Position on File

Mr. President: I move that L. B. No. 296 be moved on General File just ahead of L. B. No. 507. (Signed) Asimus

The motion prevailed with 28 ayes, no nays, 15 not voting.

REQUEST—To Change Position on File

Mr. Brodahl asked unanimous consent to place L. B. No. 500 immediately ahead of L. B. No. 507 on General File.

No objection was raised and the President so ordered.

STANDING COMMITTEE REPORTS

Appropriations

LEGISLATIVE BILL NO. 222. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 222:

1. Amend the bill, page 2, section 2, line 4, by inserting after the word "laws" therein the following: ", reappropriate $2,061.77, then appropriate.....3,828.23"; and strike the figures "5,900.00" therein.

2. Amend the bill, page 2, section 2, line 10, by striking the figures "13,000.00" therein and by inserting in lieu thereof the figures "12,000.00".

3. Amend the bill, page 2, section 2, line 20, by inserting after the word "balance" therein the following: "of $1,076.00".

4. Amend the bill, page 2, section 2, line 22, by striking the figures "1,324.00" therein and by inserting in lieu thereof the figures "1,000.00".

5. Amend the bill, page 2, section 2, line 23, by inserting after the word "balance" therein the following: "of $767.66".

6. Amend the bill, page 3, section 3, line 2, by striking the following: "$50,500.00" and by inserting in lieu thereof the following: "$49,440.00"; and in line 3 of said section 3, strike the figures "7,500.00" therein and insert in lieu thereof the figures "7,000.00".

7. Amend the bill, page 3, section 4, by striking that part of said section commencing with the punctuation and word ", unexpended" in line 4 therein, down to and including the word "district" in line 6 therein.

8. Amend the bill, page 3, section 5, by striking all of lines 5 and 6 therein and by inserting in lieu thereof the following:

Governor's mansion, maintenance, including purchase of piano, not to exceed $500.00..... 5,500.00

Governor's mansion, to reimburse purchasing agent's revolving fund in part for furniture and furnishings purchased pursuant to legislative resolution No. 13, fifty-fifth session, Nebraska state legislature, 1941.....1,500.00".

9. Amend the bill, page 3, section 7, line 4, by striking the figures "22,800.00" therein and by inserting in lieu thereof the figures "29,800.00"; and in line 5 of said section 7, strike the figures "8,500.00" therein and insert in lieu thereof the figures "11,500.00".

10. Amend the bill, page 4, section 8, line 2, by striking therefrom the following: "$13,560.00" therein and by inserting in lieu thereof the following: "$16,000.00".

11. Amend the bill, page 4, section 9, line 5, by striking therefrom the figures "43,000.00" therein and by inserting in lieu thereof the figures "35,000.00".

12. Amend the bill, page 4, section 10, line 13, by striking therefrom the figures "5,600.00" therein and by inserting in lieu thereof the figures "9,000.00".

13. Amend the bill, page 5, section 11, line 9, by striking the figures "17,500.00" and by inserting in lieu thereof the figures "16,000.00"; and in line 12, strike the figures "2,500.00" and insert in lieu thereof the figures "4,000.00"; and in line 17, strike the figures "100,000.00" and insert in lieu thereof the figures "125,000.00"; and in line 22, strike the figures "3,750.00" and insert in lieu thereof the figures "4,000.00"; and on page 6, section 11, line 28, strike the figures "30,000.00" and insert in lieu thereof the figures "35,000.00".

14. Amend the bill, page 6, section 12, by striking all of lines 2 to 5, inclusive, therein and by inserting in lieu thereof the following:

Salaries and wages, reappropriate unexpended balance, if any, June 30, 1941, Aud. Acct. No. 151

Maintenance, appropriate unexpended balance, if any, as of June 30, 1941, Aud. Acct. No. 152.".

15. Amend the bill, page 6, section 12, by striking all of lines 6, 7 and 8 therein.

16. Amend the bill, page 7, section 13, line 8, by striking the figures "15,000.00" therein and by inserting in lieu thereof the figures "17,500.00".

17. Amend the bill, page 7, section 13, line 11, by inserting after the abbreviation "No." therein and before the figures "167" the figures and word "165 and"; and in said line 11, strike the figures "10,000.00" therein and insert in lieu thereof the figures "12,500.00".

18. Amend the bill, page 7, section 13, by striking all of line 14 therein and by inserting in lieu thereof the following:

"**Serums,** for purchase of serum for acute infantile paralysis and convalescent serums, to be expended by Nebraska state medical associations under the direction of the department of health not to exceed..... 1,500.00".

19. Amend the bill, page 7, section 14, line 4, by striking the figures "46,000.00" therein and by inserting in lieu thereof the figures "53,300.00".

20. Amend the bill, page 7, section 14, line 7, by striking the figures "33,000.00" therein and by inserting in lieu thereof the figures "37,700.00"; and immediately after said line 7 insert the following: "**Study,** Nebraska water resources.....15,000.00".

21. Amend the bill, page 7, section 15, line 7, by striking the figures "7,500.00" and by inserting in lieu thereof the figures "7,000.00".

22. Amend the bill, page 8, section 15, line 12 by striking the symbol and figures "$1,150.00" therein and by inserting in lieu thereof the following: "$850.00".

23. Amend the bill, page 8, section 16, line 3 by striking the figures "7,000.00" therein and by inserting in lieu thereof the figures "6,000.00".

24. Amend the bill, page 8, section 17, by inserting immediately after the words "MILITARY DEPARTMENT" in line 1 the following: "(Including Nebraska State Guard)".

25. Amend the bill, page 8, section 17, line 6 by striking the figures "100,000.00" therein and by inserting in lieu thereof the figures "35,000.00"; and immediately after line 6 in said section 17 insert the following:

"Nebraska Advisory Defense Committee

Maintenance and expense..... 7,500.00".

26. Amend the bill, page 9, section 19 by striking all of line 2 therein; and in line 3 of said section 19 after the word "wages" therein insert ", including salary of secretary"; and also in said line 3 strike the figures "12,560.00" therein and insert in lieu thereof the figures "22,000.00".

27. Amend the bill, page 9, section 19, line 10 by striking the figures "10,000.00" therein and by inserting in lieu thereof the figures "14,400.00".

28. Amend the bill, page 9, section 19, line 14 by inserting after the word "general" therein the following: "with the approval of the board".

29. Amend the bill, page 9, section 19, line 20 by striking the symbol and figures "$5,000.00" and by inserting in lieu thereof the following: "$6,000.00, first reappropriate unexpended balance as of June 30, 1941, then appropriate"; and then in said line 20 strike the figures "44,000.00" therein and insert in lieu thereof the figures "36,000.00".

30. Amend the bill, page 9, section 19, line 22 by striking the figures "18,600.00" therein and by inserting in lieu thereof the figures "19,000.00".

31. Amend the bill, page 9, section 20, line 6 by inserting after the word and punctuation "rehabilitation," and before the word "physically" the words "blind or".

32. Amend the bill, page 9, section 20, line 10 by striking the figures "50,000.00" therein and by inserting in lieu thereof the figures "60,000.00".

33. Amend the bill, page 9, section 20 by inserting immediately after line 10 therein the following:
"**Nebraska Trade School,** administration, legislative bill No. 148, fifty-fifth session, Nebraska state legislature, 1941, first reappropriate unexpended balance arising out of legislative bill No. 148 as of June 30, 1941, fifty-fifth session, Nebraska state legislature, 1941, then appropriate.....50,000.00".

34. Amend the bill, page 10, section 22, line 2, by inserting after the word "parks" therein the following: ", including $5,000.00 for improvement of **Chadron state park**"; and in said line 2 strike the figures "30,000.00" and insert in lieu thereof the figures "35,000.00".

35. Amend the bill, page 10, section 23, line 4 by inserting after the word "**Maintenance**" therein the words "and operating expense"; and also in said line 4 of section 23 strike the figures "17,500.00" therein and insert in lieu thereof the figures "30,550.00".

36. Amend the bill, page 10, section 23 by striking all of line 8 therein.

37. Amend the bill, page 10, section 24, line 3 by inserting after the word "**Maintenance**" therein the following: ", including $1,000.00 for publication of messages and papers of Nebraska governors"; and also in said line 3 of section 24 strike the figures "9,000.00" and insert in lieu thereof the figures "11,000.00".

38. Amend the bill, page 10 by striking all of section 26 thereon; and renumber the succeeding sections to comply with this amendment.

39. Amend the bill, page 10, section 27, line 2 by striking the figures "16,000.00" therein and by inserting in lieu thereof the figures "18,000.00"; and also strike all of section 28 on said page 10 and renumber the succeeding sections to conform with this amendment.

40. Amend the bill, page 11, section 29, line 3, by inserting after the word and punctuation "employees," and before the word "wages" therein the following: "including painters,".

41. Amend the bill, page 11, section 29, line 6 by striking the symbol and figures "$82,000.00" therein and by inserting in lieu thereof the symbol and figures "$85,000.00".

42. Amend the bill, page 11, section 29, line 9, by inserting before the word "care" therein the word "physical" and after the

word "mansion" in said line 9 insert the conjunction "and", and by inserting after the word "grounds" in line 10 therein the following: ", including repair of terraces, $5,000.00; purchase of new transformer, $5,000.00; including not to exceed $750.00 for painting governor's mansion".

43. Amend the bill, page 11, section 29, line 17 by striking the figures "85,000.00" therein and by inserting in lieu thereof the figures "100,000.00".

44. Amend the bill, page 11, section 30, line 3, by striking therefrom the figures "2,771,500.00" therein and by inserting in lieu thereof the figures "2,827,400.00".

45. Amend the bill, page 11, section 30, line 6, by striking the figures "387,800.00" therein and by inserting in lieu thereof the figures "407,800.00".

46. Amend the bill, page 11, section 30, by inserting immediately after line 6 therein the following:

Home economics building, college of agriculture, construction and equipment..... 77,000.00

47. Amend the bill, page 11, section 31, line 2 by striking the figures "4,185.00" therein and by inserting in lieu thereof the figures "4,400.00".

48. Amend the bill, page 11, section 31, line 6 by striking the figures "6,975.00" therein and by inserting in lieu thereof the figures "7,500.00".

49. Amend the bill, page 12, section 31, line 7 by striking the symbol and figures "$217,756.00" therein and by inserting in lieu thereof the symbol and figures "$238,828.00."

50. Amend the bill, page 12, section 31, line 9 by striking the figures "6,060.00" therein and by inserting in lieu thereof the figures "6,516.00".

51. Amend the bill, page 12, section 31, line 10, by striking the figures "243,931.00" therein and by inserting in lieu thereof the figures "267,536.00".

52. Amend the bill, page 12, section 31, line 12 by striking the figures "10,960.00" therein and by inserting in lieu thereof the figures "11,786.00".

53. Amend the bill, page 12, section 31, line 13, by inserting after the word and punctuation "**normal,**" therein the words "plumbing and"; and in said line 13, strike the figures "3,259.00" therein and insert in lieu thereof the figures "10,000.00".

54. Amend the bill, page 12, section 31, line 14, by striking the figures "225,525.00" therein and by inserting in lieu thereof the figures "247,350.00".

55. Amend the bill, page 12, section 31, line 15, by striking therefrom the figures "10,320.00" therein and by inserting in lieu thereof the figures "11,097.00".

56. Amend the bill, page 12, section 31, line 16 by inserting after the word "replacements" therein the following:

", including new roof on gymnasium building"; and in said line 16, strike the figures "2,271.00" therein and insert in lieu thereof the figures "13,500.00".

57. Amend the bill, page 12, section 31, line 19, by striking the figures "241,052.00" therein and by inserting in lieu thereof the figures "264,379.00".

58. Amend the bill, page 12, section 31, line 20, by striking therefrom the figures "8,716.00" and by inserting in lieu thereof the figures "9,372.00".

59. Amend the bill, page 12, section 31, line 21 by inserting after the word and punctuation "repairs," therein the following: ", $4,500.00" for the repair of swimming pool; $5,500.00 for repair of toilets and plumbing".

60. Amend the bill, page 12, section 31, line 22 by striking the figures "4,860.00" therein and by inserting in lieu thereof the figures "10,000.00".

61. Amend the bill, page 12, section 32, line 7 by striking the figures "3,670,720.00" and by inserting in lieu thereof the figures "3,498,480.00".

62. Amend the bill, page 12, section 32, by inserting immediately after line 11 thereon the following:

"**Construction,** new ward building at Norfolk and purchase of 130 acres of real estate for the Nebraska institution for the feeble minded at Beatrice in the sum of $16,900.00 and 80 acres of real estate for the Norfolk state hospital in the sum of $2,800.00.....259,700.00".

63. Amend the bill, page 13, section 33, by inserting immediately after line 16 therein the following: "Nebraska brand inspection and theft prevention fund

Appropriate all moneys arising from fees collected from legislative bill No. 275, fifty-fifth session, Nebraska state legislature, 1941, for administration of said act, estimated 40,000.00".

64. Amend the bill, page 14, section 35, line 15, by striking the figures "8,960.00" therein and by inserting in lieu thereof the figures "10,000.00"; and in line 16 of said section 35, strike the word "estimated" therein and insert in lieu thereof the words and figures "not to exceed $15,000.00".

65. Amend the bill, page 16, section 36, line 69, by inserting after the figures "131" therein the following: ", estimated".

66. Amend the bill, page 17, section 37, by inserting immediately after line 13 therein the following:

"**Salaries and wages,** appropriate from unexpended balance of Aud. Acct. No. 155, **"compensation court fund",** including salary of director of labor, not to exceed $20,800.00, **maintenance,** not to exceed, $6,000.00..... 26,800.00.

Nebraska state employment service **Cooperation with the United States employment service,** appropriate from unexpended balance of Aud. Acct. No. 155, **"compensation court fund",** not to exceed.....59,508.00".

67. Amend the bill, page 17, section 38, by striking all of lines 2 to 13 inclusive therein and by inserting in lieu thereof the following:

"**Salaries, expenses and maintenance,** reappropriate $10,000.00 of the unexpended balance as of June 30, 1941, Aud. Acct. No. 155, **"compensation court fund"** and all fees, collections and receipts for the biennium ending June 30, 1943, not to exceed.....$50,000.00".

68. Amend the bill, page 17, section 39, by striking all of lines 3 to 12 inclusive therein and by inserting in lieu thereof the following:

"**Barber division,** basic science, chiropody, cosmetology, dental, bureau of examining boards, embalmers, engineering and architectural, funeral directors, medical, optometry, osteopathy, pharmacy and prophylactic, including moneys arising from administration of legislative bill No. 101, fifty-fifth session, Nebraska state legislature, 1941, and veterinarians, all receipts and unexpended balances, as of June 30, 1941, Aud. Acct. No. 164, estimated.....116,000.00

Vital Statistics

All receipts and unexpended balances, as of June 30, 1941, arising out of the administration of vital statis-

tics laws, including legislative bill No. 22, fifty-fifth session, Nebraska state legislature, 1941, estimated....40,000.00".

69. Amend the bill, page 18, section 39, by striking that part of said section commencing with the words "and then" in line 34 therein down to and including the figures "58" in line 36 therein; and in line 37 of said section 39, strike the figure "5" and insert in lieu thereof the figure "4"; and in line 40 of said section 39, strike the figure "3" therein and insert in lieu thereof the figure "2"; and in line 41, strike the figures "10,000.00" therein and insert in lieu thereof the figures "8,000.00".

70. Amend the bill, page 19, section 40, line 27, by inserting after the symbol and figures "$5,000.00" therein the following: "together with any unexpended balance, as of June 30, 1941, in Aud. Acct. No. 190, **highways to state and federal institutions and parks**".

71. Amend the bill, page 20, section 40, by striking all of lines 65 to 67 inclusive therein and by inserting in lieu thereof the following: "general administration of traffic and safety education, administration of motor vehicle operators' license act, enforcement of traffic laws and laws relating to felonies, by the director of motor vehicles; and the surplus, if any, to be credited to the **highway cash fund** for the supervision, construction and maintenance of state highways; and".

72. Amend the bill, page 21, section 40, by striking all of lines 71 to 83 therein and by inserting in lieu thereof the following:

"**Salaries, expenses, and maintenance,** reappropriate $10,000.00 out of the unexpended balance as of June 30, 1941 and all cash receipts arising out of Article 10, Chapter 60, C. S. Supp., 1939, as now existing or as hereafter amended, not to exceed $80,000.00.

Lapse to highway cash fund all of the unexpended balance as of June 30, 1941 and all of the cash receipts arising out of Article 10, Chapter 60, C. S. Supp., 1939 during the biennium ending June 30, 1943 in excess of $80,000.00".

72½. Amend the bill, page 22, section 42 by striking lines 12 to 22 inclusive therein and by inserting in lieu thereof the following:

"**Salaries, expenses, and maintenance,** including salary of director, reappropriate $10,000.00 out of the unexpended balance as of June 30, 1941 from Aud. Acct. No. 212 and all cash receipts and collections during the biennium ending June 30, 1943, not to exceed $82,500.00.

Lapse to state general fund the unexpended balance as of June 30, 1941 in Aud. Acct. No. 212.

73. Amend the bill, page 24, section 44, by inserting immediately after line 30 therein the following:

"Sec. 45. BOARD OF EDUCATIONAL LANDS AND FUNDS. **Department of surveys,** appropriate all moneys collected during biennium ending June 30, 1943, for the execution of land surveys under Sections 84-406 to 84-409, inclusive, Compiled Statutes of Nebraska, 1929, to be used for the payment of salaries and expenses in making up such surveys, estimated $.....".

74. Amend the bill, page 26, section 48, line 7, by inserting after the word "amended" therein the following: "by legislative bill No. 401, fifty-fifth session, Nebraska state legislature, 1941".

75. Amend the bill, page 26, section 48, line 9 by inserting after the word "amended" therein the following: "by legislative bill No. 70, fifty-fifth session, Nebraska state legislature, 1941".

76. Amend the bill, page 26, section 48, line 11 by inserting after the word "under" therein the following: "Section 77-2301, Compiled Statutes of Nebraska, 1929, and credited to the state assistance fund under".

77. Amend the bill, page 26, section 48, line 13 by inserting after the figures and punctuation "1939," therein the following: "as amended by legislative bill No. 493, fifty-fifth session, Nebraska state legislature, 1941".

78. Amend the bill, page 27, section 48, line 21 by inserting after the figures and punctuation "1939," therein the following: "as amended by legislative bill No. 399, fifty-fifth session, Nebraska state legislature, 1941,".

79. Amend the bill, page 27, section 48, line 26 by inserting after the word and punctuation "administration," therein the word "estimated".

80. Amend the bill, page 27, section 48, line 40 by striking the words "**Administration,** first" therein and by inserting in lieu thereof the word "First".

81. Amend the bill, page 27, section 48, line 47 by striking the words "and inspections" therein and by inserting in lieu thereof the following: "under Section 71-2503, Compiled Statutes of Nebraska, 1929".

82. Amend the bill, page 28, section 49, line 12, by inserting after the word and punctuation "**aid,**" therein, the following: "and promotion of aviation,"; and in said line 12, strike the figures "30,000.00" therein and insert in lieu thereof the figures "75,000.00".

83. Amend the bill, page 28, section 50, lines 9 and 10, by

striking the words "general maintenance purposes" and by inserting in lieu thereof the following: "construction and equipment of a home economics building, college of agriculture, university of Nebraska".

84. Amend the bill, page 30, section 52, line 8, by striking the figures "705,544.84" and by inserting in lieu thereof the figures "784,914.08".

85. Amend the bill, page 31, section 52, line 17, by striking the symbol and figures "$1,039,069.88" and by inserting in lieu thereof the figures "$1,170,261.18".

86. Amend the bill, page 32, section 53, line 17 by inserting after the figures and punctuation "1939." therein the following: "(g) To state board of vocational education, all moneys inuring to **trade school cash fund,** arising under legislative bill No. 148, fifty-fifth session, Nebraska state legislature, 1941."

87. Amend the bill, page 32, by striking all of section 57 thereon; and then renumber the succeeding sections to conform with this amendment.

88. Amend the bill, page 25, section 45, line 10, by striking the figure "4" therein and by inserting in lieu thereof the figure "2"; and in line 10 before the preposition "for" therein insert ", estimated" and in line 12 of said section 45 strike the word "estimated" therein and insert in lieu thereof the words "not to exceed".

89. Amend the bill, page 25, section 46 by inserting immediately after line 16 therein the following: "**Nebraska state trade school fund,** appropriate federal appropriations and cash receipts, no estimate."

90. Amend the bill, page 31, section 53 by striking that part of said section commencing with the words "the Nebraska" in line 9 down to and including the figures and punctuation "1937," in line 11 and by inserting in lieu thereof the following: "the moneys arising under Secs. 83-140, 83-964, 83-967 and 83-968, C. S. Supp., 1939, and under Sec. 83-115, C. S. Supp., 1939, as amended by legislative bill No. 129, fifty-fifth session, Nebraska state legislature, 1941,"

91. Amend the bill, page 5, section 11, line 13 by inserting after the word and punctuation "tuberculosis," the following: "as directed in legislative bill No. 334, fifty-fifth session, Nebraska state legislature, 1941,"; and in line 13 of said section 11 insert after the word and punctuation "disease," the following: "as directed in legislative bill No. 451, fifty-fifth session, Nebraska state legislature, 1941,".

92. Amend the bill, page 33, section 60, by striking that part of said section commencing with the word "There" in line 1 down to and including the syllable and punctuation "lature." in line 8.

93. Amend the bill, page 12, by inserting immediately after line 11, section 32 a new section as follows:

"Sec. 33. EMERGENCY PURPOSES
Expenditure for unforeseen contingencies, when authorized by the chairman of the committee on appropriations, fifty-fifth session, Nebraska state legislature, 1941, and the governor.....20,000.00"; and number the succeeding sections to correspond with this amendment.

94. Amend the bill, page 16, section 36 by inserting immediately after line 69 therein the following:

"Butter, cheese, eggs and poultry
(including turkeys)

Federal-state grading and inspection service, appropriate all moneys collected during the biennium 1941-1943 and reappropriate the unexpended balance, if any, as of June 30, 1941, estimated.....2,000.00".

95. Amend the bill, page 15, section 36, line 25 by striking the word "any" therein and by inserting in lieu thereof the following: "$30,000.00 of"; and in line 34 of said section 36 strike the figures "300,000.00" and insert in lieu thereof the figures "260,000.00".

96. Amend the bill, page 13, section 33, line 25 by striking the figures "5,640.00" therein and by inserting in lieu thereof the figures "7,000.00"; and in line 29 of said section 33, strike the figures "4,000.00" therein and insert in lieu thereof the figures "6,000.00".

(Signed) Callan, Chairman

Public Works

LEGISLATIVE BILL NO. 421. Indefinitely postponed.

LEGISLATIVE BILL NO. 488. Placed on General File.

(Signed) Mischke, Chairman

Enrollment and Review

LEGISLATIVE BILL NO. 341. Correctly re-engrossed.

LEGISLATIVE BILL NO. 372. Replaced on Select File with amendments.

E and R amendments to L. B. No. 372:

1. Amend the bill, page 10, section 11, line 30 by striking the article "a" after the word "such" and before the word "may" and by inserting in lieu thereof the word "as".

2. Amend the bill (for the purpose of correlation with section 1, legislative bill No. 171) page 13, by striking all of section 14 thereon and by inserting in lieu thereof the following: "Sec. 14. That Sec. 17-401, C. S. Supp., 1939, as amended by section 1, legislative bill No. 171, fifty-fifth session, Nebraska state legislature, 1941, be amended to read as follows:

17-401. Cities of the second class and villages governed by this chapter shall be bodies corporate and politic, and may sue and be sued; may contract or be contracted with; may acquire, hold and convey property, real or personal; may receive and safeguard donations in trust and may, by ordinance, supervise and regulate such property and the principal and income constituting the foundation or community trust property in conformity with the instrument or instruments creating such trust; and the city council of any city of the second class, or the board of trustees of any village, may elect a board of five members, to be known as a "board of public trust", who shall be resident freeholders of such city or village and whose duties shall be defined by ordinance and who shall have control and management of such donations in trust, in conformity with such ordinance: **Provided,** that at the time of the establishment of said "board of public trust", one member shall be elected for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years, and one for a term of five years, and thereafter one member shall be elected each year for a term of five years. Vacancies in the membership of the board shall be filled in like manner as regular members of the board are elected; and such cities or villages shall have a common seal which they may change and alter at pleasure; and such other powers as may be conferred by law. The power of any city of the second class or village to convey any real estate owned by it, except real estate used in the operation of public utilities, shall be exercised by ordinance directing the conveyance of such real estate and the manner and terms thereof. Notice of such sale and the terms thereof shall be published for three consecutive weeks in a legal newspaper published in or of general circulation in such city or village immediately after the passage and publication of such ordinance: **Provided,** if a remonstrance against such sale signed by legal electors thereof equal in number to thirty per cent of the electors of such city or village voting at the last regular municipal election held therein, be filed with the governing body of such city or village within thirty days of the passage and publication of such ordinance, said property shall not then, nor within

one year thereafter, be sold; **and provided further,** that real estate now owned or hereafter owned by city or village, as the case may be, may be conveyed without consideration to the state of Nebraska **or to the "Nebraska armory board"** for state armory sites, or if acquired for state armory sites, shall be conveyed strictly in accordance with the conditions of Sec. 18-1801, C. S. Supp., 1939, as ~~now existing or hereafter amended~~ **as amended by section 7, legislative bill No. 372, fifty-fifth session, Nebraska state legislature, 1941.".**

3. Amend the bill, page 19, section 19, line 2 by striking therefrom the section symbol and punctuation "17-401,"; and in line 4 of said section 19 insert after the syllable "pealed" therein the following:

"and that said original Sec. 17-401, C. S. Supp., 1939, as amended by section 1, legislative bill No. 171, fifty-fifth session, Nebraska state legislature, 1941, is hereby repealed".

4. Amend the bill, page 1, title, line 5 by striking therefrom the section symbol and punctuation "17-401," therein; and in line 6 of said title after the figures and punctuation "1939;" therein insert the following:

"to amend Sec. 17-401, C. S. Supp., 1939, as amended by section 1, legislative bill No. 171, fifty-fifth session, Nebraska state legislature, 1941;"; and in line 17 of said title insert after the word and punctuation "sections;" therein the following:

"to repeal said original section, as amended;".

(Signed) Crosby, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 18. Mr. Callan moved that the resolution be adopted.

The motion prevailed with 33 ayes, no nays, 10 not voting.

REQUEST—To Change Position on File

Mr. Norman asked unanimous consent to place L. B. No. 332 on General File just ahead of L. B. No. 507.

Objection was raised thereto by Mr. Mischke.

MOTION—To Change Position on File

Mr. President: I move that L. B. No. 332 be placed ahead of L. B. No. 507. (Signed) Metzger

A call of the House was ordered.

Mr. Norman moved to raise the call.

The motion prevailed with 24 ayes, no nays, 19 not voting.

Mr. Metzger's motion prevailed with 23 ayes, no nays, 20 not voting.

MOTION—To Change Position on File

Mr. President: I move that L. B. No. 430 be placed ahead of L. B. No. 507. (Signed) Sullivan

The motion prevailed with 23 ayes, 1 nay, 19 not voting.

MOTION—To Recess

Mr. Kotouc moved to recess until 2:00 p. m.

The motion was lost with 9 ayes, 18 nays, 16 not voting.

MOTION—To Change Position on File

Mr. President: We move that each member of the Legislature be allowed to select one bill now on General File and submit their selection to the Chairman of the Sifting Committee within twenty-four hours after the adoption of this motion; these bills to be acted upon by the Sifting Committee under their present method. This motion would exclude those members who have on this date raised bills to General File by motion. (Signed) Blome, Knezacek, Asimus

Recess

At 11:55 a. m. Mr. Gantz moved to recess until 2:00 p. m.

The motion prevailed.

After Recess

Pursuant to adjournment the Legislature reconvened at 2:00 p. m. President Johnson presiding.

The roll was called and all members were present except Amos Thomas, who was excused.

Visitors

The President presented the Lutheran Chorus, under the direction of Mr. M. J. Bangert of Sheboygan, Wisconsin, who rendered two selections for the Legislature.

A vote of thanks, registered on the voting machine, was presented to Mr. Bangert.

MOTION—To Change Position on File

Mr. Blome moved that his motion, offered before recess, to change position of bills on General File, be adopted.

The motion prevailed.

MOTION—To Discharge Sifting Committee

Mr. President: I move that the Sifting Committee be discharged.

(Signed) Mekota

The motion was lost with 4 ayes, 20 nays, 19 not voting.

Enrollment and Review

LEGISLATIVE BILL NO. 101. Correctly enrolled.

LEGISLATIVE BILL NO. 508. Placed on Select File with amendments.

E and R amendments to L. B. No. 508:

1. Amend the bill, page 2, section 1, line 12, by striking the punctuation "," after the word "corn" and before the word "which" and insert in lieu thereof the punctuation ",".

2. Amend the bill, page 2, section 1, line 22, by striking the punctuation "," after the word "notice" and before the word "to" and insert in lieu thereof the punctuation ",".

LEGISLATIVE BILL NO. 466. Placed on Select File with amendments.

E and R amendments to L. B. No. 466:

1. Amend the Standing Committee Amendments, page 1, section 1, lines 2 and 5 by striking the pronoun "their" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the pronoun "its".

LEGISLATIVE BILL NO. 503. Placed on Select File.

LEGISLATIVE BILL NO. 174. Placed on Select File with amendments.

E and R amendments to L. B. No. 174:

1. Amend the bill, page 2, section 2, line 8 by striking the punctuation "," after the word "years" and before the word "and" therein.

2. Amend the bill, page 3, section 3, line 10, also on page 4, section 3, line 37 by striking the hyphenated word **"ex-officio"** therein and by inserting in lieu thereof the words **"ex officio"**.

3. Amend the bill, page 4, section 4, lines 6 and 11 by striking therefrom the words **"post office"** therein and by inserting in lieu thereof the word **"post-office"**.

4. Amend the bill, page 4, section 4, line 18 by striking the word "then" therein.

(Signed) Crosby, Chairman

Appropriations

LEGISLATIVE BILL NO. 223. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 223:

1. Amend the bill, page 2, section 1, line 27, by striking the figures "2,640.00" therein and by inserting in lieu thereof the figures "3,600.00"; and also in said line 27, strike the figures "5,280.00" therein and insert in lieu thereof the figures "7,200.00".

2. Amend the bill, page 3, section 1, by striking all of lines 47 and 50 therein.

(Signed) Callan, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 231	L. B. No. 151	L. B. No. 12
L. B. No. 161	L. B. No. 252	L. B. No. 101
L. B. No. 65		

GENERAL FILE

LEGISLATIVE BILL NO. 470. Mr. Greenamyre offered the following amendments, which were adopted:

1. Amend the General File amendments, mimeographed, dated April 19, 1941, page 7, section 7, line 10, by inserting after the word "purpose" therein the following: "together with a sworn statement, on such standard form as the administrator shall provide and furnish, supported by invoices for all types of motor vehicle fuels, other than refund tax gasoline, purchased by recipient during the period for which claim for refund is filed".

2. Amend the General File amendments, mimeographed, dated April 19, 1941, page 2, section 2, line 78, by inserting after the word "administrator" therein the following: ", including the sworn statement of all types of motor vehicle fuels, other than refund tax gasoline, purchased or acquired by purchaser or claimant during the period which the claim for refund covers".

Mr. Murphy offered the following amendments, which were adopted:

Amend Section 7, line 19, of the General File amendments of April 19th by inserting after the word "gasoline" the following language: "The administrator shall neither receive nor allow such claim for refund unless such claim shall include a statement that the tractor or tractors, engine or engines, owned by the claimant, were included in the claimant's personal tax list for the preceding year, or that he owned no such tractor or engine upon which personal taxes might have been levied during such year."

Mr. Neubauer moved to refer to E and R for review.

Mr. Crosby offered the following amendments, which were adopted with 28 ayes, no nays, 14 not voting:

That L. B. No. 470 be amended, General File amendments, mimeographed, April 19, on page 7, Sec. 7, line 10, by inserting after the word and punctuation "purpose;" the following language: "the location of the land upon which the said gasoline or motor fuel was used, together with the number of cultivated acres of such land and the acreage of each kind of crops grown or produced on said land:".

Mr. Neubauer renewed his motion to refer to E and R for review.

Record vote was requested.

Voting in the affirmative, 28:

Adams, J. Jr.	Carmody	Knezacek	Rakow
Asimus	Crosby	Lambert	Reed
Blome	Crossland	Mekota	Sorrell
Bowman	Garber	Metzger	Thomas, Ray
Brodahl	Greenamyre	Mischke	Thornton
Callan	Jeppesen	Neubauer	Van Diest
Carlson	Johnson	Raecke	Weborg

Voting in the negative, 0.

Not voting, 15:

Adams, E. A.	Howard	Murphy	Sullivan
Bevins	Kotouc	Norman	Thomas, Amos
Gantz	Matzke	Peterson	Tvrdik
Hanna	Mueller	Price	

The motion prevailed.

Referred to E and R for review.

LEGISLATIVE BILL NO. 502. Read and considered.

Mr. Neubauer offered the following amendments:

1. Amend the bill, pages 2 and 3, by striking sections 1, 2, 3 and 4 thereon and by inserting in lieu thereof the following:

"Section 1. There is hereby created within the department of roads and irrigation a division to be called and known as **"division of water conservation of the department of roads and irrigation."**

Sec. 2. To supervise the division of water conservation of the department of roads and irrigation, to act as a policy-making body for said division, and to establish an authoritative agency of the state to cooperate with and recommend projects to the **national resources planning board** and other agencies of the United States or state governments, there is hereby assigned to aid and assist the division of water conservation of the department of roads and irrigation the following state officers, who shall constitute what shall be called and known as **the supervisory staff**, division of water conservation of the department of roads and irrigation: (a) The state engineer, who shall be titular head of the water conservation division and chairman of the supervisory staff; (b) the assistant attorney general designated by the attorney general of Nebraska to have charge of irrigation matters, who shall act as legal advisor of the water conservation division and as secretary of the supervisory staff; (c) the director of conservation and survey division, university of Nebraska, who shall be a technical consultant and adviser of said water conservation division and a member of said supervisory staff; (d) director of extension,

agricultural college of the University of Nebraska, who shall be a technical consultant and adviser of said water conservation division and a member of said supervisory staff; and the (e) secretary of game, forestation and parks commission, who shall be a technical consultant and adviser of the water conservation division and a member of said supervisory staff. No additional compensation shall be paid to the members of the supervisory staff, but they shall receive actual travel and subsistence expense.

Sec. 3. The supervisory staff shall hold regular monthly meetings on the second Tuesday of each month at the office of the state engineer in the Nebraska capitol building, Lincoln, Nebraska, and at such other times and places within the state as the supervisory staff shall find necessary for the transaction of its business. The secretary shall keep the records and conduct the correspondence of the supervisory staff. The chairman of the supervisory staff shall approve all vouchers, which vouchers shall be presented to the auditor of public accounts for approval and payment as provided by law. The supervisory staff. The chairman of the supervisory staff shall approve all by the water conservation division, to supervise and direct the work of the water conservation division, and to act for and represent the state of Nebraska on behalf of the water conservation division in cooperation with and recommendation of projects to the national resources planning board and other agencies of the United States or state governments. The supervisory staff shall also be empowered to adopt from time to time suitable rules and regulations for the administration of this act.

Sec. 4. To administer the affairs of the division of water conservation of the department of roads and irrigation, the department of roads and irrigation shall hire and employ a competent engineer, who shall be given the title of **engineer, division of water conservation, department of roads and irrigation.** The engineer shall have had at least five years' actual practical experience in irrigation and water conservation work. The department of roads and irrigation may employ such technical and other assistants and employees as may be necessary to enable the division of water conservation to perform its duties and to carry out the purposes of this act. The compensation to be paid to such engineer, technical assistants and employees shall be determined in the same manner as other employees of the department of roads and irrigation. The water conservation division may also receive temporary assistance and services of other employees of the department of roads and irrigation or of employees of the state serving under other state officers, departments, boards or commissions, upon a certificate of the governor and the head of the department, state office, state board or commission wherein any such employee is regularly employed, that such assistance may be given without detriment to the work from which such employees may be temporarily as-

signed or transferred. The temporary assistance and services of employees of the division of water conservation may be utilized and availed of by other divisions of the bureau of irrigation, water power and drainage upon direction of the state engineer.".

2. Amend the bill, page 4, section 5, line 1 by striking the word "board" therein and by inserting in lieu thereof the words: "division of water conservation".

3. Amend the bill, page 4, section 5, by striking all of lines 8 and 9 therein, and by inserting in lieu thereof the following: "conducting adequate surveys and tests of surface water and streams wherever found both".

4. Amend the bill, page 5, section 6, line 1, by striking the word "board" therein, and by inserting in lieu thereof the following: "division of water conservation".

5. Amend the bill, page 5, section 6, line 5 by striking the word "committee" therein and by inserting in lieu thereof the words "planning board".

6. Amend the bill, page 5, section 7, line 5 by striking the word "board" therein and by inserting in lieu thereof the words "division of water conservation".

7. Amend the bill, page 5, section 7, line 8 by striking the word "committee" therein and by inserting in lieu thereof the words "planning board".

8. Amend the bill, page 6, section 8, line 2 by striking the word "board" therein and by inserting in lieu thereof the words "division of water conservation".

9. Amend the bill, page 6, by striking all of section 9 thereon and by inserting in lieu thereof the following: "Sec. 9. There shall be specifically allocated and set aside for the use and expenditure of the water conservation division out of the general appropriations made for the department of roads and irrigation such money as the legislature deems necessary each biennium to carry out the provisions of this act.".

10. Amend the bill, page 7, section 11, line 2 by striking the words "this board" therein and by inserting in lieu thereof the words "division of water conservation".

11. Amend the bill, page 1, title, by striking all of said title after the word "ACT" in line 2 therein and by inserting in lieu thereof the following: "to establish a division of water conservation within the department of roads and irrigation; to prescribe its pow-

ers and duties; to assign to the water conservation division the services of certain state officers to act as a supervisory staff; to provide employees for the water conservation division; to provide for the manner of carrying on of the work of the water conservation division; to authorize cooperation by the water conservation division with the **national resources planning board** and other agencies of the United States and state governments; to provide for allocation to the water conservation division of moneys out of general appropriations for the department of roads and irrigation; to repeal all acts or parts of acts in conflict therewith; and to declare an emergency.".

Laid over. Retains place on File.

LEGISLATIVE BILL NO. 403. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Sixty-sixth Day, were adopted with 18 ayes, 1 nay, 24 not voting.

Mr. Sorrell offered the following amendments:

1. Amend the bill, page 14, section 2, line 28 by striking the word "Each" therein and by inserting in lieu thereof the following: **"Except as otherwise provided in subsection (e) of this section, each".**

2. Amend the bill, page 15, section 2, line 66, by inserting after the word "dollar" therein the following: **; and provided further, that the benefits paid during the normal first processing period of a first processing industry, to an otherwise eligible individual who is a first processing worker shall not exceed one-third of such individual's wages paid for insured work during the corresponding normal first processing period of his base period and the benefits paid during the normal base period and the benefits paid during the normal nonoperating period to an otherwise eligible individual who is a first processing worker shall not exceed one-third of his wages paid for insured work during the corresponding normal nonoperating period of such individual's base period".**

3. Amend the bill, page 16, section 2, by inserting immediately after line 89 therein the following: **'(f) WORKERS IN INDUSTRY ENGAGED IN FIRST PROCESSING OF A PERISHABLE AGRICULTURAL CROP. (1) As used in this law, "first processing industry" means an industry, or an establishment or occupation within such industry, engaged in the first processing of a perishable agricultural crop, in which, because of climatic conditions or the perishable nature of the agricultural crop processed, it is customary to operate only during a regularly and annually recurring period or periods of less than twenty weeks in a calendar year; "normal first processing period" means the**

normal period or periods of each calendar year, during which operations with respect to the first processing of a perishable agricultural crop are ordinarily conducted in a first processing industry; "normal nonoperating period" means the period or periods within a calendar year other than the normal first processing period as determined by the commissioner; "principal first processing employer" of an individual means that employer engaged in a first processing industry who has, during the normal first processing period of such first processing industry, paid wages to such individual during his base period for insured work in a first processing industry in a total amount greater than the total amount paid such individual during such base period by any other single employer for insured work in a first processing industry during the normal first processing period of such industry; "first processing worker" means an individual more than fifty per cent of whose base period wages for insured work have been earned from his principal first processing employer in a first processing industry during the normal first processing period of such industry, provided that no individual shall be deemed to be a first processing worker if he has been paid wages in a total amount of three hundred dollars or more for insured work during his base period exclusive of wages paid by his principal first processing employer for insured work in a first processing industry during the normal first processing period of such industry. (2) Upon written application filed by an employer, the commissioner shall, after investigation and hearing, determine and may thereafter from time to time redetermine the normal first processing period in the first processing industry in which such employer is engaged. Such determination shall be made by the commissioner within ninety days after the filing of such application by an employer with the commissioner. Until such determination by the commissioner, no industry or an establishment or occupation therein shall be deemed to be a first processing industry. For the purpose of determining whether an individual is a first processing worker and the duration of such individual's benefits, the determination by the commissioner of the normal first processing period of a first processing industry shall be applicable to the base period of individuals who file claims for benefits on or after the first day of the calendar quarter commencing after the date of such determination by the commissioner.

4. Amend the bill, page 33, section 5, line 140, by inserting after the word "occurred" therein the following: ": Provided, the benefits paid to a first processing worker during the normal first processing period shall be charged against the accounts of his most recent employers in the corresponding normal first processing period of his base period in the inverse chronological order in which the employment of such individual occurred, and benefits paid to a first processing worker during the normal nonoperating period shall be charged against the accounts of his most recent employers in the

corresponding normal nonoperating period of his base period in the inverse chronological order in which such employment of such individual occurred".

5. Amend the bill, page 1, title, line 10, by inserting after the word and punctuation "law;" therein, the following: "to define first processing industry, normal first processing period, normal nonoperating period, principal first processing employer, and first processing worker, and to provide for the manner of determining the normal first processing period of a first processing industry;".

6. Amend the bill, page 1, title, line 17, by inserting after the word "benefits" therein the following: "and the amount and duration thereof".

No action was taken thereon.

Adjournment

At 4:35 p. m. Mr. Gantz moved that the Legislature adjourn.

The motion prevailed.

Hugo F. Srb,
Clerk of the Legislature.

SEVENTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, April 24, 1941.

Pursuant to adjournment the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Amos Thomas, who was excused, and except Mr. Price, who was excused until 11:30 a. m.

The Journal for the Seventy-sixth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Thornton, one, Mr. Garber, one, favoring a tax exemption for gasoline used in farm motors.

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 19. Commending Service of Ray Lahr

Introduced by Gantz of Box Butte, Howard of McPherson

Preamble

WHEREAS, Ray Lahr has covered the proceedings of the legislature as a correspondent for the United Press, and

WHEREAS, his fine work has received recognition in the form of a promotion and transfer to the Chicago office of the United Press NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF OF NEBRASKA IN FIFTY-FIFTH REGULAR SESSION ASSEMBLED:

1. That this legislature desires to express its sincere appreciation and gratitude and warmly to praise Ray Lahr for the fair, impartial, thorough and straightforward manner in which he has reported this session of the legislature and added even more luster to the shining traditions of the Nebraska press.

2. That this resolution be spread at large upon the pages of the Journal of this legislature; and that the clerk of this legislature is hereby ordered and directed forthwith to forward a copy of this resolution, properly authenticated and suitably engrossed, to Ray Lahr and to the principal office of the United Press to the end that both he and his association may be advised of the esteem and regard in which he is held by this legslature.

Mr. Gantz moved that the rules be suspended and the resolution adopted.

The motion prevailed with 34 ayes, no nays, 9 not voting.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 257. With emergency clause.

A bill for an Act to amend Sections 20-202 and 20-216, Compiled Statutes of Nebraska, 1929, relating to civil procedure, district court; to establish the time of commencement of civil actions for the recovery of the title or possession of real estate and for the foreclosure of mortgages thereon; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams, E. A.	Crossland	Kotouc	Peterson
Asimus	Gantz	Lambert	Raecke
Bevins	Garber	Matzke	Rakow
Blome	Greenamyre	Mekota	Reed
Bowman	Hanna	Metzger	Sullivan
Brodahl	Howard	Mischke	Thomas, Ray
Callan	Jeppesen	Mueller	Thornton
Carlson	Johnson	Neubauer	Tvrdik
Carmody	Knezacek	Norman	Weborg
Crosby			

Voting in the negative, 0.

Not voting, 6:

Adams, J. Jr.	Price	Thomas, Amos
Murphy	Sorrell	Van Diest

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 258. With emergency clause.

A bill for an Act to amend Section 76-218, Compiled Statutes of Nebraska, 1929, relating to real property; to establish rules and regulations for the recording of instruments affecting the title to real property; to provide for the cancellation of record of real estate mortgages and contracts; to establish the period for which the record of such mortgages and contracts shall constitute notice as against subsequent encumbrancers or purchasers for value; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams, E. A.	Crossland	Lambert	Rakow
Asimus	Gantz	Mekota	Reed
Bevins	Garber	Metzger	Sorrell
Blome	Greenamyre	Mischke	Sullivan
Bowman	Hanna	Mueller	Thomas, Ray
Brodahl	Howard	Murphy	Thornton
Callan	Jeppesen	Neubauer	Tvrdik
Carlson	Johnson	Norman	Van Diest
Carmody	Knezacek	Peterson	Weborg
Crosby	Kotouc	Raecke	

Voting in the negative, 0.

Not voting, 4:

Adams, J. Jr.	Matzke	Price	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Speaker Howard presiding

LEGISLATIVE BILL NO. 89. With emergency clause.

A bill for an Act relating to public welfare and social security; to abolish the old age assistance and blind assistance liens; to abolish the blind assistance claims from estates of deceased recipients of old age and blind assistance; to abolish the procedure for enforcement of such liens and claims; to provide for the release and satisfaction of the old age assistance and blind assistance liens and blind assistance claims, now existing or hereafter filed; to prescribe the duties of the various county judges, registers of deeds or county clerks with respect thereto; to provide for a claim against the estate of a deceased old age assistance recipient; to provide the manner in which old age assistance claims may be released; to amend Sec. 68-268, C. S. Supp., 1939, as amended by Section 1, Chapter 4, Session Laws of Nebraska, fifty-fourth (Extraordinary) session, 1940; to amend Sec. 68-270, C. S. Supp., 1939, as amended by Section 2, Chapter 4, Session Laws of Nebraska, fifty-fourth (Extraordinary) session, 1940; to repeal said original sections, as amended; to repeal Secs. 68-271, 68-412, 68-414, 68-417 and 68-418, C. S. Supp., 1939; and to repeal Secs. 68-413 and 68-416, C. S. Supp., 1939, as amended by Chapter 4, Session Laws of Nebraska, fifty-fourth (Extraordinary) session, 1940; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams, E. A.	Crossland	Lambert	Rakow
Asimus	Gantz	Matzke	Reed
Bevins	Garber	Metzger	Sullivan
Blome	Greenamyre	Mischke	Thomas, Ray
Bowman	Hanna	Mueller	Thornton
Brodahl	Howard	Murphy	Tvrdik
Callan	Jeppesen	Neubauer	Weborg
Carlson	Johnson	Norman	
Carmody	Knezacek	Peterson	
Crosby	Kotouc	Raecke	

Voting in the negative, 0.

Not voting, 6:

Adams, J. Jr.	Price	Thomas, Amos
Mekota	Sorrell	Van Diest

A constitutional two-thirds majority having voted in the affirma-

tive, the bill was declared passed with the emergency clause and the title agreed to.

Speaker signs

While the Legislature was in session and capable of transacting business, the Speaker signed:

Legislative Bill No. 130

GENERAL FILE

LEGISLATIVE BILL NO. 403. Mr. Sorrell moved that his amendments, found in the Legislative Journal for the Seventy-sixth Day, be adopted.

The motion was lost.

Mr. Carmody offered the following amendments, which were adopted:

Amend the Standing Committee amendments to L. B. No. 403, Section 48-710, page 4, line 19, by striking the words "forty-eight" and inserting "thirty-six". Line 26, strike the words "twenty-four" and insert the word "twelve".

Mr. Brodahl offered the following amendments, which were adopted:

Amend L. B. No. 403 by striking from Sec. 48-704, page 18, lines 46, 47, 48, 49, 50, 51, 52 inclusive and in line 45, same section and page as above, after the word "than", insert "twenty times his weekly benefit amount."

Mr. Gantz presiding

Referred to E and R for review.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor for approval

Wednesday, April 23, 1941 at 5:10 p. m.

L. B. No. 151	L. B. No. 65	L. B. No. 161
L. B. No. 12	L. B. No. 252	L. B. No. 231
L. B. No. 101		

LEGISLATIVE BILL NO. 156. Placed on Select File with amendments.

E and R amendments to L. B. No. 156:

1. Amend the bill, page 4, section 2, line 1 by striking the abbreviation and punctuation "Sec." therein and insert in lieu thereof the word "Section".

2. Amend the bill, page 4, section 3, line 6 by striking the punctuation ";" therein and by inserting in lieu thereof the punctuation ",".

3. Amend the bill, page 4, section 3, line 7 by striking therefrom the words "under valued" and by inserting in lieu thereof the word "undervalued".

4. Amend the bill, page 5, section 3, line 31 by striking therefrom the punctuation and words ": **Provided, further, however**" and by inserting in lieu thereof the following: "**; and provided further**".

5. Amend the bill, page 5, section 3, line 34 by striking therefrom the punctuation and words ": **Provided, further**" and by inserting in lieu thereof the following: "**; and provided further**".

6. Amend the bill, page 5, section 4, line 2 by inserting the punctuation "," after the word "invalid" therein.

7. Amend the bill, page 4, section 3, line 9, by inserting the punctuation "," after the word "inequitable" and before the word "whether".

8. Amend the bill, page 5, section 3, line 17, by striking the words "for a period of" and inserting in lieu thereof the words "for a period of".

9. Amend the bill, page 5, section 3, line 18, by inserting the punctuation "," after the word "hearing".

10. Amend the bill, page 5, section 3, line 31, by striking the word "assessments" and inserting in lieu thereof the word "assessment".

11. Amend the bill, page 5, section 3, line 32, by striking the word "provision" and inserting in lieu thereof the following: "provision **provisions**".

12. Amend the bill, page 4, section 2, lines 3 and 4, by inserting in line 3 after the word "the" and before the word "personal" the word "listed" and by striking the word "listed" from line 4.

13. Amend the bill, page 4, section 2, line 18, by striking the words "so due is" and inserting in lieu thereof the words "due is so".

14. Amend the bill, page 5, line 13, by striking the word "examine" and inserting in lieu thereof the following: "examine inquire".

15. Amend the bill, page 5, line 13, by striking the punctuation "," and inserting in lieu thereof the punctuation ",".

Correctly engrossed

L. B. No. 221	L. B. No. 299	L. B. No. 432
L. B. No. 290	L. B. No. 334	L. B. No. 463

(Signed) Crosby, Chairman

SELECT FILE

LEGISLATIVE BILL NO. 372. E and R amendments, found in the Legislative Journal for the Seventy-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 508. E and R amendments, found in the Legislative Journal for the Seventy-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 466. E and R amendments, found in the Legislative Journal for the Seventy-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 503. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 174. E and R amendments, found in the Legislative Journal for the Seventy-sixth Day, were adopted.

Referred to E and R for engrossment.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 222. Passed over.

LEGISLATIVE BILL NO. 223. Passed over.

President Johnson presiding

LEGISLATIVE BILL NO. 502. Read and considered.

Mr. Neubauer's amendments, found in the Legislative Journal for the Seventy-sixth Day, were adopted.

Mr. Neubauer offered the following amendment, which was adopted.

That Sec. 4 of General File amendments be amended as follows:

Change the word "division" in lines 14 and 15 to the word "department".

Mr. Neubauer moved to refer to E and R for review.

Mr. Mueller moved to indefinitely postpone.

Record vote was request.

Voting in the affirmative, 20:

Asimus	Hanna	Mekota	Rakow
Callan	Jeppesen	Mischke	Reed
Carlson	Johnson	Mueller	Sorrell
Crossland	Knezacek	Murphy	Van Diest
Greenamyre	Lambert	Raecke	Weborg

Voting in the negative, 10:

Adams, J. Jr.	Carmody	Neubauer	Sullivan
Bevins	Gantz	Peterson	Thomas, Ray
Bowman	Garber		

Not voting, 13:

Adams, E. A.	Howard	Norman	Tvrdik
Blome	Kotouc	Price	
Brodahl	Matzke	Thomas, Amos	
Crosby	Metzger	Thornton	

The motion to indefinitely postpone prevailed.

Approved by the Governor

April 24, 1941

To the President, the Speaker and Members of the Legislature
Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that on April 23, 1941, he signed the following bills, viz:

L. B. No. 161	L. B. No. 101	L. B. No. 252
L. B. No. 231	L. B. No. 65	L. B. No. 151

Respectfully submitted,

(Signed) Val Peterson
Secretary to the Governor.

Member excused

Mr. Carlson was excused from the session on Friday, April 25, 1941.

Adjournment

At 11:59 a. m. Mr. Murphy moved to adjourn.
The motion prevailed.

Hugo F. Srb,
Clerk of the Legislature.

SEVENTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, April 25, 1941.

Pursuant to adjournment the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Carlson, Mueller and Amos Thomas who were excused, and except Mr. Price who was excused until 10:30 a. m.

The Journal for the Seventy-seventh Day was approved as corrected.

Visitors

The Speaker introduced the Albright Fellowship quartet from Western Union College of Le Mars, Iowa, who rendered a selection for the Legislature.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 192. Placed on Select File with amendments.

E and R amendments to L. B. No. 192:

1. Amend the bill, pages 2 and 3 by striking all of section 1 therein, and, for the purpose of correlating section 1, legislative bill No. 192, fifty-fifth session, Nebraska state legislature, 1941, with section 1, legislative bill No. 75, fifty-fifth session, Nebraska state legislature, 1941, insert in lieu thereof the following:

"Section 1. That Sec. 8-192, C. S. Supp., 1939, as amended by section 1, legislative bill No. 75, fifty-fifth session, Nebraska state legislature, 1941, be amended to read as follows:

8-192. a. The department of banking is hereby designated the receiver and liquidating agent of failed or insolvent banks, and such other financial institutions as the statutes provide shall be liquidated by said department; and said department shall accept appointment and act as receiver of any such institution, the liquidation of which is being or is to be, conducted as a judicial proceeding: **Provided,** a court having jurisdiction over such proceeding, in the exercise of its discretion, appoints the department as such receiver. b. The department of banking shall have and possess all the powers and privileges provided by the laws of this state with respect to other receivers and such incidental powers as shall be necessary to carry out an orderly and efficient liquidation of any bank or other financial institution of which it may have become receiver either by operation of law or by judicial appointment, and acting by and through its chief officer, the superintendent of banks, it may in its own name as such receiver enforce on behalf of such institution, or its creditors, by actions at law or in equity, all debts or other obligations of whatever kind or nature due to such institution, or the creditors thereof, and in like manner it may make, execute and deliver any and all deeds, assignments and other instruments necessary and proper to effectuate any sale of real or personal property, or the settlement of any obligations belonging or due to such bank or other financial institution, or its creditors, when such sale or settlement is approved by the district court of the county in which such institution is located; **and provided further,** that the superintendent of banks shall receive no fees, salary or other compensation for his services in connection with the liquidation of such institutions other than his salary as superintendent of banks. **c. The director of banking for the department of banking shall neither allocate nor certify nor shall any court in which any receivership is pending, recommend or allow as actual and necessary expenses incident to such receiverships, mileage claims or items of expense of any official, examiner, helper or deputy receiver in charge, deputies, assistants or employees unless the provisions of Sec. 84-306, C. S. Supp., 1939, as amended by section 10, legislative bill No. 192, fifty-fifth session, Nebraska state legislature, 1941, are strictly complied with.".**

2. Amend the bill, page 19, section 18, line 1, by striking the section symbol and punctuation "8-194 (b)," therein; and in line 4 of said section 18, insert after the word "repealed" therein the following:

"; and that said original Sec. 8-192, C. S. Supp., 1939, as amend-

ed by section 1, legislative bill No. 75, fifty-fifth session, Nebraska state legislature, 1941, is hereby repealed".

3. Amend the bill, page 1, title, line 2, by striking therefrom the section symbol and punctuation "8-194 (b)," therein; and in line 5 of said title, after the figures "1939," therein insert the following:

"and to amend Sec. 8-192, C. S. Supp., 1939, as amended by section 1, legislative bill No. 75, fifty-fifth session, Nebraska state legislature, 1941,"; and in line 10 of said title, strike the conjunction "and"; and in line 11 of said title, insert after the syllable "tions" therein the following: "; and to repeal said original section, as amended".

4. Amend the bill, throughout, by inserting the figures "192" in all blank spaces provided for the number of this bill.

5. Amend the bill, throughout, by striking the words **"legislature of Nebraska"** wherever the same appear throughout the bill and by inserting in each instance the words **"Nebraska state legislature"**

6. Amend the bill, page 6, section 4, line 27, by inserting the punctuation "," after the word "shall" and before the word "in" therein; and in line 29 on page 6 in said section 4, strike the word "railroads" and insert in lieu thereof the word "railroad".

7. Amend the bill, page 9, section 6, line 54, by striking the conjunction **"and"** therein and by inserting in lieu thereof the word **"as"**.

8. Amend the bill, page 10, section 8, line 1, by striking the word "Section" therein and by inserting in lieu thereof the abbreviation and punctuation "Sec.".

9. Amend the bill, page 10, section 8, line 11, by striking therefrom the abbreviation and punctuation "Sec." therein and by inserting in lieu thereof the following: "~~Section~~ Sec.".

10. Amend the bill, page 11, section 9, line 3, by striking the abbreviation "1st" therein and by inserting in lieu thereof the word **"first"**.

11. Amend the bill, page 14, section 11, lines 5, 6, 7 and 8, by striking the word "The" wherever the same appears in each of said lines respectively after the punctuation ";" and by inserting in lieu thereof the word **"the"**.

12. Amend the bill, page 5, section 3, line 21, by striking the word "themselves" and inserting in lieu thereof the following: "them-

selves it" ; and in same line 21, strike the word "their" and insert in lieu thereof the following: "their its".

13. Amend the bill, page 9, section 6, line 62, by inserting after the word "implied" and before the word "pertaining" the punctuation ",".

14. Amend the bill, page 14, section 11, line 17, after the word "made" and before the word "by", by striking the punctuation ",".

15. Amend the bill, page 14, section 11, line 19, after the word "employee" and before the word "thereof" by striking the punctuation ",".

16. Amend the bill, page 13, section 10, line 39, by inserting the punctuation"," after the word "institution" and before the word "mileage".

17. Amend the bill, page 14, section 11, line 7, by inserting the punctuation "." after the word "Fourth".

LEGISLATIVE BILL NO. 191. Correctly engrossed.

LEGISLATIVE BILL NO. 257. Correctly enrolled.

LEGISLATIVE BILL NO. 258. Correctly enrolled.

Presented to Governor for Approval

Friday, April 25, 1941 at 9:20 a. m.

Legislative Bill No. 130

(Signed) Crosby, Chairman

President signs

While the Legislature was in session and capable of transacting business, the President signed

L. B. No. 257 L. B. No. 258

MESSAGE FROM THE GOVERNOR

Veto L. B. No. 135

April 25, 1941

To the President, the Speaker and Members of the Legislature

Gentlemen:

I am returning without my signature Legislative Bill No. 135.

This bill would provide a means by which, through a simple majority vote, cities of the second class could become cities of the first class, and cities of the first class could become cities of the second class. At the present time, the law provides that these matters shall be decided by the taking of a proper census.

I am vetoing this bill because I feel that the tendency today is universally toward more expensive government and I do not feel that Nebraska should do anything to further this trend. What we need is more simple and more economical government rather than more complex and more expensive government.

It may be said in behalf of this bill that if the people desire their government to be of a higher class, they should have that authority, but a realistic view certainly proves that often a majority might vote for something which in the long run is not for the best interest of the community.

The classification of cities has always been a legislative function and I feel that this power should remain in the hands of the legislature rather than be thrown into the whirlpool of local politics. The worst thing that can happen to a city is to have it divided over local issues, and the operation of this law could easily make for hard feelings in many communities in the state.

The backing for this bill comes from the City of Chadron, and it is a very hard bill for me to veto because a great many of my old-time and highly respected friends are anxious for its passage. Official duty must be separated from personal friendships, however, and I feel that this precedent should not be established and this change in our statutes should not be made.

The legislature is making a fine record in the interest of economy and it is my belief that Legislative Bill No. 135 should not be permitted to operate otherwise. A city of the first class is a more expensive government than is that of a city of the second class, and one of our primary duties as public officials is to protect the interest of the taxpayer.

Respectfully submitted,

(Signed) Dwight Griswold
Governor.

SELECT COMMITTEE REPORTS

Sifting Committee

Mr. President: The following bills were given favorable consideration by the Sifting Committee and were arranged to appear on Gen-

eral File to follow the previous bills, so picked by the Committee, in the following order:

499, 351, 67, 207, 506, 154, 494, 263, 271, 486, 139, 33, 24, 72, 424, 329, 126, 331, 64, 294, 214, 427, 206, 300, 220, 398, 233, and 246.

(Signed) Murphy, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 20. Old Oregon Trail

Introduced by Howard of McPherson, Gantz of Box Butte, Murphy of Scotts Bluff, Blome of Cheyenne, Crosby of Lincoln

Preamble

WHEREAS, the year 1943 marks the one hundredth anniversary of the founding of civil government in the west, and the blazing of the Old Oregon trail from Independence, Missouri, to Willamette valley in the old "Oregon Country", by that historic covered wagon train which won an empire for the United States, and

WHEREAS, the migration of 1843 and those which followed made imperishable history for America, and

WHEREAS, all of the states through which the Old Oregon trail passed are rich in the history and traditions of that heroic period, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-FIFTH REGULAR SESSION ASSEMBLED:

1. That the state of Nebraska joins with the states of Oregon, Washington, Idaho, Wyoming, Colorado, Kansas and Missouri and with the Congress of the United States in properly observing the year 1943, to the end that the heroic deeds of the intrepid pioneers who blazed the trail to the Pacific coast may not be forgotten, and that the name of the Old Oregon trail may be enshrined forever in the heart of America.

2. That this resolution be spread at large upon the journal of this legislature; and that the clerk of this legislature is hereby ordered and directed forthwith to forward a copy of this resolution, properly authenticated and suitably engrossed, to the president of the United States; to the vice president of the United States as presiding officer of the United States senate; to the speaker of the house of representatives of the United States; to each of the United States senators and congressmen representing the state of Nebraska in Congress;

to the governor of the state of Oregon; and to the senate and house of representatives of the state of Oregon.

Mr. Gantz moved that the rules be suspended and that Legislative Resolution No. 20 be adopted.

The motion prevailed with 30 ayes, no nays, 13 not voting.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 375. With emergency clause.

A bill for an Act relating to public welfare, public health and social security; to empower county boards of the several counties of the state of Nebraska to establish revolving funds for the purchase of food order stamps and cotton order stamps; to amend Sec. 26-108, C. S. Supp., 1939; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Adams, J. Jr.	Gantz	Matzke	Rakow
Asimus	Garber	Mekota	Reed
Bevins	Greenamyre	Metzger	Sorrell
Bowman	Hanna	Mischke	Thomas, Ray
Brodahl	Howard	Murphy	Thornton
Callan	Jeppesen	Neubauer	Tvrdik
Carmody	Johnson	Norman	Weborg
Crosby	Knezacek	Peterson	
Crossland	Kotouc	Raecke	

Voting in the negative, 0.

Not voting, 9:

Adams, E. A.	Lambert	Sullivan
Blome	Mueller	Thomas, Amos
Carlson	Price	Van Diest

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

SELECT FILE

Mr. Kotouc presiding

LEGISLATIVE BILL NO. 156. E and R amendments, found in the Legislative Journal for the Seventy-seventh Day, were adopted.

Laid over.

GENERAL FILE

Upon request by Mr. Callan, unanimous consent was granted to consider L. B. No. 462.

LEGISLATIVE BILL NO. 462. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Seventieth Day, were adopted.

Mr. Gantz offered the following amendment, which was adopted:

Amend Standing Committee amendment No. 2 by inserting the word "of" after the word "purposes" and before the word "this" in the 4th from the last line of said Standing Committee amendment.

Mr. Hanna moved to indefinitely postpone.

The motion was lost with 10 ayes, 17 nays, 16 not voting.

Mr. Callan offered the following amendment, which was adopted:

Strike Sec. 6, line 5, after the word "act" the balance of line, and strike lines 7, 8, 9 and in line 10 "ing June 30, 1942".

Referred to E and R for review.

LEGISLATIVE BILL NO. 27. Read and considered.

Mr. Gantz offered the following amendment, which was adopted:

Amend Standing Committee amendment No. IV, mimeographed April 9, 1941, by striking the word "transcription" in next to last line on page 1, and inserting in lieu thereof the word "transcript".

Laid over. Retains place on File.

LEGISLATIVE BILL NO. 301. Read and considered.

Mr. Neubauer offered the following amendments, which were adopted:

1. Amend the bill, page 2, section 1, line 14 by inserting after the word "county" therein the following:

'until the time of the next general election held therein subsequent to the effective date of this act; and provided further, the county board at such election shall order the submission of the question of retaining the office of clerk of the district court to the qualified voters of the county. The form of submission upon the ballot shall be as follows: "FOR retaining the office of clerk of the district court", and "AGAINST retaining the office of clerk of the district court". If a majority of the votes cast on the question shall be against retaining the office of clerk of the district court in the county, the office shall cease therein with the expiraton of the term of the incumbent. If a majority of the votes cast on the question be for retaining the office of clerk of the district court in the county, the office shall continue as provided in the resolution adopted by the county board.'.

2. Amend the bill, page 2, section 2, line 7 by inserting after the word "resolution" therein the following:

"of the county board and by the election as provided in Section 32-206, Compiled Statutes of Nebraska, 1929, as amended by section 1, legislative bill No. 301, fifty-fifth session, Nebraska state legislature, 1941".

3. Amend the bill, page 1, title, by striking that part of said title commencing with the words "that in" in line 5 therein down to and including the word and punctuation "resolution," in line 7 therein and by inserting in lieu thereof the following: "procedure whereby counties having a population of less than eight thousand inhabitants may".

Referred to E and R for review.

LEGISLATIVE BILL NO. 441. Read and considered.

John Adams, Jr. moved to refer to E and R for review.

Mr. Sorrell moved to indefinitely postpone.

The motion was lost with 11 ayes, 15 nays, 17 not voting.

Record vote was requested on Mr. Adams' motion.

Voting in the affirmative, 17:

Adams, E. A.	Gantz	Matzke	Tvrdik
Adams, J. Jr.	Garber	Murphy	Weborg
Asimus	Greenamyre	Norman	
Bevins	Jeppesen	Rakow	
Blome	Knezacek	Sullivan	

Voting in the negative, 10:

Bowman	Crossland	Peterson	Sorrell
Brodahl	Howard	Raecke	Thornton
Carmody	Neubauer		

Not voting, 16:

Callan	Johnson	Metzger	Reed
Carlson	Kotouc	Mischke	Thomas, Amos
Crosby	Lambert	Mueller	Thomas, Ray
Hanna	Mekota	Price	Van Diest

Referred to E and R for review.

SELECT FILE (Continued)

LEGISLATIVE BILL NO. 156. Mr. Asimus offered the following amendment, which was adopted:

Add at the end of line 28 of Section 3 the following: "or other state, county officials or precinct assessors".

Referred to E and R for engrossment.

MOTION—To Adjourn

Mr. Kotouc moved to suspend the rules and adjourn until Monday, April 28, 1941 at 10:00 a. m.

The motion was lost with 15 ayes, 16 nays, 12 not voting.

Members Excused

Mr. Reed was excused for Saturday, April 26, 1941.

Messrs. Howard, Kotouc, Johnson and Mischke were excused for the remainder of the week.

Recess

At 11:59 a. m. Mr. Murphy moved to recess until 2:00 p. m.

The motion prevailed.

After Recess

Pursuant to adjournment the Legislature reconvened at 2:00 p. m. President Johnson presiding.

The roll was called and all members were present except Messrs. Carlson, Howard, Johnson, Kotouc, Mischke, Mueller, Price and Amos Thomas, who were excused.

MOTION—Committee Clerks

Mr. President: I move that the committee clerks be continued on the same salary schedule as previously. (Signed) Rakow

The motion prevailed.

GENERAL FILE

Mr. Callan moved to place L. B. No. 399 at the head of General File.

The motion prevailed with 31 ayes, no nays, 12 not voting.

LEGISLATIVE BILL NO. 399. Read and considered.

Mr. Sullivan offered the following amendment, which was adopted:

In Section 1, line 9, strike the words "from any" and insert the word "all".

Laid over. Retains place on File.

LEGISLATIVE BILL NO. 199. Passed over. Retains place on File.

LEGISLATIVE BILL NO. 202. Passed over. Retains place on File.

LEGISLATIVE BILL NO. 282. Passed over until Monday.

LEGISLATIVE BILL NO. 339. Passed over until Monday.

LEGISLATIVE BILL NO. 296. Read and considered.

Laid over. Retains place on File.

LEGISLATIVE BILL NO. 500. Read and considered.

Standing Committee amendment, found in the Legislative Journal for the Sixty-fourth Day, was adopted.

Mr. Brodahl offered the following amendment, which was adopted:

Amend the Standing Committee amendment by striking "1941 session" and by inserting "Fifty-fifth Session, Legislature of Nebraska, 1941".

Referred to E and R for review.

LEGISLATIVE BILL NO. 332. Passed over. Retains place on File.

LEGISLATIVE BILL NO. 430. Read and considered.

Mr. Peterson offered the following amendment, which was adopted:

Amend the bill, Section 9, by adding thereto the following:

"The provisions of the insurance laws relating to licensing or registration of insurance agents, as now existing or as hereafter amended, shall apply to any person who solicits contracts for hospital service with such corporation, except directors thereof."

Unanimous consent was granted to add the name of George T. Sullivan as a co-introducer.

Referred to E and R for review.

LEGISLATIVE BILL NO. 507. Mr. Greenamyre moved that consideration of the bill be made Special Order for May 1, 1941 at 10:00 a. m.

The motion prevailed.

Mr. Metzger presiding

LEGISLATIVE BILL NO. 499. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 351. Read and considered.

Standing Committee amendment, found in the Legislative Journal for the Fifty-seventh Day, was adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 67. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 207. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Fiftieth Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 399. Mr. Greenamyre offered the following amendment, which was adopted:

That the words "one hundred seventy-eight thousand" in line 14, Sec. 2, Subsec. 2, page 2, be stricken and the words "one hundred ninety-three thousand" be inserted in lieu thereof.

Referred to E and R for review.

Mr. Gantz presiding

MOTION—To Reconsider Action

Mr. President: I move that we reconsider our action in passing L. B. No. 375. (Signed) Raecke

The motion prevailed with 30 ayes, no nays, 13 not voting.

STANDING COMMITTEE REPORTS (Continued)

Labor and Public Welfare

LEGISLATIVE BILL NO. 386. Indefinitely postponed.

(Signed) Sullivan, Chairman

Enrollment and Review

LEGISLATIVE BILL NO. 250. Placed on Select File with amendments.

E and R amendments to L. B. No. 250:

1. Amend the bill, page 5, section 5, line 6 by striking the punctuation "," before the conjunction "and" therein.

2. Amend the bill, page 6, section 5, lines 56 and 57 by striking

the words and punctuation "; provided" therein and by inserting in lieu thereof the following:

": **Provided**".

3. Amend the bill, page 17, section 14, lines 81 and 82 by striking the punctuation and words "; provided, however" therein and by inserting in lieu thereof the following:

": **Provided**".

4. Amend the bill, page 20, section 17, line 55 by inserting the punctuation "," after the word "shares" therein.

5. Amend the bill, page 20, section 17, line 57 by inserting the preposition "to" after the last word "order" therein.

6. Amend the bill, page 22, section 18, line 62 by striking the preposition "of" therein.

7. Amend the bill, page 22, section 18, lines 76 and 77 by striking the punctuation and words "; provided, however" therein and by inserting in lieu thereof the following ": **Provided**".

8. Amend the bill, page 27, section 26, line 17 by striking the punctuation and word "; provided" and by inserting in lieu thereof the following: " : **Provided**".

9. Amend the bill, page 29, section 26, line 85 by striking the word "is" therein and by inserting in lieu thereof the word "are".

10. Amend the bill, page 35, section 28, line 80 by inserting the punctuation "," after the word "reduced" and before the word "shall" therein.

11. Amend the bill, page 36, section 28, line 104, by striking the first preposition "in" after the word "once" and before the word "each" therein.

12. Amend the bill, page 39, section 30, line 39, by striking the word "insofar" and by inserting in lieu thereof the words "in so far".

13. Amend the bill, page 40, section 31, line 27, by inserting after the word "person" and before the word "may" therein the punctuation and words ", said court".

14. Amend the bill, page 44, section 35, lines 17 and 18 by striking the punctuation and words "; provided" therein and by inserting in lieu thereof the following: ": **Provided,**".

15. Amend the bill, page 45, section 39, line 9, by striking the

word "days" therein and by inserting in lieu thereof the following: "days' ".

16. Amend the bill, page 46, section 39, line 25, by striking the conjunction "or" therein and by inserting in lieu thereof the preposition "of".

17. Amend the bill, page 46, section 39, line 41, by inserting after the word "all" and before the definite article "the" therein the preposition "of".

18. Amend the bill, page 50, section 48, line 19, by striking the word "above" therein and by inserting in lieu thereof the word "abode".

19. Amend the bill, page 50, section 48, line 25, by striking the punctuation and word "; provided" therein and by inserting in lieu thereof the following: ": **Provided**".

20. Amend the bill, page 52, section 52, line 4, by striking the word "corporations" therein and by inserting in lieu thereof the word "corporation's".

21. Amend the bill, page 58, section 59, line 88, by inserting after the last word "All" therein the preposition "of".

22. Amend the bill, page 59, section 59, lines 110 and 111, by striking the words "the two immediately preceding paragraphs" therein and by inserting in lieu thereof the following: "subsections (a) and (b) of this section".

23. Amend the bill, page 61, section 59, line 161, by inserting after the word "merge" and before the word "such" therein the preposition "with".

24. Amend the bill, page 63, section 60, line 36, by striking the punctuation and words ", provided, however" and by inserting in lieu thereof the following: ": **Provided**".

25. Amend the bill, page 67, section 65, lines 14 and 15 by striking the punctuation and word ", provided" therein and by inserting in lieu thereof the following: ": **Provided,**".

26. Amend the bill, page 67, section 65, line 22, by striking the punctuation and word ": **Provided**" therein and by inserting in lieu thereof the following: "; **and provided further**".

27. Amend the bill, page 75, section 73, line 44, by inserting the punctuation "," after the word "state" and before the word "as" therein.

28. Amend the bill, page 79, section 74, line 20, by striking the punctuation ";" therein and by inserting in lieu thereof the punctuation ",".

29. Amend the bill, page 82, section 76, line 76, by striking the preposition "of" therein and by inserting in lieu thereof the conjunction "or".

30. Amend the bill, page 86, section 78, line 137, by striking the word "fifth" therein and by inserting in lieu thereof the word "fifty".

31. Amend the bill, page 91, section 86, line 4, by striking '." ' therein and by inserting in lieu thereof the punctuation ' ".'.

32. Amend the bill, page 92, section 89, line 8, by inserting the punctuation "," after the figures "1929" therein.

33. Amend the General File amendments, Mekota, 4-22-41, line 2, by striking the word and punctuation ' "limited," ', and insert in lieu thereof the word and punctuation ' "limited",'.

34. Amend the bill, page 1, title, line 4, by inserting the punctuation "," after the word "domestic" and before the word "organized".

35. Amend the bill, page 1, title, line 10, by striking the word "and" before the word "to".

36. Amend the bill, page 6, section 5, line 45, by striking the punctuation "," after the word "existence" and insert in lieu thereof the punctuation ";".

37. Amend the bill, page 27, line 20, section 26, by striking the word "an" after the word "in" and before the word "original".

38. Amend the bill, page 31, section 27, line 48, by striking the word "prohibits" and inserting in lieu thereof the word "prohibit".

39. Amend the bill, page 32, section 27, line 59, by striking the figures "27" therein.

40. Amend the bill, page 37, section 19, line 15, by striking the word "whom" therein and by inserting in lieu thereof the word "who".

41. Amend the bill, page 57, section 59, line 52, by inserting the word "of" after the word "each" and before the word "such".

42. Amend the bill, page 41, section 31, line 57, by striking the pronoun "he" in each of the two places in which the same appears in said line and insert in lieu thereof the pronoun "it".

43. Amend the bill, page 62, section 59, lines 206 and 207, by striking the punctuation and words as follows: ", section 59 of this article".

44. Amend the bill, page 62, section 59, line 209, by striking the following: "(e)".

45. Amend the bill, page 62, section 60, lines 2 and 3, by striking the words "in the preceding section is required" and insert in lieu thereof the words "required by the preceding section".

46. Amend the bill, page 67, section 66, line 2, by striking the word "provision" and insert n lieu thereof the word "provisions".

47. Amend the bill, page 86, section 78, line 112, by inserting the punctuation "," after the word "duplicate" and before "an".

48. Amend the bill, page 90, section 84, line 16, by striking the word "corporation" and insert in lieu thereof "corporate".

49. Amend the bill, page 6, section 5, line 38, by inserting after the word "any" the words "class or classes of stock".

LEGISLATIVE BILL NO. 89. Correctly enrolled.

(Signed) Crosby, Chairman

Adjournment

At 4:40 p. m. Mr. Carmody moved to adjourn.

The motion prevailed.

Hugo F. Srb,
Clerk of the Legislature.

SEVENTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, April 28, 1941.

Pursuant to adjournment the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Crossland and Amos Thomas, who were excused.

The Journal for the Seventy-eighth Day was approved as corrected.

Invitation

A letter was read, extending an invitation to the members of the Legislature and their wives to attend a buffalo barbecue of the Fort Kearney Wildlife Club on May 25, 1941.

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL NO. 465. Indefinitely postponed.

LEGISLATIVE BILL NO. 364. Indefinitely postponed.

LEGISLATIVE BILL NO. 201. Indefinitely postponed.

LEGISLATIVE BILL NO. 369. Indefinitely postponed.

(Signed) Sorrell, Chairman

Enrollment and Review

Presented to Governor for approval

Saturday, April 26, 1941 at 9:00 a. m.

L. B. No. 257 L. B. No. 258

LEGISLATIVE BILL NO. 17. Placed on Select File with amendments.

E and R amendments to L. B. No. 17:

1. Amend the standing committee amendments, page 6, section 10, line 3 and page 6, section 11, line 1, by striking the word "effect" therein and by inserting in each of said lines respectively the word "affect".

2. Amend the General File Amendments, Crosby, adopted 4-21-41, Amendment 2, line 3, by striking the punctuation';'' ', and insert in lieu thereof the punctuation ' '';'.

3. Amend the standing committee amendments, amendment 2, line 16, by striking the punctuation "," after the word "brought" and before the word "to" and insert in lieu thereof the conjunction "and".

4. Amend the standing committee amendments, amendment 1, section 4, line 42, by striking the punctuation "," after the word **"owner"** and before the word **"where"** and insert in lieu thereof **"and".**

5. Amend the standing committee amendments, amendment 1, section 4, line 58, by striking the punctuation and word **", where"** and insert in lieu thereof the words **"and if".**

6. Amend the standing committee amendments, amendment 1, section 6, line 7, by striking the punctuation "," and inserting the word **"and".**

7. Amend the standing committee amendments, amendment 1, section 8, line 16, by striking the punctuation and word **", where"** and inserting **"and if".**

8. Amend the standing commitee amendments, amendment 1, section 2, line 3, after the word "The" and before the word **"injunction"** insert the word ' ''injunction'' '.

9. Amend the standing committee amendments, amendment 1, section 4, line 11, by striking the punctuation "," and insert in lieu thereof the punctuation ",".

10. Amend the standing committee amendments, amendment 1, section 2, line 14, by inserting the punctuation "," after "(c)".

LEGISLATIVE BILL NO. 418. Placed on Select File with amendments.

E and R amendments to L. B. No. 418:

1. For the sole purpose of correlating section 1, legislative bill No. 418 with Sec. 60-407, C. S. Supp., 1939, as amended by section 1, legislative bill No. 12, fifty-fifth session, Nebraska state legislature, 1941, first strike sections 1 and 2 of the bill and insert in lieu thereof the following:

"Section 1. That Sec. 60-407, C. S. Supp., 1939, as amended by section 1, legislative bill No. 12, fifty-fifth session, Nebraska state legislature, 1941, be amended to read as follows:

60-407. The applications for license provided for herein shall be filed with the county treasurer who shall transmit the same weekly to the director after approval by the appointed examiner as herein provided. The application shall be accompanied by a fee of one dollar from each applicant not holding an operator's license at the effective date of this act and seventy-five cents from each applicant holding an operator's license at the effective date of this act; and each renewal application for license under this act shall be accompanied by a fee of seventy-five cents. Five cents of each of the said original and renewal fees shall be credited forthwith to the general fund of the county and, by said county treasurer, shall be included in his report of fees as provided by law and shall be available to reimburse the county treasurer for the clerical services rendered by his office in issuing said licenses. The balance of the license fees provided herein shall, by the county treasurer, be remitted to the state treasurer and shall be credited by the state treasurer to the "motor vehicle operator's license fund". The director during any biennium is hereby authorized to draw upon the said fund in the hands of the state treasurer not to exceed two per cent of said fund which shall be used by the director for traffic and safety educational purposes; , and the balance of said fund shall be available to the director for the administration of the motor vehicle operators' license act and for the enforcement of the traffic laws and the laws relating to felonies **and for the supervision, construction and maintenance, of state highways: Provided, within the foregoing limitations, the legislature shall make specific appropriations for each of said purposes.**

Sec. 2. That Sec. 60-407, C. S. Supp., 1939, as amended by section 1, legislative bill No. 12, fifty-fifth session, Nebraska state legislature, 1941, is hereby repealed.".

2. Amend the bill, page 1, title, line 2, by inserting after the figures and punctuation "1939," therein the following:

"as amended by section 1, legislative bill No. 12, fifty-fifth session, Nebraska state legislature, 1941,".

3. Amend the bill, page 1, title, line 9, by inserting after the word "section" therein the following:

", as amended".

4. Amend the bill, page 1, title, by striking the word and punctuation **"operator's"** and insert in lieu thereof the word and punctuation **"operators' "**.

Correctly engrossed

L. B. No. 466 L. B. No. 508 L. B. No. 174

(Signed) Crosby, Chairman

Approved by Governor

April 26, 1941

To the President, the Speaker and Members of the Legislature

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day signed the following bill, viz:

L. B. No. 12

Respectfully submitted,
(Signed) Val Peterson
Secretary to the Governor

MOTION—To Return to Select File

Mr. President: I move that L. B. No. 503 be returned to Select File for the following amendment:

1. Amend the bill, page 2 by inserting immediately after section 1, line 3 therein a new section to read as follows:

"Sec. 2. That Sec. 8-197, C. S. Supp., 1939, be amended to read as follows:

8-197. After the ~~Department of Banking~~ **department of banking** shall have taken possession of any bank under the provisions of this article, the stockholders thereof may repair its credit, restore or

substitute its reserves, and otherwise place it in condition; but such bank shall not be permitted to reopen its business until the ~~Department of Banking~~ **department of banking** after careful investigation of its affairs, is of the opinion that its stockholders have complied with the law, that the bank's credit and funds are in all respects repaired, all advances, if any made from the depositor's guarantee fund, with interest, fully paid, **that** its reserves **are** restored or **are** sufficiently substituted, and that it should be permitted again to reopen for business; whereupon said **the** ~~Department of Banking~~ **department of banking** is authorized to issue written permission for resumption of business under its charter. If the capital of a bank hereafter becomes impaired, whether the ~~Department of Banking~~ **department of banking** shall or shall not have taken possession of the bank, whenever stockholders representing eighty-five ~~percent~~ **per cent** or more of the **common** capital stock of the bank, with a view of restoring the impaired capital shall, with the approval of the ~~Department of Banking~~ **department of banking** authorize the directors of the bank to levy and collect assessments on the **common** capital stock in such amount as they may determine necessary for said purpose, the directors shall levy the assessments so authorized and **shall** notify all **common** stockholders of record thereof by registered mail. If any **common** stockholder shall fail to pay his assessment within three weeks from the date of mailing such notice, the pro rata amount of said assessment shall be a lien upon his **common** capital stock and the directors shall forthwith sell said shares of **common** capital stock at public or private sale without further notice and apply the proceeds thereof to the payment of said assessment and the balance, if any, shall be paid to the delinquent shareholder: **Provided, that nothing in this section contained shall ever be construed to authorize the levy and collection of assessments on the stockholders who represent preferred capital stock of the bank.**

Sec. 3. That said original Sec. 8-197, C. S. Supp., 1939, is hereby repealed.".

2. Amend the bill, page 2, section 2, line 1 by striking the figure "2" therein and by inserting in lieu thereof the figure "4".

3. Amend the bill, page 1, title, line 5 by inserting after the word and punctuation "corporations;" therein the following: "to amend Sec. 8-197, C. S. Supp., 1939, to provide for the restoration of the impaired capital of banks by the levy and collection of assessments upon stockholders representing the common capital stock of banks; to provide that stockholders representing the preferred capital stock of banks shall not be liable for the levy and collection of any assessments to restore impaired capital; to repeal said original section;".

(Signed) Kotouc

The motion prevailed.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 341. With emergency clause.

A bill for an Act to amend Secs. 28-463, 28-467, 28-470 and 28-471, C. S. Supp., 1939, relating to narcotic drugs; to define terms; to establish rules for the sale of narcotic drugs, and to regulate the use thereof; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Adams, E. A.	Gantz	Metzger	Reed
Asimus	Garber	Murphy	Sorrell
Blome	Hanna	Neubauer	Sullivan
Bowman	Howard	Norman	Thomas, Ray
Brodahl	Jeppesen	Peterson	Thornton
Callan	Johnson	Price	Tvrdik
Carlson	Kotouc	Raecke	Van Diest
Carmody	Lambert	Rakow	Weborg
Crosby	Matzke		

Voting in the negative, 0.

Not voting, 9:

Adams, J. Jr.	Greenamyre	Mischke
Bevins	Knezacek	Mueller
Crossland	Mekota	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION—To Recommit to Select File

Mr. President: I move that L. B. No. 375 be recommitted to Select File for the following Specific amendments:

1. Amend the bill, pages 3, 4, 5 and 6, by striking all of section 5 thereon and by inserting in lieu thereof the following:

"Sec. 5. That Sec. 26-105, C. S. Supp., 1939, as amended by section 7, legislative bill No. 495, fifty-fifth session, Nebraska state legislature, 1941, be amended to read as follows:

26-105. The county boards of the several counties shall have the power. First. To take and have the care and custody of all the real and personal estate owned by the county; and, in connection with the foregoing, to file and to require each county officer of the county to file the annual inventory statements with respect to county personal property, as required by Secs. 26-758, 26-759 and 26-760, C. S. Supp., 1939, **as now existing or as hereafter amended.** Second. To manage the county funds and county business except as otherwise specifically provided. Third. To make all orders respecting the property of the county; to keep the county buildings insured; to sell the public grounds or buildings of the county, and purchase other properties in lieu thereof: **Provided,** that said county boards may, if they deem it for the best interests of the county, sell county property upon such terms of credit as shall by resolution of said county boards be determined upon; **and provided further,** that such deferred payment shall be for not more than two-thirds of the purchase price, the same to be secured by note or notes, and a first mortgage upon the property so sold, said deferred payments to draw not less than six per cent interest per annum from date until paid, the interest to be paid annually. Said county boards shall also have the power to sell or negotiate, without recourse upon the county, said notes and mortgages so **taken** by them taken, provided : **Provided,** the same shall not be sold for less than par value including accrued interest; **and provided further,** no lease for a period of more than ten years, or sale shall be made of real estate costing the county more than three thousand dollars until such proposition shall have been approved by a majority of the electors of the county voting thereon. Fourth. To lay out, alter or discontinue any road running through their county, to vacate or discontinue public roads running parallel and adjacent to state or federal highways not more than four hundred yards from said highway, or any part thereof, or any abandoned or unused road or part thereof, and for such purpose may acquire title to lands therein, either by gift, prescription, dedication, the exercise of the right of eminent domain, purchase or lease, and may perform such duties concerning roads as may be prescribed by law. Fifth. To examine and settle all accounts against the county, and accounts concerning receipts and expenditures of the county. Sixth. To authorize the vacation of any city or village plat when the same is not within an incorporated city or village, on the petition of two-thirds of the owners thereof. Seventh. To change the name of any city or village plat on the petition of a majority of the legal voters residing therein, when the inhabitants thereof have not become a body corporate. Eighth. To settle by compromise or by accepting in full settlement thereof less than the face or full amount on any claim, judgment or demand in favor of the county, on which said claim, judgment or demand no payment or payments have been made or recovered during a full peroid of five years from and after the date or dates on which said

claim, judgment or demand became due and enforceable, and execute full acquittance or receipt for said claim, judgment or demand, or to sell, at public or private sale, any claim, judgment or demand in favor of a county for cash, at the best price obtainable in the judgment of said board, and execute and deliver a proper transfer or assignment of said claim, judgment or demand so sold: **Provided,** however, that no member of the board may be personally interested, directly or indirectly, in the purchase of any such claim, judgment or demand. Ninth. When petitioned by twenty-five freeholders of the county, the county board may expend money from the general fund of the county for the care and maintenance of abandoned and neglected cemeteries: **Provided,** however, that no county board shall expend more than one hundred dollars in any one year for said purpose. Tenth. When the county or any portion thereof outside the corporate limits of any city or village is included in a state zoning district, as provided in legislative bill No. 495, fifty-fifth session, Nebraska state legislature, 1941, to adopt by a majority vote of its members-elect a zoning resolution, which shall have the force and effect of law, which shall be effective forthwith upon its passage and approval, which shall be spread at large in the minutes of the proceedings of the county board, which shall be published in a legal newspaper published in and of general circulation in the county one time within ten days after its passage and approval, and the proof of publication of such resolution shall be filed for record in the office of the county clerk of the county; and, in like manner, to make and promulgate regulations not inconsistent with the zoning resolution which shall also have the force and effect of law; and, to pay out of its general fund its proportionate share of the cost of the technical and other services rendered to it by the state zoning agency and then proceed to zone the territory within its jurisdiction according to law. Eleventh. **To establish a "county food or cotton stamp revolving fund" as authorized in sections 1, 2, 3 and 4, legislative bill No. 375, fifty-fifth session, Nebraska state legislature, 1941. Twelfth.** As a board, or as individuals, to perform such other duties as may from time to time be imposed by general law.".

2. Amend the bill, page 6, section 6, line 1, by striking the section symbol "26-108" therein and by inserting in lieu thereof the section symbol "26-105"; and in line 2 of said section 6, after the figures and punctuation "1939," therein insert: "as amended by section 7, legislative bill No. 495, fifty-fifth session, Nebraska state legislature, 1941,".

3. Amend the bill, page 1, title, line 6, by striking the section symbol "26-108" therein and by inserting in lieu thereof the section symbol "26-105"; and in line 7 of said title after the figures "1939" insert the following: ", as amended by section 7, legislative bill No. 495, fifty-fifth session, Nebraska state legislature, 1941".

4. Amend the bill, page 1, title, line 7 by inserting after the word "section" therein the following: ", as amended".

(Signed) Raecke

The motion prevailed

SELECT FILE

LEGISLATIVE BILL NO. 375. Mr. Raecke asked that his Specific amendments above set out, be adopted by unanimous consent.

No objection was offered and the President so ordered.

Referred to E and R for re-engrossment.

LEGISLATIVE BILL NO. 503. Mr. Kotouc asked that his Specific amendment, found in this Day's Journal, be adopted by unanimous consent.

No objection was offered and the President so ordered.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 192. Passed over.

LEGISLATIVE BILL NO. 250. E and R amendments, found in the Legislative Journal for the Seventy-eighth Day, were adopted.

Laid over.

LEGISLATIVE BILL NO. 192. E and R amendments, found in the Legislative Journal for the Seventy-eighth Day, were adopted.

Referred to E and R for engrossment.

MOTION—To Return to Third Reading File

Mr. President: I move that L. B. No. 89 be returned to Third Reading File and reconsidered. (Signed) Ray Thomas

The motion prevailed with 34 ayes, no nays, 9 not voting.

LETTER—From Nebraska Advisory Defense Committee

A letter, addressed to Mr. L. B. Murphy, from Wade R. Martin, Executive Vice Chairman of the Nebraska Advisory Defense Commit-

tee, was read; which set forth several reasons for expediting the passage of L. B. No. 501.

REQUEST—To Replace on File

Mr. Murphy asked that unanimous consent be granted to place L. B. No. 501 at the head of General File.

No objection was offered and the President so ordered.

GENERAL FILE

LEGISLATIVE BILL NO. 501. Read and considered.

Mr. Raecke offered the following amendment, which was adopted:

Amend the bill, page 3, Sec. 2, line 23 by striking the words "as case is".

Referred to E and R for review.

LEGISLATIVE BILL NO. 223. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Seventy-sixth Day, were adopted.

Referred to E and R for review.

Special Order—11:00 a. m.

LEGISLATIVE BILL NO. 482. Mr. Asimus asked that unanimous consent be granted to lay the bill over until May 9, 1941 at 11:00 a. m.

No objection was offered and the President so ordered.

Speaker Howard presiding

LEGISLATIVE BILL NO. 222. Mr. Callan read the following statement on the bill:

Recapitulation

Property Tax	$11,281,672.16
Fees	7,692,944.34
Federal	15,600,614.71
Estate & Per Capita Tax	2,318,353.82
Liquor	3,516,110.18
Gasoline	16,440,024.34
Total	$56,849,719.55

The Committee on Appropriations in submitting the amendments to the appropriations bill submitted by the Governor have put in a great deal of time in trying to arrive at the proper amounts which we thought should be appropriated to the different political subdivisions of our state government.

By dividing the Committee up into three subcommittees, namely; a Subcommittee to go into the needs of the Board of Control and State Institutions, a University Subcommittee to go into the needs of the University and our State Normals and the State Superintendent, and the Capitol Subcommittee who went into the needs of the different departments of our state, we have found that by going to these different departments and sitting down with the department heads, we were more able to get a true picture of the needs of these different departments.

Due to the short time which we have to bring out this bill, it is a physical impossibility to be able to analyze these needs properly, but we believe we have a much better picture of the needs than we have ever had before, due to this plan.

In arriving at these figures we have taken into consideration the requests of the different departments, also the recommendations of former Governor Cochran and Governor Griswold. The Committee thought it was necessary to increase the Governor's recommendations in some of these departments due to the increased cost of living and the steadily increasing labor costs.

The Subcommittee on the Capitol departments not only examined carefully the budget messages of former Governor Cochran and of Governor Griswold, and the requests of the various officers and administration departments, but in addition thereto the Subcommittee personally visited and inspected such offices and departments.

In some cases the Committee recommended reduction and in other cases increases. Where the increases have been made, they are largely due to increased work in the offices, requiring additional help to better handle the work made necessary by law. In some cases new equipment is needed.

The expense of maintaining the labor department has heretofore been borne by money from property taxes. A change is being made to provide that this expense shall be borne by money from the compensation court fund, there being sufficient funds available and being collected in that fund to take care of this.

The matter of maintaining and repairing the state capitol has had serious consideration. The terrace around the capitol is badly in need of repairs. This condition has existed for a good while and it is necessary to provide some funds at this time to help remedy the situation.

It is also necessary to install some new equipment for the electrical system in the state house.

A visit by the Subcommittee on the Charitable and Penal Institutions was made to each of the charitable and penal institutions of the state, and the recommendations for the charitable and penal institutions under the Board of Control was based upon the need of the institution from said examination, as well as from all available facts and figures of the operations of the Board of Control during the present and past bienniums. Population at each of the charitable and penal institutions was given consideration in determining the amounts.

It will be noted from the amount of money recommended by the Appropriations Committee to be appropriated to the Board of Control for charitable and penal institutions during the next biennium is larger than the appropriation of two years ago in a small amount. This increase was felt necessary by reason of the fact that there has been and will be an increase in the cost of supplies and for the further reason that it will be necessary that some wages be increased in order to retain the employees, this being particularly true of the lower paid employees.

The Subcommittee calls to the attention of the Appropriations Committee and the Legislature that there are four new ward buildings at our three insane institutions and one new ward building at our institution for Feeble Minded at Beatrice, which buildings have been constructed during the past two bienniums. An examination of these institutions by the Subcommittee revealed that the space made available per patient in the new wards is based upon recommendations of the American Psychiatric Association, which space per patient in the new buildings is considerable in excess in the amount of space given to each inmate in the rest of the buildings at these institutions. The population at all four of these institutions is increasing very rapidly by reason of which additional space is needed and required. It is felt by the Subcommittee that many more patients could be put in the new buildings mentioned thereby making room available for many more new patients.

The Subcommittee recommended the closing of the Nebraska Industrial Home at Milford. This recommendation is made for the reason that the average inmate population at this institution during the present biennium has been 20 or less adults and the cost per month per patient at this institution is $55.90 and for the further reason that maternity homes are maintained particularly in Lincoln and Omaha as well as other out-state cities which are caring for the needs of the type of inmate kept at this institution other than those upon relief or assistance. The Committee found that all of the inmates admitted during the past 15 months came from homes which were receiving assistance or relief of some kind and it was the con-

clusion of the Subcommittee that the unwed mothers who have available means are not using this institution, but are going to private hospitals or maternity homes. The Subcommittee feels that if the exact number of unwed mothers in the state per biennium, was known that the number would amount to 2,500 or 3,000. The Subcommittee on Educational institutions has informed this Committee that proper arrangements have been made for the proper care and treatment of the inmates of this institution at the University Hospital. By reason of which the same care can be had at a considerable reduction in expense. The Subcommittee recommends the closing of the institution above mentioned.

The Subcommittee wishes to call attention to the fact that the penal institutions of the state of Nebraska, consist of the State Penitentiary, which is divided into two sections, the trustee section and the non-trustee section; the Reformatory for Men; the Boy's Industrial School at Kearney; the Genoa State Farm; Girl's Training School at Geneva and the Women's Reformatory at York. So far as the penal institutions for men are concerned, the state is in reality maintaining four institutions for five different groups of male prisoners. The population at the Reformatory for Men, the Industrial School at Kearney is declining rapidly. This is also true at the Penitentiary. In order that any institution may be operated and maintained economically, it is necessary that the population be maintained in a number that the pro rata administrative cost is at a minimum. This is not true at the Industrial School for Boys at Kearney nor at the Reformatory for Men. As an example the per capita cost per month at the Reformatory for Men is approximately $31.20, while the per capita cost at the Penitentiary is approximately $22.07. This is caused by reason of the fact that the administrative overhead is reduced by the number of inmates at the Penitentiary. The Subcommittee has called these facts to your attention and by reason of which recommends that should the population at these institutions remain of approximately the same population, which they now are, or further decline, that one or more of the penal institutions of the state should be closed and their functions combined, in the interests of economy.

The Subcommittee feels after a thorough and complete investigation of the institutions and the facts and figures considered as above mentioned that the institutions as a whole are being economically operated and maintained and that the intentions and purposes of the creation of the institutions in the state of Nebraska, are being carried out as well as can be expected. It was felt that all possible economy has been practiced by the Board of Control and the employees of the institution as near as possible in conformity with good business.

The Subcommittee of the Appropriations Committee assigned to view the needs of the educational institutions has made a careful

study of the University of Nebraska and the four State Teachers Colleges with reference to their financial requirements for the ensuing biennium. The recommendations herewith submitted are presented to the legislature stating the amount of tax funds that will be required to continue the education program on a basis, that in our opinion, the taxpayers desire to provide for the youth of this state. We have been mindful of the importance of a constructive and progressive policy in the support of education, and the wishes to the taxpayer to provide within reasonable limits for the future educational welfare of our citizenship. We have been mindful also of lowered property valuations and the burden on the taxpayers to support the University and the normal schools. We believe the people of Nebraska recognize the importance of providing educational privileges that will adequately equip those students that should meet the requirements of an intelligent citizenship.

State University: The committee is recommending the same appropriation for the general appropriation for the University of Nebraska that was appropriated two years ago. In the appropriation for 1939 the amount of $9,000 was included for study of potato diseases, and $12,885 for soil conservation administration. Provision for the continuance of these activities will be made by the University and necessary amounts supplied by the general appropriation funds.

The Engineering building on the campus is crowded and the building is in poor condition. During the past several years the College of Engineering has conducted a research and testing laboratory for the Board of Control and the Highway Department and also laboratory testing for adjoining states. Funds from these sources have accumulated to the amount of $75,500 for charges in connection with the testing laboratory. The committee is recommending these funds be used for the purchase of the Bancroft school. The value of the property is estimated at $300,000 and is conveniently located for addition to the University property.

Agriculture is the basic industry of Nebraska and the University College of Agriculture has an important relationship to provide training to those students who are preparing to fill those positions in agricultural vocations. An expanding development in the College of Agriculture is in the Home Economic department and Dietetics. About 400 women students are at present enrolled in those courses and are greatly handicapped with crowded class room and over lapping laboratory facilities. The laboratory is overcrowded and was originally intended to serve about one-third of the number of students as at present enrolled. After making a careful survey of this situation, the committee is recommending the use of the hog serum fund amounting to $83,000, and an additional appropriation of $77,000 for a new Home Economics Building.

In order to make the required amount available for this building and at the same time keep the amount of tax funds as low as seems practical, we are suggesting an appropriation of $194,000 for Agriculture Extension, which is a decrease of $14,400 from two years ago, and $52,452.00 for soil survey which is $3,948.00 less than was appropriated for the present biennium.

The committee recommends an increase of $20,000 for the College of Medicine at Omaha for the purpose of opening an additional ward at the University Hospital. In our opinion this is advisable in that it will relieve the counties of caring for these patients and also provide instructional training for the students in the College of Medicine.

We feel that the Chancellor and Board of Regents are doing a fine job in working towards the endowment of our University especially in the seeking of endowment funds for the construction of buildings.

The four State Teachers colleges have received careful study by your committee. These colleges have been recognized rightly as affording the opportunity for students with limited financial means to acquire an education. We should properly call to your attention the tax funds for the normal schools which have been reduced about 37% in the last eight years. During this time the enrollment has increased. The committee feels these colleges have suffered in their instructional functions to an extent that has gone beyond sound educational policy. For the general maintenace of the Teachers Colleges we are recommeding a small increase of two per cent which amounts to $19,961.00.

Your committee considered carefully the need for repair of buildings at the Teachers Colleges. We are making certain recommendations on the basis that it is false economy to permit necessary repairs be longer delayed and the amounts approved in this report seem most necessary.

The amounts for general plant maintenance are the same for the four institutions as was appropriated for the present biennium.

For the Chadron normal, we recommend $3,200 for a driveway and $2,000 to repair one of the large boilers.

We request an appropriation for the Kearney normal of $10,000 o replace plumbing and repair shower baths and roofs.

Peru: We recommend an amount of $13,500 for a new roof on the gymnasium. This expense is necessary in our judgment by reason of the present unsafe condition of the building.

We recommend the repair of the swimming pool at Wayne which is resulting in serious damage to the building. The amounts for special repairs at Wayne are $4,500 for the repair of the swimming pool, and $5,500 for repair of toilets and plumbing.

(Signed) Callan, Chairman

Mr. Tvrdik moved that the statement by Mr. Callan be printed at large in the Journal.

The motion prevailed.

Mr. Callan offered the following amendments, which were adopted:

1. Strike Standing Committee amendment No. 1 and insert in lieu thereof the following: Amend the bill, page 2, Sec. 2, line 3 by striking therefrom the figures "5,900.00"; and line 4 by inserting after the word "laws" therein, the following: ", reappropriate $2,061.77, then appropriate.....3,838.23".

2. Amend the bill, page 2, Sec. 2, line 19 by adding after the word and comma "wages," the following: "ad interim,".

Mr. Carmody presiding

Mr. Van Diest moved to have the bill mimeographed.

No action taken thereon.

Recess

At 12:00 m. Mr. Greenamyre moved to recess until 2:00 p. m.

The motion prevailed.

After Recess

Pursuant to adjournment the Legislature reconvened at 2:00 p. m. President Johnson presiding.

The roll was called and all members were present except Mr. Price and Amos Thomas, who were excused.

STANDING COMMITTEE REPORTS (Continued)

Enrollment and Review

LEGISLATIVE BILL NO. 372. Replaced on Select File with amendment.

E and R amendment to L. B. No. 372:

A. Amend the Enrollment and Review Amendments, Amendment III, line 5, by inserting immediately preceding the conjunction "and" therein, the punctuation ";".

LEGISLATIVE BILL NO. 156. Replaced on Select File with amendment.

E and R amendment to L. B. No. 156:

1. Amend the select file amendment, Asimus, adopted 4-25-41, line 2, by striking the punctuation "," after the word "state" and before the word "county" and by inserting in lieu thereof the conjunction "or"; and by inserting the punctuation "," after the word "assessors".

(Signed) Crosby, Chairman

GENERAL FILE

LEGISLATIVE BILL NO. 222. Mr. Van Diest withdrew previous motion and moved that Mr. Callan read the Standing Committee amendments and that after they are read at large and adopted, they be mimeographed in the bill and placed on the desks.

The President divided the question and put the following: That the Standing Committee amendments be read at large.

The motion was lost with 11 ayes, 13 nays, 19 not voting.

Mr. Van Diest withdrew the remainder of his motion.

Standing Committee amendments, found in the Legislative Journal for the Seventy-sixth Day were adopted as amended.

Laid over.

LEGISLATIVE BILL NO. 27. Standing Committee amendments found in the Legislative Journal for the Sixty-sixth Day, were adopted.

Mr. Sorrell moved to indefinitely postpone.

After discussion Mr. Norman moved the previous question.

The President put the question "Shall the debate close"?

The motion was lost with 16 ayes, 19 nays, 8 not voting.

After further discussion Ernest A. Adams moved to postpone further consideration of the bill until Friday, May 2, 1941 at 10:00 a. m.

The motion was lost with 14 ayes, 22 nays, 7 not voting.

Vote was taken thereon and Mr. Sorrell's motion prevailed with 18 ayes, 17 nays, 8 not voting.

Statement

Mr. President: Had I been present, I would have voted no on the Sorrell motion to indefinitely postpone L. B. No. 27.

(Signed) Van Diest

STANDING COMMITTEE REPORTS (Continued)

Enrollment and Review

LEGISLATIVE BILL NO. 375. Replaced on Select File with amendment.

E and R amendment to L. B. No. 375:

1. Amend the Select File Amendments, Raecke, amendment No. 1, page 3, section 1, line 78, by inserting after the word "in" and before the article "a" the following: "book or pamphlet form or in".

(Signed) Crosby, Chairman

SELECT FILE (Continued)

LEGISLATIVE BILL NO. 375. E and R amendment, above set out, was adopted.

Referred to E and R for engrossment.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 199. Mr. Mueller asked that the bill be laid over and retain its place on General File.

Objection thereto was raised by Mr. Lambert and the bill was placed at the foot of General File.

Mr. Sorrell moved that L. B. No. 199 be reinstated to its former position on General File.

Mr. Kotouc moved to amend Mr. Sorrell's motion by adding L. B. No. 273 after the words "L. B. No. 199".

The Kotouc motion prevailed.

Mr. Rakow moved to amend the Sorrell motion by adding L. B. No. 415 ahead of L. B. No. 199 and to put L. B. No. 273 ahead of both bills.

No action was taken thereon.

Adjournment

At 5:01 p. m. upon motion by Mr. Garber the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

EIGHTIETH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, April 29, 1941.

Pursuant to adjournment the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by The Reverend Charles M. Orcutt of Hartington, Nebraska.

The roll was called and all members were present except Mr. Price and Amos Thomas, who were excused.

The Journal for the Seventy-ninth Day was approved as corrected.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 375. Correctly re-engrossed.

LEGISLATIVE BILL NO. 470. Placed on Select File with amendments.

E and R amendments to L. B. No. 470:

1. Amend the general file amendments, 4-22-41, Brodahl, line 2, by striking therefrom the punctuation ";" after the word "treated"; and by inserting in said line the punctuation "," before the word "if".

2. Amend the general file amendments, 4-23-41, Murphy, line 2, by inserting the punctuation "." after the word "gasoline".

3. Amend the general file amendments, mimeographed, 4-19-41, page 2, section 2, line 31, by inserting the word "that" before the word "he" therein; and also insert the word "that" after the word "suspects" and before the word "such" in said line 31.

4. Amend the general file amendments, mimeographed, 4-19-41, page 2, section 2, line 46, by inserting the definite article "the" before the word "fund" therein.

5. Amend the general file amendments, mimeographed, 4-19-41, page 2, section 2, line 48, by striking the punctuation "." after the word "act" and before the word "Provided" therein and by inserting in lieu thereof the punctuation ":" ; and strike the word and punctuation "however," in said line 48.

6. Amend the general file amendments, mimeographed, 4-19-41, page 2, section 2, line 75, by inserting the subsection symbol and punctuation "e." before the word "Revocation" therein.

7. Amend the general file amendments, mimeographed, 4-19-41, page 2, section 2, line 76, by inserting after the word "claimant" therein the words "for refund"; and in line 77 strike the words "for refund".

8. Amend the general file amendments, mimeographed, 4-19-41, page 3, section 3, line 89, by inserting the punctuation "," after the word "paid" therein and also after the word "purchase" therein.

9. Amend the general file amendments, mimeographed, 4-19-41, page 3, section 3, line 7, by striking the punctuation and word "; except" therein and by inserting in lieu thereof the following: ": **Provided,".**

10. Amend the general file amendments, mimeographed, 4-19-41, page 3, section 3, line 10, by striking the word "gas" therein and by inserting in lieu thereof the word "gasoline".

11. Amend the general file amendments, mimeographed, 4-19-41, page 4, section 3, line 12, by striking therefrom the punctuation and words "; and it" and by inserting in lieu thereof the following: ". It".

12. Amend the general file amendments, mimeographed, 4-19-41, page 4, section 3, line 22, by striking the word "within" and insert in lieu thereof the punctuation and word ", in"; and in line 23, insert the punctuation "," after the word "administrator" and before "the".

13. Amend the general file amendments, mimeographed, 4-19-41, page 4, section 3, line 25, by inserting the words "and of" before the word "truck"; and also in line 26 of said section insert the definite article "the" after the word "accompany" therein.

14. Amend the general file amendments, mimeographed, 4-19-41, page 4, section 3, line 46 by inserting the word "first" after the word "having" and before the word "obtained" therein; and in said

line 46 strike the words "for under" therein and insert in lieu thereof the word "in"; and also in line 47 of said section strike the punctuation "," after the conjunction "and" therein.

15. Amend the general file amendments, mimeographed, 4-19-41, page 4, section 3, line 51, by striking the punctuation "," after the word "court" therein; and also in line 52 strike the punctuation "," after the word "conviction" therein and in line 53 strike the punctuation "," after the word "distributor".

16. Amend the general file amendments, mimeographed, 4-19-41, page 4, section 3, line 60, by inserting after the word "manner" and before the word "this" therein the words "as provided in" and also strike the words "directs" and "then" in said line 60.

17. Amend the general file amendments, mimeographed, 4-19-41, page 5, section 3, line 62, by striking the word and punctuation "licensee," therein.

18. Amend the general file amendments, mimeographed, 4-19-41, page 5, section 4, line 4, by striking the punctuation "," after the last word "and" therein.

19. Amend the general file amendments, mimeographed, 4-19-41, page 6, section 6, line 2, by inserting the definite article "the" before the word "distributor" therein.

20. Amend the general file amendments, mimeographed, 4-19-41, page 6, section 6, lines 10 and 11, by striking the words "not to" therein and by inserting in lieu thereof the words "which shall not"; and also in line 12 after the word "state" insert the words "the following".

21. Amend the general file amendments, mimeographed, 4-19-41, page 6, section 6, line 35, by striking the words and punctuation ", the" and insert in lieu thereof ". The"; also in said line strike the words "of which"; and in line 39 of said section strike the punctuaton "," after the word "years" therein.

22. Amend the general file amendments, mimeographed, 4-19-41, page 6, section 6, line 41, by striking the word "that" therein and by inserting in lieu thereof the preposition "of"; and on page 7, section 6, line 42 strike the words "be kept" therein.

23. Amend the general file amendments, mimeographed, 4-19-41, page 7, section 6, line 44, by inserting the definite article "the" before the word "distributor" therein.

24. Amend the general file amendments, mimeographed, 4-19-41, page 7, section 6, line 48, by inserting the word "any" after the word "or" and before the word "employee" therein, and by inserting

the definite article "the" after the word "of" and before the word "licensee" therein.

25. Amend the general file amendments, mimeographed, 4-19-41, page 7, section 6, by striking that part of said section commencing with the punctuation and symbol ", distri-" in line 51 down to and including the word "figures" in line 53 and by inserting in lieu thereof the following: "the distributor or his agent shall record in words and not in figures the number of gallons of tax refund gasoline purchased".

26. Amend the general file amendments, mimeographed, 4-19-41, page 7, section 7, line 1, by inserting the punctuation "," after the word "use" therein.

27. Amend the general file amendments, mimeographed, 4-19-41, page 7, section 7, line 12, by striking the punctuation and word ", and" therein and by inserting in lieu thereof the puctuation ";" ; and also in line 13 of said section 7, strike the punctuation and word ", and" therein and insert in lieu thereof the punctuation ";" ; and also in line 14 of said section, insert the punctuation ";" after the word "state" and before the conjunction "and" therein.

28. Amend the general file amendments, Mekota, 4-22-41, third and last lines in amendment No. 2, by striking the words "for" therein.

29. Amend the general file amendments, mimeographed, 4-19-41, page 8, section 8, line 7, by striking the punctuation "," after the word "refund" and before the word "mutilated" therein and by inserting in lieu thereof the words "which are"; and also strike the punctuation "," after the word "unusable" in line 7; and in line 9 of said section, insert after the word "refund" and before the word "lost" therein the words "which is".

30. Amend the General File amendments, mimeographed, adopted April 19, 1941, pages 9 and 10 by striking all of section 10 thereon, and, for the purpose of correlating section 10, legislative bill No. 470, fifty-fifth session, Nebraska state legislature, 1941, with section 2, legislative bill No. 70. fifty-fifth session, Nebraska state legislature, 1941, insert in lieu thereof the following:

"Sec. 10. That Sec. 66-411, C. S. Supp., 1939, as amended by section 2, legislative bill No. 70, fifty-fifth session, Nebraska state legislature, 1941, be amended to read as follows:

66-411. All sums of money received under this act by the state treasurer shall be placed by him in a fund to be known as the gasoline tax fund. **From and after the effective date of legislative bill No.**

470, fifty-fifth session, Nebraska state legislature, 1941, the state treasurer shall first pay out of the gasoline tax fund all warrants drawn by the auditor of public accounts for motor vehicle fuel tax refunds. From and after the effective date of this act to and including June 30, 1941, the end of the current biennium, and commencing July 1, 1941, and until June 30, 1943, twenty per cent of said fund, **less such amount thereof as shall be necessary to provide the identifying chemicals required in section 2 of this act,** shall be credited and shall inure to the state assistance fund; ~~thirty~~ **twenty-seven** per cent of said fund shall be, by the state treasurer, upon the first day of each month transferred to the various county treasurers of the state in the proportion that the total motor vehicle registration of the county bears to the total motor vehicle registration of the state, computed on the basis of the motor vehicle registration for the previous calendar year. Said moneys, so transferred to the various county treasurers shall be allocated as follows: ~~(1)~~ **(a)** Ten per cent to be credited to the road fund of the cities and incorporated villages within said county in the proportion that the total population of each city or village, based on the last federal census, bears to the total population of all the cities and incorporated villages within said county, and the sum of money so allocated shall be used solely by each city or incorporated village for constructing street improvements; ~~(2)~~ **(b)** Twenty per cent to be credited to the county bridge fund, and if any portion thereof be not required for bridges it shall be used to pay the interest on and to retire any outstanding county road or highway construction bonds of the county, and the balance thereof, if any, shall be credited to the county road fund; and ~~(3)~~ **(c)** The remainder, seventy per cent, to be credited to the county road fund, to be used by the county board for the purpose of maintaining, grading, graveling, regraveling, claying, littering, oiling or paving, and for no other purpose whatsoever: **Provided,** that thirty-five per cent of the money so transferred shall be used by the county treasurer to pay the interest on and retire any existing or outstanding county highway construction bonds, and the balance, if any, shall be credited to the county road fund. ~~Fifty~~ **Fifty-three** per cent of the gasoline tax fund shall be transferred by the state treasurer on the first day of each month to the department of roads and irrigation, and said ~~fifty~~ **fifty-three** per cent of said fund shall be expended by the department of roads and irrigation for the specific uses and purposes as follows: For requiring real estate, road materials, equipment and supplies to be used in the construction, reconstruction, improvement and maintenance of federal or state highways or federal feeder roads; for the construction, reconstruction, improvement and maintenance of state or federal highways or federal feeder roads including grading, drainage, structures, surfacing, roadside development including landscaping, and other incidentals necessary for proper completion and protection of federal or state highways or federal feeder roads as the

department shall, after investigation find and determine shall be for the best interests of the highway system of the state, either independent of or in conjunction with federal aid money for highway purposes; and for planning studies in conjunction with federal highway funds for the purpose of analyzing traffic problems and financial conditions and problems relating to state, county, township, municipal, federal and all other roads in the state and for incidental costs in connection with the federal aid grade crossing program, for roads not on state or federal highways or federal feeder roads: **Provided, however, that six per cent of the total amount of the gasoline tax fund transferred by the state treasurer to the department of roads and irrigation shall be used by said department for matching funds allocated by the United States government to Nebraska for the construction of federal feeder roads; and provided further,** that after June 30, 1943, three-eighths instead of thirty per cent of the gasoline tax fund shall be transferred to the various county treasurers of the state in the same manner, and for the same uses and purposes as are hereinabove provided, and the balance remaining in said fund shall be transferred to the department of roads and irrigation in the same manner and for the same uses and purposes as are hereinabove provided in this section, and no part of said fund shall thereafter be transferred to any fund of the state, created or which may be created by any assistance, relief or welfare act of this state: **Provided,** that no part of the moneys received under this act shall be expended for or upon interstate bridges.".

31. Amend the general file amendments, mimeographed, 4-19-41, page 11, section 11, line 12, by inserting the definite article "**the**" after the word "as" therein.

32. Amend the general file amendments, mimeographed, 4-19-41, page 11, section 11, line 21, by striking the word and punctuation "licensee," therein.

33. Amend the general file amendments, mimeographed, 4-19-41, page 11, section 12, lines 2 and 3, by striking the section symbol "66-411 (B)," therein; and in line 1 of said section 12, strike "(A)" therein.

34. Amend the general file amendments, mimeographed, 4-19-41, page 11, section 13, line 6, by inserting the punctuation "," after the word "section" and before the word "subsection" therein.

35. Amend the general file amendments, 4-22-41, Mekota, amendment No. 4, line 4, by striking therefrom "(A)" therein; and in line 5 of said amendment No. 4, strike the section symbol and punctuation "66-411(B)," therein.

36. Amend the general file amendments, Mekota, 4-22-41, amendment No. 4, line 4, by inserting after the figures "1939" therein the

following: ", as amended by section 2, legislative bill No. 70, fifty-fifth session, Nebraska state legislature, 1941".

37. Amend the general file amendments, 4-22-41, Mekota, amendment No. 4, line 5, by striking the word "sections" therein and by inserting in lieu thereof the following: "section, as amended"; also strike from lines 6, 7 and 8 of said amendment, the following: "to provide penalties for the violation thereof; to state validity and savings clauses."

38. Amend the general file amendments, mimeographed, 4-19-41, page 7, section 7, line 9, by striking the word "or" after the word "business" and before the word "the" and insert in lieu thereof the word "of".

39. Amend the general file amendments, mimeographed, 4-19-41, page 7, section 7, line 22, by inserting after the word "and" and before the word "time" the words "at such".

40. Amend the general file amendments, mimeographed, 4-19-41, page 8, section 8, line 15, by striking therefrom the word "are" and by inserting in lieu thereof the word "is".

41. Amend the general file amendments, Mekota, mimeographed, 4-19-41, page 7, section 7, line 10, by striking the word "purpose" and inserting in lieu thereof the word "purposes".

42. Amend the general file amendments, Mekota, 4-19-41, page 11, section 12, line 2, by inserting therein after the figures and punctuation "1939," and before the word "is", the following:

"as amended by section 2, legislative bill No. 70, fifty-fifth session, Nebraska state legislature, 1941,".

(Signed) Crosby, Chairman

MOTION—To Reconsider Action

Mr. President: I move to reconsider our action on third reading of L. B. No. 81. (Signed) Kotouc

The motion prevailed with 31 ayes, no nays, 12 not voting.

MOTION—To Recommit to Select File

Mr. President: I move that L. B. No. 81 be recommitted to Select File for the following Specific amendments:

1. Amend the bill, page 2, section 1, line 8, by striking there-

from the words ' **"superintendent of banks"** ' therein and by inserting in lieu thereof the words ' **"director of banking"** '.

2. Amend the bill, page 2, section 1, line 12, by striking the words "superintendent of banks" therein and by inserting in lieu thereof the following:

' **"director of banking"**; and that whenever the words Department of Trade and Commerce or Department of Trade and Commerce of the State of Nebraska are used either in Chapter 8, Compiled Statutes of Nebraska, 1929, or in Article 51, Chapter 81, Compiled Statutes of Nebraska, 1929, or in Chapter 8, C. S. Supp., 1939, or in Article 51, Chapter 81, C. S. Supp., 1939, as now existing or as hereafter amended, they shall be construed to mean **"department of banking"**; and that whenever the words "Secretary of the Department of Trade and Commerce" or the words "superintendent of banks" are used in the chapters and articles, they shall be construed to mean **"director of banking"**; and the functions and duties heretofore imposed by the chapters and articles cited above, as now existing or as hereafter amended upon said office or officers shall hereafter be performed by the department of banking and director of banking'.

3. Amend the bill, page 1, title, line 14, by striking therefrom the following: ' **"superintendent of banks"** ' and by inserting in lieu thereof the following: ' **"director of banking"** '; and in line 18 of said title, strike the words "superintendent of banks" and insert in lieu thereof the words **"director of banking"**.

4. Amend the bill, page 1, title, line 18, by inserting after the punctuation ";" and before the preposition "to" therein the following:

'to provide that the words **"Department of Trade and Commerce"**, **"Department of Trade and Commerce of the State of Nebraska"** or **"superintendent of banks"** when used either in Chapter 8, Compiled Statutes of Nebraska, 1929, or in Article 51, Chapter 81, Compiled Statutes of Nebraska, 1929, or in Chapter 8, C. S. Supp., 1939, or in Article 51, Chapter 81, C. S. Supp., 1939, as now existing or as hereafter amended, shall be construed to mean **"department of banking"** or **"director of banking"**, as case is; to provide that the functions and duties heretofore imposed by the chapters and articles cited above upon the said office or officers therein named shall hereafter be performed by the department of banking and the director of banking;'.

(Signed) Kotouc

The motion prevailed.

SELECT FILE

LEGISLATIVE BILL NO. 81. Mr. Kotouc asked that his Specific amendments, above set out, be adopted by unanimous consent.

No objection was offered and the President so declared.

Referred to E and R for engrossment.

BILLS ON THIRD READING

LEGISLATIVE BILL NO. 221. Passed over.

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 290. With emergency clause.

A bill for an Act to amend Sec. 81-103, C. S. Supp., 1939, relating to the civil government of the state of Nebraska; to prescribe the maximum salary to be paid to the director of insurance; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 33:

Adams, E. A.	Crossland	Mekota	Rakow
Asimus	Gantz	Metzger	Reed
Bevins	Hanna	Mischke	Sorrell
Blome	Howard	Mueller	Thomas, Ray
Bowman	Jeppesen	Murphy	Thornton
Brodahl	Knezacek	Norman	Tvrdik
Callan	Kotouc	Peterson	Van Diest
Carlson	Matzke	Raecke	Weborg
Crosby			

Voting in the negative, 0.

Not voting, 10:

Adams, J. Jr.	Greenamyre	Neubauer	Sullivan
Carmody	Johnson	Price	Thomas, Amos
Garber	Lambert		

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 299. With emergency clause.

A bill for an Act to provide for recompilation, revision, editing, publishing and distributing the statutes of Nebraska; to provide for the **1943 statute commission,** and to prescribe its duties and to appropriate money therefor; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams, E. A.	Gantz	Mekota	Rakow
Asimus	Garber	Metzger	Reed
Bevins	Greenamyre	Mischke	Sorrell
Blome	Hanna	Mueller	Sullivan
Bowman	Howard	Murphy	Thomas, Ray
Brodahl	Jeppesen	Neubauer	Thornton
Callan	Kotouc	Norman	Tvrdik
Carlson	Lambert	Peterson	Van Diest
Crosby	Matzke	Raecke	Weborg
Crossland			

Voting in the negative, 1:

Carmody

Not voting, 5:

Adams, J. Jr.	Knezacek	Thomas, Amos
Johnson	Price	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 334. With emergency clause.

A bill for an Act to amend Sec. 54-914, C. S. Supp., 1939, relating to livestock; to provide compensation to be paid by the state of Nebraska to owners of bovine animals ordered slaughtered in the eradication of bovine tuberculosis; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Adams, E. A.	Crosby	Lambert	Raecke
Adams, J. Jr.	Crossland	Matzke	Rakow
Asimus	Gantz	Mekota	Reed
Bevins	Garber	Metzger	Sorrell
Blome	Greenamyre	Mischke	Sullivan
Bowman	Hanna	Mueller	Thomas, Ray
Brodahl	Howard	Murphy	Thornton
Callan	Jeppesen	Neubauer	Tvrdik
Carlson	Knezacek	Norman	Van Diest
Carmody	Kotouc	Peterson	Weborg

Voting in the negative, 0.

Not voting, 3:

Johnson	Price	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 432. With emergency clause.

A bill for an Act to amend Sec. 60-1014, C. S. Supp., 1939, relating to motor vehicles; to provide that a portion of the moneys arising from the administration of the motor vehicle title and transfer law may be reappropriated to the highway cash fund and may be used for the supervision, construction and maintenance of state highways, if and when appropriated by the legislature; to provide that the clerks of the various counties shall remit all fees arising under said law to their respective county treasurers who shall credit said fees so remitted to the county general fund; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Adams, E. A.	Crosby	Lambert	Raecke
Adams, J. Jr.	Crossland	Matzke	Rakow
Asimus	Gantz	Mekota	Reed
Bevins	Garber	Metzger	Sorrell
Blome	Greenamyre	Mischke	Sullivan
Bowman	Hanna	Mueller	Thomas, Ray
Brodahl	Howard	Murphy	Thornton
Callan	Jeppesen	Neubauer	Tvrdik

Carlson	Knezacek	Norman	Van Diest
Carmody	Kotouc	Peterson	Weborg

Voting in the negative, 0.

Not voting, 3:

Johnson	Price	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 463.

A bill for an Act to require provision for educational opportunities for physically handicapped children who are unable to attend regular school classes; and to prescribe the methods of such educational training under the supervision of the state superintendent of public instruction.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'shall the bill pass?' "

Voting in the affirmative, 38:

Adams, E. A.	Gantz	Mekota	Rakow
Adams, J. Jr.	Garber	Metzger	Reed
Bevins	Greenamyre	Mischke	Sorrell
Blome	Hanna	Mueller	Sullivan
Bowman	Howard	Murphy	Thomas, Ray
Callan	Jeppesen	Neubauer	Thornton
Carlson	Knezacek	Norman	Tvrdik
Carmody	Kotouc	Peterson	Van Diest
Crosby	Lambert	Raecke	Weborg
Crossland	Matzke		

Voting in the negative, 0.

Not voting, 5:

Asimus	Johnson	Thomas, Amos
Brodahl	Price	

A constitutional majorty having voted in the affirmative, the bill was declared passed and the title agreed to.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 509. By Committee on Claims and Deficiencies.

A bill for an Act to make appropriations for the payment of claims filed against the state of Nebraska in the office of the auditor of public accounts, not heretofore paid, and for which no appropriation has been made; to make appropriations for the payment of miscellaneous claims presented to the legislature for which no appropriations have been made; to provide the manner in which certain moneys so appropriated shall be paid and expended; and to declare an emergency.

MOTION—To Suspend Rules and Read Second Time

Mr. President: I move that the rules be suspended and that L. B. No. 509 be read the second time, and that it be placed on General File immediately below L. B. No. 222. (Signed) Lambert

The motion prevailed with 34 ayes, no nays, 9 not voting.

BILLS ON SECOND READING

The following bill was read the second time by title:

(For title see Bills on First Reading)

LEGISLATIVE BILL NO. 509. By Committee on Claims and Deficiencies.

Placed on General File immediately below L. B. No. 222.

Approved by the Governor

April 29, 1941

To the President, the Speaker and Members of the Legislature

Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that on April 28, 1941, he signed the following bills, viz:

L. B. No. 257 L. B. No. 258

Respectfully submitted,

(Signed) Val Peterson,
Secretary to the Governor.

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 21. Republican Valley Flood Control

Introduced by Garber of Webster, Neubauer of Harlan, Carmody of Hitchcock

Preamble

WHEREAS, the Congress of the United States, by the adoption of acts pertaining to flood control and reclamation has recognized responsibility on the part of the federal government to control the destructive flood waters of the basins of the Mississippi and Missouri rivers; has declared this to be a national problem, and has heretofore authorized the expenditure of federal funds in considerable amounts in the area for the improvement of conditions resulting from floods and droughts, and

WHEREAS, the Republican River Valley drainage area in Nebraska, settled by people who are and have been making every effort to better their condition in the face of adverse circumstances beyond their control, comprises many hundreds of thousands of acres of valuable land which has been greatly damaged by floods and drought, and

WHEREAS, the Republican Valley in Nebraska, a part of the great drainage area of the Missouri and Mississippi rivers, has thus far received but scant federal recognition and reclamation, and

WHEREAS, as a result of the 1935 and 1940 floods in that valley, over one hundred persons lost their lives, the property loss was tremendous, and much of the vital and valuable land in the valley has been imperiled and made subject to repeated damage from flood waters, while, on the other hand, many thousands of acres in the area are in urgent need of the waste waters of the river for irrigation, the above conditions having combined to make agriculture unprofitable in the southwestern section of Nebraska, caused relief loads which counties are unable to bear, causing population losses which mean reduced land values and tax yields, and

WHEREAS, United States army engineers have assured residents of the upper Republican River Valley that they could set up a plan of flood control which would give protection to Kansas City and other points on the Missouri and Mississippi rivers as well as farm and urban property in the upper valley, by means of the constructive and comprehensive federal program for the protection of life and property from destructive floods and drought within the drainage area of the Republican river, including its tributaries, being admittedly a national

problem, which said program is needed for the control, conservation, development and beneficial use of the water and land resources of said area, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-FIFTH REGULAR SESSION ASSEMBLED:

1. That the Congress of the United States be and it is hereby requested and urged to cause to be made full, complete and comprehensive survey and investigation into the claims of the residents of the Republican River Valley in Nebraska for flood control and reclamation therein, including the storing, preservation and distribution of the waste and flood water of said river and its tributaries for beneficial uses; and that the development of the irrigation program for the Republican River Valley be paralleled by flood control for said valley.

2. That the Congress of the United States be and it is hereby urged to make early appropriation of said funds to insure the inauguration and continuation of internal improvement projects within said valley, and that the proper federal agencies be empowered and directed to give early and careful consideration to the feasibility and advisibility of constructing and maintaining dams in said area in Nebraska, including the various tributaries of the Republican river, for the said purpose of flood control, conservation and other beneficial use of the water, including that of irrigation.

3. That a copy of this resolution be spread at large upon the Journal of the legislature, and that the clerk of the legislature be directed forthwith to forward a copy of this resolution, properly authenticated and suitably engrossed to the President of the United States, the Vice President of the United States, to each congressman and senator from the state of Nebraska, to the chief of the army engineers, Washington, D. C., to the Mississippi Valley Flood Association, to the National Rivers and Harbors Congress and to the National Reclamation Association to the end that each of these federal officials and agencies may know and recognize that the problem of the Republican Valley flood control is serious and that without flood control from which can flow irrigation and soil conservation, this area may become entirely destitute.

Mr. Garber moved that the rules be suspended and that Legislative Resolution No. 21 be adopted.

The motion prevailed with 32 ayes, no nays, 11 not voting.

GENERAL FILE

Unfinished business

Mr. Rakow renewed his motion, found in the Legislative Journal

for the Seventy-ninth Day, regarding position of bills on General File.

Mr. Sorrell asked for a division of the question.

The President put the first question: "Shall L. B. No. 273 be replaced on General File immediately following L. B. No. 482?"

The motion was lost with 12 ayes, 15 nays, 16 not voting.

The President put the next question: "Shall L. B. No. 415 be replaced on General File immediately following L. B. No. 482?"

The motion was lost with 4 ayes, 18 nays, 21 not voting.

The President put the next question: "Shall L. B. No. 199 be replaced on General File immediately following L. B. No. 482?"

The motion was lost with 12 ayes, 12 nays, 19 not voting.

SELECT FILE (Continued)

LEGISLATIVE BILL NO. 250. Mr. Mekota offered the following amendments, which were adopted by unanimous consent:

1. On page 11, Sec. 11, strike all words including the punctuation after the word "shall" in line 7, through the word "times" in line 9 and insert in lieu thereof the following: "be published three successive weeks before such meeting".

2. On page 25, Sec. 22, lines 18 and 19, strike the words and punctuation "advertisement for three weeks successively, once in each week" and insert in lieu thereof the following: "notice published three successive weeks".

3. On pages 45 and 46, Sec. 39, strike all words and punctuation after the word and punctuation "United States," in line 11, page 45, through the word "same," in line 16, page 46, and insert in lieu thereof the following: "and shall thereupon cause notice to be published in a legal newspaper published in the county where the corporation shall have its principal place of business in this state three successive weeks before such meeting,".

4. On page 57, Sec. 59, strike the words "publication at least once a week for four successive weeks" in lines 31 and 32, and insert in lieu thereof the words "notice" published three successive weeks".

5. On page 87, Sec. 80, line 3, insert the words "three successive weeks" after the word "published", and strike the words "once each week for four successive weeks" in lines 5 and 6, page 88.

6. On page 88, Sec. 80, insert the words "three successive weeks" after the word "published" in line 28, and strike the words "once each week for four successive weeks" in lines 30 and 31.

7. On page 51, Sec. 49, line 6, strike the words "on the case."

Laid over.

LEGISLATIVE BILL NO. 17. E and R amendments, found in the Legislative Journal for the Seventy-ninth Day, were adopted.

Laid over.

LEGISLATIVE BILL NO. 418. E and R amendments, found in the Legislative Journal for the Seventy-ninth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 372. E and R amendment, found in the Legislative Journal for the Seventy-ninth Day, was adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 156. E and R amendment, found in the Legislative Journal for the Seventy-ninth Day, was adopted.

Referred to E and R for engrossment.

GENERAL FILE (Continued)

Speaker Howard presiding

LEGISLATIVE BILL NO. 222. Passed over.

LEGISLATIVE BILL NO. 202. Read and considered.

Laid over. Retains place on File.

LEGISLATIVE BILL NO. 282. Read and considered.

Mr. Peterson offered the following amendments, which were adopted:

Line 16, strike the word "two" and insert the word **"nine"**.

Line 17, strike the word "month" and insert the word **"year"**.

Line 69, strike everything after the word "uncollectible" in lines 69 and 70, and insert a period after the word "uncollectible".

Mr. Kotouc offered the following amendment:

Amend lines 6, 8, 21, 43 and 14 by striking the word "five hundred" and inserting one thousand in lieu thereof.

No action was taken thereon.

STANDING COMMITTEE REPORTS (Continued)

Enrollment and Review

LEGISLATIVE BILL NO. 341. Correctly enrolled.

(Signed) Crosby, Chairman

Speaker Signs

While the Legislature was in session and capable of transacting business, the Speaker signed:

Legislative Bill No. 341.

MESSAGE FROM THE GOVERNOR

Veto L. B. No. 130

April 29, 1941

To the President, the Speaker and Members of the Legislature

Gentlemen:

I am returning without my signature Legislative Bill No. 130. I am vetoing this bill because I feel that the time must come when we will reward those who pay their taxes on time rather than to continue to reward those who fail to do so. Living as I have in a strictly agricultural community, I realize as well as anyone that this state has been undergoing a depression. However, it seems to me that when we pass legislation we must adopt a long-time view of the matter and think, not only of the immediate present, but rather of the many years yet to come.

Many have urged me to sign Legislative Bill No. 130 because it would mean the collection of many taxes during the period ending July 1, 1942. I believe that it would accomplish that immediate purpose. We have, however, had several tax moratoriums, and have

gotten to the point where the people expect another one to be provided, and if this bill becomes a law, I am confident that beginning July 1, 1942, there will be very little tax money collected, as the people will expect the 1943 legislature to provide for another moratorium.

It is somewhat like a person getting the habit of using opiates. When they are deprived of this stimulant, that very fact creates a condition which makes it almost necessary that it again be administered. A circle is formed to which there is no end, and it appears to me that if we desire to stop this condition we had better stop right now. Many people have told me that they realize L. B. No. 130 is bad legislation but they would like to have it put into effect for one additional period. That is exactly the same argument that was presented to the legislature previously, and I feel that it is the same argument which will be presented to the legislature in 1943 if this bill becomes a law.

The argument favoring this bill tells of the plight of Nebraska farmers. The fact is that the farmers are not the people who have urged this measure on me. It appears that most of those interested in this legislation have taken property back under foreclosure or are interested in doing that in the future. This bill would permit them to settle their taxes with only a partial payment and it would be of no benefit whatsoever to the farmer, who is losing his property.

After all, it must be admitted that the real burden to the property owner is the amount of tax levied and not the interest on that tax. This bill only proposes to lower the amount of interest to be paid, and it does not reduce the principal. I feel that if we are willing to look ahead for a few years, we will all realize that this legislation is not proper and in the long run will not be for the best interests of the people of this state.

Respectfully submitted,

(Signed) Dwight Griswold
Governor

Recess

At 11:52 a. m. Mr. Callan moved to recess until 2:00 p. m.

The motion prevailed.

After Recess

Pursuant to adjournment the Legislature reconvened at 2:00 p. m. Speaker Howard presiding.

The roll was called and all members were present except Mr. Price and Amos Thomas, who were excused.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 222. Mr. Callan offered the following amendments, which were adopted:

A. Amend the bill, page 11, section 30, line 5 by striking the figures "193,440.00" therein and by inserting in lieu thereof the figures "208,000.00".

a½. Amend the bill, page 5, section 11, line 16 by inserting after the figures and letter "124a" therein the following: "and Aud. Acct. No. 126"; and in line 15 of said section 11, strike the word "balance" and insert in lieu thereof the word "balances".

a. Amend the Standing Committee amendments, mimeographed, page 3 by striking amendment No. 21 thereon.

b. Amend the Standing Committee amendments, mimeographed, page 3, amendment 25, line 5, by inserting before the first quotation marks therein the following: "Sec. 17½."

c. Amend the bill, page 9, section 19, line 7 by inserting after the word "expense" therein the following: "including investigation of school land accounts and bonds;".

d. Amend the Standing Committee amendments, mimeographed, page 5, amendment 42, line 7 by inserting after the word "purchase" therein the words "and installation".

e. Amend the Standing Committee amendments, mimeographed, page 7, amendment No. 63, line 5, by striking therefrom the word "Appropriate" therein and by inserting in lieu thereof the following: "Reappropriate the unexpended balance as of June 30, 1941, and then appropriate".

e½. Amend the bill, page 10, section 24, line 4 by inserting after the word and punctuation **"Museum,"** the following: "including equipment, repairs and care,".

f. Amend the bill, page 14, section 35, line 16 by striking "$33,800.00" therein.

g. Amend the Standing Committee amendments, mimeographed, page 8, amendment No. 66, lines 4 and 13 by inserting after the figures and punctuation "155," in each of said lines respectively, the following: "as of June 30, 1941,"; and in line 6 of said amendment

No. 66 strike the word "director" therein and insert in lieu thereof the word "commissioner".

h. Amend the Standing Committee Amendments, mimeographed, page 8, amendment 67, line 5 by striking therefrom "$10,000.00" therein and by inserting in lieu thereof the following: "$15,000.00"; and in line 10 of said amendment No. 67 strike "$50,000.00" and insert in lieu thereof the following: "$55,000.00".

i. Amend the Standing Committee amendments, mimeographed, pages 8 and 9, amendment No. 68, line 4 by inserting after the word and punctuation "chiropody," therein the following: "chiropractic,"; and in line 13 on page 9 of said amendment insert after the word and punctuation "balances," the following: "(**Provided,** that all vouchers and expenditures must be approved by the director of health for the department of health)"; and in line 19 on page 9 of said amendment, insert after the figures "22" therein the following: "and legislative bill No. 500"; and in line 20 of said amendment on page 9 after the figures, "40,000.00" therein, insert the following:

": **Provided,** that a part or all of said funds is avaliable for the matching of federal funds in the promotion of public health activities".

j. Amend the bill, page 19, section 40, line 41 by inserting after the word and punctuation **"balances,"** therein the following: "including the unexpended balances in the "motor vehicle title fund",".

k. Amend the bill, page 22, section 42 by striking that part of said section commencing with line 3 down to and including line 10 and insert in lieu thereof the following:

"Salaries and expenses, insurance examiners, actuaries and accountants, first reappropriate $5,000.00 out of the unexpended balance, Aud. Acct. No. 213, as of June 30, 1941, and then appropriate all fees collected from insurance companies from such examinations and all receipts during biennium ending June 30, 1943, estimated..... $34,000.00

Lapse to state general fund, the unexpended balance as of June 30, 1941 in Aud. Acct. No. 213.".

k½. Amend the bill, page 26, section 48, line 8 by inserting after the word "under" therein the following:

"Sec. 66-405, C. S. Supp., 1939, as amended, and"; and amend the Standing Committee amendments, mimeographed, page 10, amendment No. 72, line 2 by inserting after the figures "83" therein the word "inclusive".

l. Amend the bill, page 33, section 60, line 8, by striking the

words "of cash funds" therein; and in lines 8 and 9 of said section strike the words "reappropriated" and insert in lieu thereof the words "otherwise appropriated"; and in line 9 of said section strike the second preposition "of" and insert in lieu thereof the preposition "on".

m. Amend the standing committee amendments, mimeographed, page 10, amendment 72, line 12 by inserting after the word "balance" and before the word "as" therein the following: ", not reappropriated".

n. Amend the bill, page 18, section 40, line 11 by inserting after the word "appropriated" the following: "and all equalization fees on motor vehicles not otherwise appropriated".

President Johnson presiding

Mr. Raecke offered the following amendment, which was adopted:

Amend the bill, page 23, Section 42, line 28 by striking the figures "40,000.00" and inserting in lieu thereof the figures "35,000.00".

Mr. Callan offered the following amendments, which were adopted:

o. Amend the Standing Committee Amendments, mimeographed, page 4, amendment 31, line 3, by inserting after the conjunction "or" therein, the word "otherwise".

p. Amend the bill, page 16, section 37, line 5, by striking the figures "66,755.64" therein, and by inserting in lieu thereof the figures "59,508.00".

q. Amend the Standing Committee Amendments, mimeographed, page 10, amendment 72½, line 10, by striking therefrom the symbol and figures "$82,500.00", and by inserting in lieu thereof the following: ".....$82,500.00".

Mr. Gantz and Mr. Tvrdik offered the following amendments, which were adopted:

That $2,000.00 be appropriated and earmarked for repair of large north boiler, "not now in use"; and also included in this amount for the installation of cinder conveyor or hoist.

And that L. B. No. 222, Sec. 29, page 12, be amended to include same as line 9¾ (page 12 printed bill).

That $3,200.00 be appropriated and earmarked for removal and relaying bituminous driveway at Chadron Normal.

And that L. B. No. 222, Sec. 29, page 12, be amended to include same as line 9½ (printed bill).

Mr. Hanna and Mr. Mischke offered the following amendments, which were adopted with 21 ayes, 10 nays, 12 not voting:

Amend page 5, Sec. XI, as amended, as follows: In line 13 strike **"Bang's disease"**. In line 17 strike "125,000.00" and insert "90,000.00".

Insert a new line, namely 17a and insert: "Eradication Bang's disease, not to exceed 35,000.00".

Mr. Crosby offered the following amendment:

a. Amend the bill, page 28, section 50, line 14, by inserting after the word and punctuation "building," the following: "then reappropriate $35,000.00 from the university cash fund for construction of a boys' dormitory at the Curtis school of Agriculture, Curtis, Nebraska, said amount to be released after the board of regents have contracted for the construction and equipment of said building by the issuance of revenue bonds or from some other source,".

Mr. Kotouc moved to amend the Crosby amendment by striking "$35,000.00" and inserting "$85,000.00" in lieu thereof.

After debate, Mr. Van Diest moved the previous question.

The Chair put the question "Shall the debate close?"

The motion prevailed with 25 ayes, no nays, 18 not voting.

Vote was taken and Mr. Kotouc's amendment was adopted with 17 ayes, 14 nays, 12 not voting.

Vote was taken and Mr. Crosby's amendment, as amended, was adopted with 23 ayes, 8 nays, 12 not voting.

Laid over.

RESOLUTIONS (Continued)

LEGISLATIVE RESOLUTION NO. 22. Bridge at Florence, Nebraska

Memorializing the Congress of the United States to Establish a Bridge Across the Missouri River, at Florence, Nebraska
Introduced by Norman of Douglas

Preamble

WHEREAS, for many years there has been a great need for an interstate bridge between the states of Iowa and Nebraska at Florence, Nebraska, and

WHEREAS, such bridge would provide an outlet for the heavy traffic carried by North 30th Street in Omaha, Nebraska, including heavy shipments of stock by farmers, and

WHEREAS, this great need has been highly accentuated by the fact that none of the present bridges connecting the states of Iowa and Nebraska at Omaha, are strong enough or modern enough to permit passage of the present large and heavy mechanized equipment used by the United States army, and

WHEREAS, the site of such proposed bridge is only a short distance from the ever expanding activity and operations at Fort Omaha, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-FIFTH REGULAR SESSION ASSEMBLED:

1. That this legislature respectfully petitions, memorializes and urges the Congress of the United States to enact the necessary legislation to establish an interstate bridge across the Missouri river at Florence, Nebraska and thereby fulfill the great need therefor as recited in the preamble of this resolution.

2. That this resolution be spread at large upon the journal of this legislature; and that the clerk of this legislature is hereby ordered and directed forthwith to forward a copy of this resolution properly authenticated and suitably engrossed, to the president of the United States; to the vice president of the United States as presiding officer of the United States senate; to the speaker of the house of representatives of the United States; and to each of the United States senators and congressmen representing the state of Nebraska in the Congress to the end that representatives in the government and in the Congress of the United States may be advised that this legislature considers as imperative and vital for national defense, federal legislation to provide for an interstate bridge across the Missouri river between the states of Iowa and Nebraska at Florence, Nebraska.

STANDING COMMITTEE REPORTS (Continued)

Enrollment and Review

Correctly enrolled

L. B. No. 290	L. B. No. 432	L. B. No. 334
L. B. No. 463	L. B. No. 299	

LEGISLATIVE BILL NO. 503. Correctly re-engrossed.

LEGISLATIVE BILL NO. 441. Placed on Select File with amendment.

E and R amendment to L. B. No. 441:

1. Amend the bill, page 1, title, line 4, by inserting after the word "retail" the words "of alcoholic liquors".

LEGISLATIVE BILL NO. 301. Placed on Select File with amendments.

E and R amendments to L. B. No. 301:

1. Amend the bill, page 2, section 1, line 11, by inserting after the word **"population"** and before the word **"less"** therein the preposition **"of"**.

2. Amend the bill, page 2, section 2, line 5, by striking the punctuation "." therein and by inserting in lieu thereof the punctuation ":".

3. Amend the bill, page 3, section 2, lines 44 and 45, by inserting the punctuation "," after the word "assistants" wherever the same appears in each of said lines respectively.

4. Amend the bill, page 3, section 2, line 48, by striking the punctuation "," after the word "annum" and before the word "and" therein and by inserting in lieu thereof the punctution ";".

5. Amend the general file amendments, 4-25-41, Neubauer, amendment 1, last line, by striking the punctuation "." after the word "board".

6. Amend the bill, page 2, section 2, line 5, by striking the word **"Counties"**, and insert in lieu thereof the words **"In counties"**.

7. Amend the bill, page 3, section 2, line 36, by striking the syllable "andts" and insert in lieu thereof the syllable "ants".

8. Amend the bill, page 3, section 2, line 47, by inserting the punctuation "," after the word "assistants" and before the word "whose".

(Signed) Crosby, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 290 L. B. No. 432 L. B. No. 334
L. B. No. 463 L. B. No. 299

Adjournment

At 4:42 p m. Mr. Reed moved to adjourn.

The motion prevailed with 15 ayes, 10 nays, 18 not voting.

Hugo F. Srb,
Clerk of the Legislature.

EIGHTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, April 30, 1941.

Pursuant to adjournment the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by The Reverend S. A. Hanke of Lincoln, Nebraska.

The roll was called and all members were present except Amos Thomas, who was excused.

The Journal for the Eightieth Day was approved as corrected.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor for approval

Tuesday, April 29, 1941 at 5:15 p. m.

Legislative Bill No. 341

LEGISLATIVE BILL NO. 430. Placed on Select File with amendments.

E and R amendments to L. B. No. 430:

1. Amend the bill, page 2, section 2, line 8, by striking the word "statute" therein and by inserting in lieu thereof the word "act".

2. Amend the bill, page 3, section 5, line 1, by striking the word "provision" therein and by inserting in lieu thereof the word "provisions" therein.

3. Amend the bill, page 3, section 6, line 5, by striking the punctuation "." therein and by inserting in lieu thereof the punctuation ";"; and also in said line 5, strike the word "That" therein and insert in lieu thereof the word "that"; and in said section 6 on page 4, strike the punctuation "." at the conclusion of each subsection thereon, insert in lieu thereof in each instance the punctuation ";", and decapitalize the first word in each subsection thereon.

LEGISLATIVE BILL NO. 462. Placed on Select File with amendments.

E and R amendments to L. B. No. 462:

1. Strike the general file amendment, 4-25-41, Callan, and restate the same as follows:

"Amend the standing committee amendments, 4-25-41, page 1, amendment 1, Sec. 6, by striking therefrom all that part of said section beginning with the words "There is" in line 5, and ending with the figures and punctuation "1943." in line 9.

2. Amend the standing committee amendments, amendment No. 1, page 1, section 7, line 3, by striking the word "non-use" therein and by inserting in lieu thereof the word "nonuse".

3. Amend the standing committee amendments, amendment No. 2, page 2, by striking that part of said amendment commencing with the word "specifically" in line 6 therein down to and including the word "Nebraska" in line 8 therein, and in said line 8, insert the word "establish" after the preposition "to" and before the definite article "the" therein.

4. Amend the standing committee amendments, amendment No. 2, line 10, by inserting punctuation "," after the word "Nebraska" and before the word "with".

LEGISLATIVE BILL NO. 500. Placed on Select File with amendments.

E and R amendments to L. B. No. 500:

1. Amend the general file amendments, Brodahl, lines 2 and 3, by striking the words "Legislature of Nebraska" therein and by inserting in lieu thereof the words "Nebraska state legislature".

2. Amend the bill, page 2, section 1, line 4, by inserting the punctuation "," after the word "entered" and before the word "either".

3. Amend the bill, page 2, section 1, line 7, by inserting the punctuation "," after the word "and" and before the word "for".

4. Amend the bill, page 2, section 1, line 8, by inserting the punctuation "," after the syllable "tion" and before the indefinite article "a".

Correctly engrossed

L. B. No. 156 L. B. No. 372

(Signed) Crosby, Chairman

MOTION—To Suspend Rules

Mr. Neubauer moved that the rules be suspended to permit the introduction of a bill regarding the sale of Nebraska state fair grandstand bonds.

The motion prevailed with 36 ayes, no nays, 7 not voting.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 510. By Peterson of Lancaster, Neubauer of Harlan, Sorrell of Otoe, Rakow of Antelope.

A bill for an Act to amend section 4, legislative bill No. 323, fifty-fifth session, Nebraska state legislature, 1941, relating to agriculture; to provide for the manner of sale of **"Nebraska state fair grandstand bonds"**; to repeal said original section; and to declare an emergency.

MOTION—To Suspend Rules and Read Second Time

Mr. Neubauer moved that the rules be suspended and that L. B. No. 510 be read the second time and placed on General File.

The motion prevailed with 32 ayes, no nays, 11 not voting.

BILLS ON SECOND READING

The following bill was read the second time by title:

(For title see Bills on First Reading)

LEGISLATIVE BILL NO. 510. By Peterson, et al.

Placed on General File following bills placed by the Sifting Committee.

GENERAL FILE

Mr. Lambert requested unanimous consent to consider L. B. No. 509.

No objection was offered and the President so ordered.

LEGISLATIVE BILL NO. 509. Read and considered.

Mr. Callan offered the following amendment, which was adopted with 20 ayes, 8 nays, 15 not voting.

Strike lines 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 and 34a.

Speaker Howard presiding

Referred to E and R for review.

Member excused

Mr.Thornton was excused for the remainder of the day.

MOTION—To Change Position on File

Mr. Greenamyre moved that L. B. No. 426 be placed on the preferential file under L. B. No. 509.

The motion prevailed with 30 ayes, no nays, 13 not voting.

MOTION—To Change Position on File

Mr. Van Diest moved that L. B. No. 398 be placed on General File immediately after 426.

The motion prevailed with 30 ayes, no nays, 13 not voting.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 191.

A bill for an Act to amend Sec. 4, Article IX, constitution of

Nebraska, relating to county and township officers; and to provide for the effective date thereof.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF NEBRASKA:

Section 1. That at the general election in November, 1942, there shall be submitted to the electors of the state of Nebraska for approval or rejection upon a ballot separate from that upon which the names of candidates appear, the following amendment to the constitution which is hereby proposed by the legislature:

"Section 1. That Sec. 4, Article IX, constitution of Nebraska, be amended to read as follows:

'Sec. 4. The legislature shall provide by law for the election of such county and township officers as may be necessary: **Provided, however,** the legislature may provide by law for a form of county government in which county officers may be elected or appointed, but such form shall be optional with each county and shall obtain in any county only upon the adoption thereof by the electors of such county.' "

Sec. 2. The foregoing proposed amendment, if adopted, shall be in force and effect on and after the first Thursday after the first Tuesday in January, 1943; and it may be made an additional section in Article XVII of the constitution of Nebraska.

Sec. 3. That the foregoing proposed amendment to the constitution shall be submitted to the electors at said election upon one ballot separate from that upon which the names of candidates appear, after publication once each week for four weeks in at least one legal newspaper in each county where a newspaper is published immediately preceding said election. Said ballot for the submission of said proposed amendment shall be in the following form:

PROPOSED CONSTITUTIONAL AMENDMENT

"FOR an amendment to Section 4 of Article IX of the constitution of Nebraska, authorizing the legislature to provide by law for a form of county government in which county officers may be elected or appointed, but which form of government shall be optional with each county and shall obtain in any county only upon the adoption thereof by the electors of such county, and shall not be in force in any county of this state unless submitted to the electors of such county and adopted by them, and providing that said amendment shall be effective, if adopted, on and after the first Thursday after the first Tuesday in January, 1943," and

"AGAINST an amendment to Section 4 of Article IX of the constitution of Nebraska, authorizing the legislature to provide by law for a form of county government in which county officers may be elected or appointed, but which form of government shall be optional with each county and shall obtain in any county only upon the adoption thereof by the electors of such county, and shall not be in force in any county of this state unless submitted to the electors of such county and adopted by them, and providing that said amendment shall be effective, if adopted, on and after the first Thursday after the first Tuesday in January, 1943".

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'shall the bill pass?' "

A call of the House was ordered.

Mr. Sullivan moved to raise the call.

The motion was lost with 12 ayes, 17 nays, 14 not voting.

Mr. Metzger moved to raise the call.

The motion prevailed with 29 ayes, 1 nay, 13 not voting.

Voting in the affirmative, 26: (On passage of the bill)

Adams, E. A.	Crossland	Mekota	Rakow
Blome	Gantz	Mischke	Sorrell
Bowman	Garber	Murphy	Thomas, Ray
Brodahl	Hanna	Norman	Tvrdik
Callan	Howard	Peterson	Van Diest
Carlson	Johnson	Raecke	Weborg
Crosby	Matzke		

Voting in the negative, 8:

Adams, J. Jr.	Carmody	Mueller	Reed
Bevins	Metzger	Neubauer	Sullivan

Not voting, 9:

Asimus	Knezacek	Price
Greenamyre	Kotouc	Thomas, Amos
Jeppesen	Lambert	Thornton

A constitutional majorty having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION—To Recommit to Select File

Mr. President: I move that L. B. No. 89 be recommitted to Select File for the following Specific amendment:

1. Amend the select file amendments, mimeographed, Peterson, April 15, 1941, by striking all new matter on page 1, amendment No. 1, section 1, lines 10 to 19 inclusive.

(Signed) Ray Thomas

The motion prevailed.

Recess

At 12:00 m. on motion by Mr. Mischke the Legislature recessed until 2:00 p. m.

After Recess

Pursuant to adjournment the Legislature reconvened at 2:00 p. m. Speaker Howard presiding.

The roll was called and all members were present except Messrs. Lambert, Thornton and Amos Thomas, who were excused.

SELECT FILE

LEGISLATIVE BILL NO. 250. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 17. Laid over.

LEGISLATIVE BILL NO. 301. E and R amendments, found in the Legislative Journal for the Eightieth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 441. E and R amendment, found in the Legislative Journal for the Eightieth Day, was adopted.

Ernest Adams moved to refer to E and R for engrossment.

The motion prevailed with 18 ayes, 7 nays, 18 not voting.

LEGISLATIVE BILL NO. 470. E and R amendments, found in the Legislative Journal for the Eightieth Day, were adopted.

Mr. Neubauer offered the following amendments, which were adopted by unanimous consent:

1. Amend the general file amendments, mimeographed, Mekota, 4-19-41, page 1, section 1, lines 10 and 19, inclusive, by striking therefrom all that part of said section beginning with the word "persons" in line 10, and ending with the word "act" in line 19, and insert in lieu thereof the following:

"any person, firm, copartnership, company, agency, association, corporation, state, county, municipality or subdivision of either thereof, who obtains a license to sell and thereby becomes authorized to sell refund tax motor vehicle fuel in accord with the provisions of this act: **Provided however,** that if a motor vehicle fuel **dealer,** as defined in Sec. 60-401, C. S. Supp., 1939, as now existing or as hereafter amended, also becomes a **distributor** of refund tax motor vehicle fuel, then all that part of his ordinary business transactions carried on as such **distributor** shall be governed and controlled by and amenable to the requirements of this act".

2. Amend the general file amendments, mimeographed, Mekota, 4-19-41, pages 1 and 2, section 2, lines 28 to 32, by striking therefrom all of subsection "c'" of Subdivision 2 of said section, and reletter the remaining subsections to correspond with this amendment; also strike Enrollment and Review amendment number 3 of 4-29-41; also, to correspond with this amendment, strike "(f)" in lines 35 and 76 of said section and insert "(e)" in lieu thereof in each instance; also, to correspond with this amendment strike "(d)" in line 87 of said section and insert "(c)" in lieu thereof.

3. Amend the general file amendments, mimeographed, Mekota, 4-19-41, page 2, section 2, line 36, by inserting after the word "before" and before the word "making" the following: "purchasing any refund tax gasoline and before"; also, in line 38 of said section insert after the word "to" and before the word "obtain", the following: "purchase such gasoline and".

4. Amend the general file amendments, mimeographed, Mekota, 4-19-41, page 3, section 2, line 84, by striking therefrom the following: "to obtain refund;".

5. Amend the general file amendments, mimeographed, Mekota, 4-19-41, page 3, section 2, lines 99 to 102 inclusive, by striking therefrom all that part of said section beginning with the punctuation and words "; **and provided further"** in line 99, and ending with the word "thereon" in line 102.

6. Amend the general file amendments, mimeographed, Mekota, 4-19-41, pages 3 and 4, section 3, by striking therefrom all that part of said section beginning with the punctuation and words "; except any" in line 7 of said section and ending with the word "permit" in line 12 of said section; also, to conform with this amendment, strike Enrollment and Review amendments numbers 9, 10 and 11.

7. Amend the general file amendments, mimeographed, Mekota, 4-19-41, page 4, section 3, line 17, by striking therefrom the word "such", and inserting in lieu thereof the word "each".

8. Amend the general file amendments, mimeographed, Mekota, 4-19-41, page 1, section 2, line 17, by inserting after the word and punctuation "administrator," and before the word "mix", the following: "if such rules and regulations so require,"

9. Amend the general file amendments, mimeographed, Mekota, 4-19-41, page 7, section 7, lines 25 to 27 inclusive, by striking all that part of said section beginning with the words "and that the" in line 25, and ending with the word "paid" in line 27.

10. Amend the general file amendments, mimeographed, Mekota, 4-19-41, page 8, section 7, lines 38 to 41 inclusive, by striking therefrom all that part of said section beginning with the words "or in any motor vehicle" in line 38, and ending with the word "purposes" in line 41 and insert in lieu thereof the following:

", nor in any motor vehicle which, if operated on the public highways, would require registration and licensing under the provisions of the laws of this state"; and, to conform with this amendment, strike the general file amendment, Neubauer, adopted 4-22-41, inserting the word "public" in line 39.

Mr. Van Diest moved to return the bill to General File for the following Specific amendment:

1. Amend the general file amendments, mimeographed, Mekota, dated April 19, 1941, page 1, amendment 1, section 1, by striking that part of said section commencing with the word "solely" in line 15 therein down to and including the word "purposes" in line 16, and by inserting in lieu thereof the following:

"for any purpose in operating tractors, combines, stationary engines, pumps, machinery, motors, air craft or for any purpose other than operating or propelling motor vehicles on public roads, state highways, county highways belonging to the county highway system, streets and alleys in the state of Nebraska".

2. Amend each succeeding section and the title to the bill so as to conform with the preceding amendment.

President Johnson presiding

A call of the House was ordered.

Mr. Kotouc moved to raise the call.

The motion was lost with 19 ayes, 17 nays, 7 not voting.

Mr. Mischke changed his vote from aye to nay and moved to raise the call.

The motion was lost with 19 ayes, 17 nays, 7 not voting.

Mr. Kotouc changed his vote from aye to nay and moved to raise the call.

The motion prevailed with 20 ayes, 18 nays, 5 not voting.

Mr. Mischke and Mr. Kotouc changed their vote from nay to aye.

Mr. Neubauer moved a call of the House.

The motion was lost with 17 ayes, 18 nays, 8 not voting.

Mr. Van Diest's motion to return to General File for Specific amendment prevailed with 20 ayes, 19 nays, 4 not voting.

LEGISLATIVE BILL NO. 89. Ray Thomas asked that his Specific amendment, found in this Day's Journal, be adopted by unanimous consent.

No objection was offered and the President so declared.

Referred to E and R for engrossment.

BILLS ON THIRD READING (Continued)

Mr. Kotouc moved that Legislative Bill No. 503 be recommitted to Select File for the following Specific amendment:

1. Amend the specific amendments, mimeographed, page 1, amendment No. I, section 2, line 41, by striking the words "stockholders who represent" therein.

2. Amend the specific amendments, mimeographed, page 2, amendment No. III, lines 6, 7 and 8 by striking therefrom the words "stockholders representing" wherever the same appear in each of said lines respectively.

The motion prevailed.

SELECT FILE (Continued)

LEGISLATIVE BILL NO. 503. Mr. Kotouc asked that his Specific amendment, above set out, be adopted by unanimous consent.

No objection was offered and the President so declared.

Referred to E and R for engrossment.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 470. Mr. Van Diest moved that his Specific amendment, found in this Day's Journal, be adopted.

Mr. Neubauer asked that unanimous consent be granted to lay the bill over and retain its place on File.

Objection was raised by Mr. Van Diest.

Mr. Kotouc asked that unanimous consent be granted to lay the bill over and retain its place on File.

No objection was offered and the President so ordered.

LEGISLATIVE BILL NO. 426. Read and considered.

Mr. Van Deist moved that the Standing Committee amendments, found in the Legislative Journal for the Seventy-fifth Day, be rejected.

The motion prevailed.

Mr. Greenamyre offered the following amendments, which were adopted:

That the figures "$500.00" be inserted in all blank spaces provided in L. B. No. 426; and that the figures "$500.00" be inserted in all blank spaces in the title of L. B. No. 426.

Referred to E and R for review.

LEGISLATIVE BILL NO. 398. Read and considered.

Mr. Van Diest offered the following amendments, which were adopted:

That Sec. 1, line 3 be amended by inserting in the blank space the amount of "$6,500.00" and that the title and preamble be amended accordingly.

Referred to E and R for review.

MOTION—To Provide for Claims Board

Mr. President: I move that the legislative council be directed to prepare for the next legislative session, legislation to provide for

hearing of claims against the state by an agency sitting as a claim board, between legislative sessions, charged with the duty of presenting transcript of all evidence to the claims committee of the legislature, together with the recommendation of the claims board as to disposition of the claims, with final decision reserved to the legislature.

(Signed) Peterson

The motion prevailed.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 222. Mr. Peterson offered the following amendment:

Amend Section 16, line 2 by striking the figures "28,912" and inserting in lieu thereof the figures "33,912".

Mr. Norman moved to amend Mr. Peterson's motion to read "$50,000.00".

No action was taken thereon.

STANDING COMMITTEE REPORTS (Continued)

Enrollment and Review

Presented to Governor for approval

Wednesday, April 30, 1941 at 2:10 p. m.

L. B. No. 290	L. B. No. 334	L. B. No. 463
L. B. No. 299	L. B. No. 432	

LEGISLATIVE BILL NO. 67. Placed on Select File with amendments.

E and R amendments to L. B. No. 67:

1. Amend the bill, page 2, section 1, lines 30 and 32 by striking the word "were" therein and by inserting in lieu thereof the word "was" wherever the same appears in each of said lines respectively.

2. Amend the bill, page 1, title, line 10, by inserting the punctuation ";" after the word "therefrom" and before the conjunction "and" therein.

3. Amend the bill, page 2, section 1, lines 29 and 30, by striking therefrom the words "and that the same".

4. Amend the bill, page 2, section 1, line 15, by striking the punctuation "," after the word "stipulated" and insert in lieu thereof the punctuation ";".

LEGISLATIVE BILL NO. 223. Placed on Select File.

LEGISLATIVE BILL NO. 351. Placed on Select File with amendments.

E and R amendments to L. B. No. 351:

1. Amend the bill, page 3, section 5, line 16, by inserting the punctuation "," after the word "court" and before the preposition "in" therein.

2. Amend the bill, page 4, section 9, line 2, by inserting the punctuation "," after the word "support" therein.

3. Amend the bill, page 5, section 10, line 5, by striking the word "obligation" therein and by inserting in lieu thereof the word "obligations" therein.

4. Amend the bill, page 5, section 11, line 3, by inserting the punctuation "," therein after the word "found" and before the preposition "by".

5. Amend the bill, page 5, section 11, line 16, by inserting the punctuation "," after the last word "child" therein.

6. Amend the bill, page 6, section 14, line 2, by striking the word "are" therein and by inserting in lieu thereof the word "is".

LEGISLATIVE BILL NO. 501. Placed on Select File with amendments.

E and R amendments to L. B. No. 501:

1. Amend the general file amendment, line 2, by inserting the punctuation "," before the word "as" therein.

2. Amend the bill, page 3, section 1, line 22, by inserting the punctuation "," after the figures "1939".

3. Amend the bill, page 5, section 4, line 12, by inserting the punctuation "," after the figures "1939".

4. Amend the bill, page 7, section 7, line 37, by inserting the punctuation "," after the figures "1939".

(Signed) Crosby, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed

Legislative Resolution No. 21

Adjournment

At 5:00 p. m. on motion by Mr. Murphy the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

EIGHTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, May 1, 1941.

Pursuant to adjournment the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Reverend James A. McKeeman of Albion, Nebraska.

The roll was called and all members were present except Amos Thomas, who was excused, and except Mr. Price, who was excused until 11:30 a. m.

The Journal for the Eighty-first Day was approved.

Communications

A letter was read from Miss Jo Eastburn thanking the President and Members of the Legislature for their floral offering at the funeral of her grandmother.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 81. Replaced on Select File with amendments.

E and R amendments to L. B. No. 81:

1. Amend the bill, page 2, section 1, line 10, by inserting the punctuation "," after the word "article" and before the word "as"; also, by inserting the punctuation "," after the word "amended" and before the word "upon" in said line.

2. Amend the Select File amendments, Kotouc, 4-29-41, amend-

ment No. 2, line 16, by inserting the punctuation "," after the word "amended" and before the word "upon".

(Signed) Crosby, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 22. Mr. Norman moved that the resolution be adopted.

The motion prevailed with 33 ayes, no nays, 10 not voting.

MOTION—To Suspend Rules

Mr. Crosby moved that the rules be suspended to permit the introduction of a bill regarding a correction of L. B. No. 461.

The motion prevailed with 32 ayes, no nays, 11 not voting.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 511. By Committee on Enrollment and Review.

A bill for an Act to amend Sec. 53-351, C. S. Supp., 1939, as amended by legislative bill No. 461, fifty-fifth session, Nebraska state legislature, 1941, relating to liquors; to provide a reference in said section to Sec. 53-350, C. S. Supp., 1939, as amended by legislative bill No. 401, fifty-fifth session, Nebraska state legislature, 1941, instead of to Sec. 50-350, C. S. Supp., 1939; and to repeal said original section as amended.

MOTION—To Suspend Rules

Mr. Crosby moved that the rules be suspended and that L. B. No. 511 be referred to Committee on Enrollment and Review for engrossment.

The motion prevailed with 35 ayes, no nays, 8 not voting.

MOTION—To Suspend Rules

Mr. Raecke moved that the rules be suspended and that L. B. No. 375 be placed on Third Reading File at once.

The motion prevailed with 35 ayes, no nays, 8 not voting.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 375. With emergency clause.

A bill for an Act relating to public welfare, public health and social security; to empower county boards of the several counties of the state of Nebraska to establish revolving funds for the purchase of food order stamps and cotton order stamps; to amend Sec. 26-105, C. S. Supp., 1939, as amended by Section 7, legislative bill No. 495, fifty-fifth session, Nebraska state legislature, 1941; to repeal said original section, as amended; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Adams, E. A.	Crossland	Lambert	Raecke
Adams, J. Jr.	Gantz	Matzke	Rakow
Asimus	Garber	Mekota	Reed
Bevins	Greenamyre	Metzger	Sorrell
Blome	Hanna	Mischke	Sullivan
Bowman	Howard	Mueller	Thomas, Ray
Brodahl	Jeppesen	Murphy	Thornton
Callan	Johnson	Neubauer	Tvrdik
Carlson	Knezacek	Norman	Van Diest
Carmody	Kotouc	Peterson	Weborg
Crosby			

Voting in the negative, 0.

Not voting, 2:

Price Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION—To Take Up L. B. No. 130

Mr. President: I move that L. B. No. 130, vetoed by the Governor on April 28th, be taken up for passage. (Signed) Jeppesen

The motion prevailed.

Whereupon the president stated: "Shall the bill pass, notwithstanding the objection of the Governor, with the emergency clause attached?"

A call of the House was ordered.

Mr. Lambert moved to raise the call.

The motion prevailed with 33 ayes, no nays, 10 not voting.

Voting in the affirmative, 29: (On passage of the bill)

Adams, E. A.	Carmody	Knezacek	Reed
Adams, J. Jr.	Crossland	Lambert	Sorrell
Asimus	Gantz	Mischke	Sullivan
Bevins	Garber	Neubauer	Thomas, Ray
Blome	Greenamyre	Norman	Thornton
Bowman	Jeppesen	Peterson	Tvrdik
Brodahl	Johnson	Rakow	Weborg
Callan			

Voting in the negative, 6:

Hanna	Mekota	Raecke
Howard	Metzger	Van Diest

Not voting, 8:

Carlson	Kotouc	Mueller	Price
Crosby	Matzke	Murphy	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to, notwithstanding the Governor's veto.

MOTION—To Make Special Order

Mr. Howard moved that L. B. No. 507 be made Special order for Wednesday, May 7, 1941 at 10:00 a. m.

The motion prevailed.

Speaker Howard presiding

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 221. With emergency clause.

A bill for an Act relating to public welfare, public health and social security; to establish a **"state surplus agricultural revolving fund"**; to promote the expansion of the surplus commodity stamp plan for facilitating the distribution of surplus commodities; specifically to appropriate from the general fund of the state of Nebraska the sum of four hundred thousand dollars for the uses and purposes of said revolving fund; to empower the state treasurer to invest the moneys appropriated to said revolving fund in county warrants issued upon the **"county food or cotton stamp revolving fund"** of the several counties; to provide penalties for the violation thereof; to amend Sec. 77-2501, C. S. Supp., 1939; to repeal said original section; to repeal Secs. 68-337, 68-338 and 68-339, C. S. Supp., 1939; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 36:

Adams, E. A.	Crosby	Lambert	Raecke
Asimus	Crossland	Matzke	Rakow
Bevins	Gantz	Mekota	Reed
Blome	Garber	Metzger	Sorrell
Bowman	Greenamyre	Mischke	Thomas, Ray
Brodahl	Hanna	Mueller	Thornton
Callan	Howard	Murphy	Tvrdik
Carlson	Johnson	Neubauer	Van Diest
Carmody	Kotouc	Norman	Weborg

Voting in the negative, 0.

Not voting, 7:

Adams, J. Jr.	Knezacek	Price	Thomas, Amos
Jeppesen	Peterson	Sullivan	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

SELECT FILE

LEGISLATIVE BILL NO. 17. Passed over.

LEGISLATIVE BILL NO. 430. E and R amendments, found in the Legislative Journal for the Eighty-first Day, were adopted.

Mr. Crosby offered the following amendment, which was adopted by unanimous consent:

Amend the bill, page 2, Sec. 3, line 5, by striking the words "licensed physicians", and substitute in lieu thereof the words "practitioners of the healing arts duly licensed to treat human ailments".

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 462. Mr. Hanna moved to indefinitely postpone.

A call of the House was ordered.

Mr. Neubauer moved to raise the call.

The motion prevailed with 22 ayes, no nays, 21 not voting.

Mr. Hanna's motion was lost with 10 ayes, 23 nays, 10 not voting.

E and R amendments, found in the Legislative Journal for the Eighty-first Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 500. E and R amendments, found in the Legislative Journal for the Eighty-first Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 67. E and R amendments, found in the Legislative Journal for the Eighty-first Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 223. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 351. E and R amendments, found in the Legislative Journal for the Eighty-first Day, were adopted.

Referred to E and R for engrossment, with 22 ayes, no nays, 21 not voting.

LEGISLATIVE BILL NO. 501. E and R amendments, found in the Legislative Journal for the Eighty-first Day, were adopted.

Referred to E and R for engrossment.

MOTION—To Change Position on File

Mr. President: I move that L. B. No. 464 be placed directly beneath L. B. No. 470 on General File. (Signed) Crosby

The motion prevailed with 27 ayes, 4 nays, 12 not voting.

Approved by the Governor

April 30, 1941

To the President, the Speaker and Members of the Legislature

Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day signed the following bills, viz:

L. B. No. 290	L. B. No. 432	L. B. No. 463
L. B. No. 299	L. B. No. 341	

Respectfully submitted,

(Signed) Val Peterson
Secretary to the Governor

GENERAL FILE

LEGISLATIVE BILL NO. 470. Mr. Metzger moved the previous question.

The President put the question "Shall the debate close?"

The motion was lost with 10 ayes, 15 nays, 18 not voting.

Mr. Van Diest withdrew his Specific amendment.

Mr. Murphy offered what had been the Van Diest Specific amendment as his own General File amendment.

No action was taken thereon.

MESSAGE FROM THE GOVERNOR

Work Projects Administration in Nebraska

May 1, 1941.

To the President, the Speaker and Members of the Legislature

Gentlemen:

During 1935 and 1936 the Bureau of Child Welfare, and since 1937, the Board of Control have been the official sponsors of the Statewide Recreation Program which is a project conducted by the Work Projects Administration.

This project assists the local communities in providing supervised recreational opportunities for children and adults. During the past year this project employed approximately 675 persons in 153 separate communities in the State of Nebraska. Over a million persons in the State participated in the Recreation Program last year. The total cost of the project was $674,124.00. Of this amount, the Federal Government through the Works Projects Administration furnished $538,124.00 and the local co-sponsors (usually the City Council of the various towns) furnished approximately $136,000.00.

In April of this year the Board of Control submitted to the Work Projects Administration a new project proposal to continue the Recreation Project for the ensuing year. The new project was to provide employment for 730 persons for one year and calls for an expenditure of $103,000.00.

Operating Procedure No. G-1 of the Work Projects Administration, Section 6, provides that "projects shall be sponsored by a Federal Department, a State, political subdivision thereof, or a legally constituted public agency of the State or political subdivision and those types of agencies or bodies specifically authorized as eligible sponsors by the current Emergency Relief Appropriation Act. The sponsoring agencies shall have the legal authority to engage in the work embraced in the project in the area covered by the application."

In Section 7 of the same procedure, the regulations state that "A sponsoring agency is considered to have legal authority to perform an act if it derives such authority from a constitutional source, by legislative action, or by virtue of delegation from other public agencies."

When the Washington Office of the Work Projects Administration was reviewing the new project proposal, they raised the question as to whether or not the laws of Nebraska gave the Board of Control the authority to sponsor a recreation project. They asked that a ruling be secured from the Nebraska Attorney General's Office indicating whether or not the Board of Control under the laws of Nebraska has authority to sponsor such a project. This matter was discussed with the Attorney General's Office and it is the opinion of the Attorney General's Office that the Board of Control is not authorized to conduct or sponsor recreation activities under the existing laws. It is also the opinion of the Attorney General's Office that under

existing statutes there is no department in the State of Nebraska who now has legal authority to sponsor such an activity. Therefore, if the State of Nebraska is to be in a position to take advantage of such WPA projects as the Statewide Recreation Program, it will be necessary for the legislature to enact appropriate legislation which will enable the State or Department thereof to conduct such an activity.

In view of the Federal regulation relative to requirements for eligible sponsorship of Statewide projects, it is felt that some of the other programs which are now sponsored by the various State Departments will be in jeopardy unless suitable legislation is passed which will give the State or department, or agency of the State the authority to sponsor such activities. Some of the Statewide projects now in operation which may be affected by the regulations relative to the authority of sponsors to conduct the activities are:

(1) The Public School Library Project which is sponsored by the State Department of Public Instruction. The purpose of the project is to provide library services to the public schools. At the present time this project employs 119 workers and operates in 52 schools in Nebraska. The present project proposal calls for the expenditure of $262,372 of Federal funds and $88,600 of local co-sponsor's funds.

(2) The Public Library Service Project which is sponsored by the Nebraska Public Library Commission. The purpose of this project is to augment the services performed by existing public libraries and to extend library services to those areas which do not now receive such services. The present project provides for the employment of 125 persons and calls for a total expenditure of $275,173.00 of which $208,017 is to be provided by Federal funds and $67,156.00 is to be provided by the local co-sponsors.

(3) The Statewide Sewing Project which produces clothing for needy persons in Nebraska and which is sponsored by the State Board of Control. During the past year, this project employed an average of 1500 workers. The project operates in 60 counties in Nebraska. During the past year this project produced over a million garments. Under the present project proposal, the Federal Government is to provide $1,128,014.00 and the local co-sponsors are to provide $374,416.00.

(4) The Statewide Cleaning and Renovating Projects which are sponsored by the State Superintendent of Public Instruction and the State Public Library Commission. The purpose of this project is to clean and renovate and repair the interior of schools, libraries, and other public buildings which have been allowed to deteriorate because of lack of funds for

proper maintenance. Seven hundred and fifty workers are employed on this project. Since the beginning of this project 150 public buildings have been cleaned or renovated. The present project is written for an expenditure of $893,170.00 of Federal funds and $186,740.00 of local co-sponsors funds.

(5) The Commodity and Stamp Distribution Project which is sponsored by the State Board of Control. The purpose of the project is to distribute surplus commodities to needy persons and public agencies throughout the State of Nebraska. The project employs 256 persons and operates in 52 counties in the State. The present project proposal provides for an expenditure of $234,270.00 of Federal funds and $159,040.00 of funds provided by the local co-sponsors.

(6) The Statewide Matron Service and School Lunch Project which is sponsored by the State Superintendent of Public Instruction. The workers on this project prepare and serve school lunches to children in the public schools. At the present time, it operates in 120 Nebraska schools. The present project is written to provide for an expenditure of $343,538.00 of Federal funds and an expenditure of $115,280.00 of local co-sponsor's funds.

(7) The Housekeeping Aide Project which is sponsored by the Board of Control. This project furnishes free home assistance in general housework, care of children, and simple home care of the sick to needy persons where the home maker is incapacitated to perform these duties. This project employs 337 persons. The project proposal provides for an expenditure of $224,280.00 of Federal funds and $75,610.00 of local co-sponsor's funds.

During the ensuing year the following records projects now in process of formation will require the sponsorship of a State Department, since they are designed to provide a **uniform** type of service to local, county, and city governments.

(1) A Statewide project to prepare reference indexes for County Clerks, County Judges, Clerks of District Courts, City Clerks, and other local officials. This project will provide for the employment of approximately 150 persons at a total estimated expenditure of $205,000.00 of Federal funds.

(2) A Statewide project to install cumulative pupil personnel records and cumulative teachers' service records in Nebraska public schools. This project will provide for the employment of approximately 100 persons at a total estimated expenditure of $120,000.00 of Federal funds.

(3) A Statewide project to prepare new records of real property administration; such as, deed and mortgage indexes, tax records, property indentification maps, etc. for Registers of Deeds, County Clerks, and County Treasurers. This project will provide for the employment of approximately 75 persons at a total estimated expenditure of $100,000.00.

The function of the official Statewide sponsors mentioned in this report is to cooperate and advise with the Work Projects Administration in the planning, developing, and operating of various programs. Each Statewide project is divided into local operating units, and some local public agency such as the city, county, library, or public school acts as the co-sponsor of the various local units. In most instances the local co-sponor furnishes the sponsor's share of the cost of the project as provided in the project proposal.

During the calendar year of 1940, Nebraska received $2,277,226.50 from the Federal Government to provide the services rendered by the Statewide projects sponsored by the State Departments previously mentioned.

In order to make certain that the State of Nebraska will be in a position to take advantage of any of these programs which the citizens feel would be of value to them, I am submitting herewith a proposed bill which has been approved by the Attorney General and by the officials of the Work Projects Administration. I recommend that it be enacted into law. There is no additional expense to the state involved in its passage.

Respectfully submitted,

(Signed) Dwight Griswold
Governor

Recess

At 12:01 p. m. on motion by Mr. Metzger the Legislature recessed until 2:00 p. m.

After Recess

Pursuant to adjournment the Legislature reconvened at 2:00 p. m. Speaker Howard presiding.

The roll was called and all members were present except Mr. Price and Amos Thomas, who were excused.

Communications

A letter was read from Ray Lahr thanking the members of the

Legislature for their appreciation expressed in Legislative Resolution No. 19.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 470. Mr. Murphy's motion was discussed.

Mr. Peterson offered the following amendment, which was adopted:

Amend the amendment offered by Senator Murphy by striking the word "aircraft".

A call of the House was ordered.

Mr. Raecke moved to raise the call.

The motion prevailed with 21 ayes, no nays, 22 not voting.

A record vote was requested on the Murphy amendment.

Voting in the affirmative, 14:

Adams, E. A.	Howard	Norman	Tvrdik
Bevins	Johnson	Peterson	Van Diest
Gantz	Mischke	Raecke	
Hanna	Murphy	Sullivan	

Voting in the negative, 24:

Adams, J. Jr.	Carlson	Knezacek	Neubauer
Asimus	Carmody	Lambert	Rakow
Blome	Crosby	Matzke	Reed
Bowman	Crossland	Mekota	Thomas, Ray
Brodahl	Garber	Metzger	Thornton
Callan	Jeppesen	Mueller	Weborg

Not voting, 5:

Greenamyre	Price	Thomas, Amos
Kotouc	Sorrell	

The motion was lost.

Mr. Neubauer moved to refer the bill to E and R for engrossment.

Mr. Van Diest moved to send L. B. No. 470 and L. B. No. 464 back to the Committee for correlation.

The motion was lost with 5 ayes, 23 nays, 15 not voting.

Mr. Neubauer's motion prevailed with 27 ayes, 4 nays, 12 not voting.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 464. Read and considered.

Mr. Callan offered the following amendment, which was adopted:

Amend page 3, Sec. 2, line 17, by striking the word "three" and substituting in lieu thereof the word "two".

Mr. Metzger asked that unanimous consent be granted to withdraw his name as an introducer of the bill.

No objection was offered and the President so ordered.

Mr. Crosby moved to refer to E and R for review.

Mr. Greenamyre moved to indefinitely postpone.

The motion was lost with 15 ayes, 21 nays, 7 not voting.

Mr. Crosby's motion prevailed with 20 ayes, 15 nays, 8 not voting.

Referred to E and R for review.

LEGISLATIVE BILL NO. 222. Mr. Norman's amendment, found in the Legislative Journal for the Eighty-first Day, was withdrawn.

Mr. Peterson's amendment, found in the Legislative Journal for the Eighty-first Day was lost, with 12 ayes, 16 nays, 15 not voting.

Mr. Hanna offered the following amendment, which was adopted with 20 ayes, 2 nays, 21 not voting.

Sec. 33. Change appropriation for Brand and Theft Prevention fund from $40,000.00 to $120,000.00."

Mr. Raecke offered the following amendment, which was adopted:

Amend the bill, page 3, section 6, by adding after line 5 the following words and figures: "Binding engrossed bills and purchasing new record books $350.00".

Mr. Callan offered the following amendments, which were adopted:

Amend page 33, section 59, line 5, by inserting after the ";" the following: "vouchers for travel expenses shall be presented at the end of each calendar month and not later than 60 days after expenses are incurred;".

Sec. 8, line 4, strike the word "writing" and insert "signing".

Mr. Carmody offered the following amendment, which was adopted:

Amend L. B. 222 (printed bill) Section 40, page 19, by striking the figures "$5,000.00" in line 27 and inserting in lieu thereof "10,000.00," and add after the figures "10,000.00" the words "plus unexpended balance for this purpose".

Mr. Matzke offered the following amendment, which was adopted:

In the first line of the adopted Standing Committee amendment No. 33, after the word and punctuation "administration," add: "Maintenance, building alteration and construction, purchase of tools, machinery equipment and supplies, and all other trade school purposes,".

Referred to E and R for review.

BILLS ON FIRST READING (Continued)

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 512. By Tvrdik of Douglas, Crosby of Lincoln.
(Requested by the Governor)

A bill for an Act to empower the governor to sponsor statewide projects contributed to by the federal **work projects administration** or any other federal agency where there is no state agency authorized by law to sponsor the same, including the power to cooperate with or to supervise or to act in an advisory capacity as to any and all projects contributed to by said **work projects administration** as to which state-wide supervision, direction or advisory control may be deemed expedient; and to declare an emergency.

MOTION—To Suspend Rules

Mr. Tvrdik moved that the rules be suspended and that L. B. No. 512 be read the second time.

The motion prevailed with 30 ayes, no nays, 13 not voting.

BILLS ON SECOND READING

The following bill was read the second time by title:

(For title see Bills on First Reading)

LEGISLATIVE BILL NO. 512. By Tvrdik, Crosby.

Member Excused

Mr. Ray Thomas was excused until Monday, May 5, 1941.

Adjournment

At 4:46 p. m. on motion by Mr. Mischke the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

EIGHTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Friday, May 2, 1941.

Pursuant to adjournment the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Amos Thomas, Ray Thomas and Mr. Van Diest, who were excused.

The Journal for the Eighty-second Day was approved.

PETITIONS AND MEMORIALS

A petition, addressed to all members, was introduced, asking that the Regents' budget be not reduced.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 191. Correctly enrolled.

LEGISLATIVE BILL NO. 509. Placed on Select File with amendments.

E and R amendments to L. B. No. 509:

1. Amend the bill, page 4, section 1, line 60 by striking the punctuation "." after the word "anthrax".

2. Amend the bill, by inserting the punctuation "," on the pages, sections, in the lines and after the words as follows:

"page 3, section 1, line 38 after the word "Richardson"; page 3, section 1, line 45 after the word "Works"; page 3, section 1, line 46 after the word "Ruse"; page 4, section 1, line 50 after the abbreviation and punctuation "Co."; page 4, section 1, line 62 after the word "Parks"; page 4, section 1, line 63 after the word "Dorrance"; page 4, section 1, line 64 after the word "Mengel"; page 4, section 1, line 65 after the word "Sheriff"; page 4, section 1, line 66 after the word "Attorney"; page 5, section 1, line 69 after the word "Walden";

page 5, section 1, line 70 after the word "Sheriff"; page 5, section 1, line 72 after the word "Company"; page 5, section 1, line 75 after the word "Scott"; page 5, section 1, line 80 after the word "Hooker"; page 5, section 1, line 82 after the word "District"; page 5, section 1, line 86 after the word "Estate"; page 6, section 1, line 88 after the word "Jefferis"; and page 6, section 1, line 91 after the word "Dimery".

3. Amend the bill, page 2, section 1, line 13 by striking the word "Damages" and by inserting in lieu thereof the word "Damage".

4. Amend the bill, page 2, section 1, line 8, by inserting the punctuation "." after the abbreviation "Mass".

LEGISLATIVE BILL NO. 418. Replaced on Select File with amendments.

E and R amendments to L. B. No. 418:

1. Amend the Enrollment and Review Amendments, amendment 1, section 2, line 1, by inserting after the word "that" and before the abbreviation and punctuation "Sec.", the following: "said original".

LEGISLATIVE BILL NO. 503. Correctly re-engrossed.

LEGISLATIVE BILL NO. 89. Correctly re-engrossed.

LEGISLATIVE BILL NO. 441. Correctly engrossed.

LEGISLATIVE BILL NO. 301. Replaced on Select File with amendments.

E and R amendments to L. B. No. 301:

1. Amend the bill, page 3, section 3, line 1 by striking the section symbol "33-206" therein and by inserting in lieu thereof the section symbol "32-206".

LEGISLATIVE BILL NO. 426. Placed on Select File with amendments.

E and R amendments to L. B. No. 426:

1. Amend the bill, preamble, page 1, lines 6 and 15 by striking the figures and abbreviation "10th" and by inserting in lieu thereof the word "tenth".

2. Amend the bill, preamble, page 1a, line 27 by striking there-

from the word "third-degree" and by inserting in lieu thereof the words "third degree".

3. Amend the bill, preamble, page 1a, line 38 by striking the figures and abbreviation "21st" therein and by inserting in lieu thereof the word "twenty-first".

4. Amend the bill, preamble, page 1a, line 48 by striking the figures "12" and by inserting in lieu thereof the word "twelve".

5. Amend the bill, page 2, section 2, line 5 by striking the figures and abbreviation "10th" and by inserting in lieu thereof the word "tenth".

LEGISLATIVE BILL NO. 207. Placed on Select File with amendments.

E and R amendments to L. B. No. 207:

1. Amend the bill, page 2, section 1, line 5, by striking the words "fur bearing" therein and by inserting in lieu thereof the word **"fur-bearing".**

2. Amend the bill, page 2, section 1, line 13, by striking the word ". The" therein and by inserting in lieu thereof the following: "; the".

3. Amend the bill, page 2, section 1, line 10, by striking the punctuation "," after the word "opossums" therein; and in line 16 of said section 1, strike the punctuation "," after the word "dove" therein; and in line 19 of said section 1, strike the punctuation "," after the word "corporations" therein.

4. Amend the bill, page 2, section 1, lines 17 and 18 by striking the punctuation "," inside all quotation marks therein and by inserting the punctuation **"**," after final quotation marks in each case.

5. Amend the bill, page 2, section 1, line 19, by striking the word "co-partnerships" therein and by inserting in lieu thereof the word **"copartnerships".**

6. Amend the bill, page 2, section 1, line 25, by striking the second conjunction "or" therein and by inserting in lieu thereof the preposition **"of".**

7. Amend the bill, page 4, section 4, line 6, by inserting the punctuation "," after the word "trap" therein.

8. Amend the bill, page 4, section 4, line 20, by inserting the punctuation "," after the word "kill" and before the conjunction "or"; and also in line 26, insert the punctuation "," after the word "take"

therein; and also in line 27, insert the punctuation "," after the word "possession" therein.

9. Amend the bill, page 4, section 4, line 30, by striking the word and punctuation "however," therein.

10. Amend the bill, page 5, section 6, line 3, by striking the word "To" therein and by inserting in lieu thereof the word **"to"**; and in section 6 on pages 5 and 6, decapitalize the first word appearing in subsections b to h inclusive.

11. Amend the bill, page 5, section 6, line 6, by striking the words "spot light" therein and by inserting in lieu thereof the word **"spotlight"**; and also in line 8 of said section 6, strike the words "water craft" and insert in lieu thereof the word "watercraft".

12. Amend the bill, page 5, section 6, line 10, by striking the word "swivel-gun" therein and by inserting in lieu thereof the word "swivelgun".

13. Amend the bill, page 6, section 6, line 21, by inserting the punctuation "," after the word "hunted" and before the preposition "by".

14. Amend the bill, page 6, section 6, line 25 by striking the punctuation ";" after the word "kind" therein, and by inserting in lieu thereof the following: ". ;.

15. Amend the Standing Committee Amendments, amendment 3, page 1, section 7, line 9, by striking the words "triple-gang" therein, and by inserting in lieu thereof the following: **"triple gang"**.

16. Amend the Standing Committee Amendments, amendment 3, section 7, line 15, by striking the word "trammel-nets" therein, and by inserting in lieu thereof the words **"trammel nets"**; and likewise strike and insert wherever the same error appears throughout the section.

17. Amend the Standing Committee Amendments, amendment 3, page 2, line 38 by striking the punctuation "." after the word "dollars" therein, and by inserting in lieu thereof the punctuation ";" ; and, also in said line 38 strike the word "For" and insert in lieu thereof the word **"for"**; and, in line 39 of said section strike the punctuation "." and insert in lieu thereof the punctuation ";"; and, also in line 40 of said section strike the word "For" and insert in lieu thereof the word **"for"**.

18. Amend the Standing Committee Amendments, amendment 3, page 2, section 7, line 40 by striking the word "hoop-net" therein, and by inserting in lieu thereof the words **"hoop net"**.

19. Amend the Standing Committee Amendments, amendment 3, page 2, section 7, line 42 by striking the word and punctuation "however," and by inserting in lieu thereof the word **"that"**.

20. Amend the Standing Committee Amendments, amendment 3, page 2, section 7, line 43 by striking the word "license" therein and by inserting in lieu thereof the word **"permit"**.

21. Amend the bill, page 6, section 7, line 3, by inserting after the section symbol and punctuation "37-208." the following: **"Subdivision 1."**; also, in line 18 of said section insert **"Subdivision 2."** before the word **"Any"**; also strike the period before each of the letters (b) and (d) in said section and insert in lieu thereof, in each instance a comma, and decapitalize the first word after each of said letters; also, in line 9 of said section, strike ". (c) To" and insert in lieu thereof **", (c) for any person to"**; and, in line 15, strike the following: ". (e) For any one" and insert in lieu thereof **", or (e) for anyone"**.

22. Amend the bill, page 7, section 8, lines 22 and 23, by striking the words "or her".

23. Amend the bill, page 2, section 1, line 18, by striking the word "means" and inserting in lieu thereof the word **"mean"**.

24. Amend the bill, page 2, section 1, line 27, by inserting the punctuation "," after the word "restriction" and before "when".

25. Amend the bill, page 3, section 2, line 12, by inserting the punctuation "," after the word **"nonresident"** and before "shall".

26. Amend the bill, page 4, section 4, line 29, by inserting after the word "bird" and before the word "be" the punctuation and word **", shall"**.

27. Amend the standing committee amendments, amendment No. 3, page 1, Sec. 7, line 22, by striking the word "Commission" and inserting in lieu thereof the word "Commision".

28. Amend the bill, page 2, section 1, line 21, by striking the word "Forestration" and inserting in lieu thereof the word "Forestation".

29. Amend the bill, page 2, section 2, line 6, by striking the figures and punctuation "(25.00)" and inserting in lieu thereof the figures and punctuation "($25.00)".

30. Amend the standing committee amendments, amendment No. 7, line 15, by striking the word "is" and inserting in lieu thereof the word "are".

31. Amend the bill, page 7, section 8, line 8, by striking the words "further be" and insert in lieu thereof the words "further **shall** be".

32. Amend the bill, page 7, section 8, line 13, by striking the second word "any" in said line and insert the word **"every"**.

33. Amend the bill, page 7, section 8, lines 17 and 18, by striking the words "by imprisonment" and inserting in lieu thereof the word **"imprisoned"**.

LEGISLATIVE BILL NO. 398. Placed on Select File with amendments.

E and R amendments to L. B. No. 398:

1. Amend the general file amendment, line 2, by striking therefrom "$6,500.00" therein and by inserting in lieu thereof the words "six thousand five hundred".

2. Amend the bill, page 2, section 1, line 2, by inserting the punctuation "," after the word "Nebraska" therein.

(Signed) Crosby, Chairman

Legislative Administration

Officers' and Employees' Position, Rate and Salary

April, 1941

Includes over-time during the months January, February, March and April

Louis R. Eby	Ass't Clerk	26	8.00	Day	208.00
George L. Santo	Sergeant at Arms	3½	.56	Hr.	
		28	4.50		127.96
Tracy Frost	Ass't Serg. Arms	3½	.50	Hr.	
		28	4.00	Day	113.75
Henry Vauck Omitted Sunday time Febr. and March	Postmaster	4	4.00	Day	
		26	4.00		120.00
Rev. L. L. Chambers	Chaplain	26	4.00		104.00
Laura Wickland	Tel. Operator	3½	.50	Hr.	
		24	4.00	Day	97.75
Jo Eastburn Omitted Sunday time Febr.	Secy. Lt. Gov.	7	5.00		

and March		27	5.00		170.00
Lyda Hafer	Journal Clerk	3½	.625	Hr.	
		26	5.00	Day	132.19
Pauline Flake	Ass't Journal Clk.....	3	.50	Hr.	
		12	4.00	Day	49.50
Gloria Nelson	Stenographer	12	4.00		
	Ass't Journal Clk.....	13	4.00		100.00
Agnes Heagney	Chief Engro. Clk.....	3½	.625	Hr.	
		26	5.00	Day	132.19
F. J. McGhan.....	Bookkeeper	26	4.50		117.00
J. S. Hedgecock.....	Docket Clerk	26	4.00		104.00
Clara C. Turbyfill.....	Office Ass't.	3½	.50	Hr.	
		26	4.00	Day	105.75
Grace Gaines	Committee Clerk	33½	.625	Hr.	
		26	5.00	Day	150.93
Connie Wade	Committee Clerk	3½	.625	Hr.	
		26	5.00	Day	132.18
Edna Freeman	Committee Clerk	33½	.625	Hr.	
		26	5.00	Day	150.93
L. T. Fleetwood.....	Committee Clerk	22	5.00		110.00
Mae Ellingson	Committee Clerk	14	.625	Hr.	
		25	5.00	Day	133.75
Lorraine Schwenk	Committee Clerk	24	5.00		120.00
Harvey Galloway	Committee Clerk	8	.625	Hr.	
		26	5.00	Day	135.00
Edith Peterson	Committee Clerk	26	5.00		130.00
Eleanore Bricker					
Difference between steno and committee clerk rate omitted in March.....	Committee Clerk	7	1.00		
		25	5.00		132.00
Elinor Doran					
Difference between steno and committee clerk rate omitted in March.....	Committee Clerk	19	1.00		
		24	5.00		139.00
Isla Replogle	Stenographer	24	4.00		96.00
Yvonne Wood	Stenographer	3½	.50	Hr.	
		24	4.00	Day	97.75
Catherine Boggus	Stenographer	24	4.00		96.00
Bernice Lundeen	Stenographer	24	4.00		96.00
Helen Norris Siemsen.	Stenographer	24	4.00		96.00
Irma Campbell	Stenographer	3½	.50	Hr.	
		24	4.00	Day	97.75
Maxine Stefanski	Stenographer	24	4.00		96.00
Henrietta Zeller	Stenographer	24	4.00		96.00

Kathryn Jean Ellsworth	Stenographer	24	4.00		96.00
Gentry Hobson Colburn	Stenographer	24	4.00		96.00
Genevieve Prebyl	Stenographer	24	4.00		96.00
Margaret Stegeman	Stenographer	22	4.00		88.00
Sarah Buckman	Stenographer	26	4.00		104.00
Grace Furst	Stenographer	10½	4.00		42.00
G. F. Martin	Chief Bill Clerk	9½	.56	Hr.	
		26	4.50	Day	122.32
Cecil B. Schmitt	Ass't Bill Clerk	9½	.50	Hr.	
		26	4.00	Day	108.75
Richard Wait	Ass't Bill Clerk	9½	.50	Hr.	
		26	4.00	Day	108.75
Edw. J. Branigan	Ass't Bill Clerk	7	.50	Hr.	
		26	4.00	Day	107.50
Geo. A. Roberts	Ass't Bill Clerk	7	.50	Hr.	
		26	4.00	Day	107.50
Gus E. Neumann	Ass't Bill Clerk	9½	.50	Hr.	
		26	4.00	Day	108.75
Herman Kroon	Mimeograph Opr.	9½	.50	Hr.	
		26	4.00	Day	108.75
Henry N. Remington	Chief Page & Msgr.	30	3.50		105.00
Charles A. Darling	Page & Msgr.	24	3.25		78.00
Clayton C. Hesser	Page & Msgr.	24	3.25		78.00
Fred R. Dunhan	Page & Msgr.	15	3.25		48.75
Harold Gerch	Page & Msgr.	24	3.25		78.00
Harold Scott	Ass't Custodian	26	3.50		91.00
Lynn Skinner	Ass't Custodian	26	3.50		91.00
Steve Matulis	Ass't Custodian	26	3.50		91.00
Timothy M. Green	Ass't Custodian	24½	3.50		85.75
E. J. Keogh	Cloak Room Att'd	9	3.50		31.50
Carl E. Peterson	Cloak Room Att'd	15	3.50		52.50
Louis C. Stolldorf	Cloak Room Att'd	18	3.50		63.00
Harriette L. Nebergall	Typist—Proof Reader	3½	.50	Hr.	
		26	4.00	Day	105.75
Agnes M. Peterson	Proof Reader	266½	.50	Hr.	133.25
Glen A. McKinney	Proof Reader	266½	.50		133.25
Glenn C. Fosnot	Proof Reader	25	4.00	Day	100.00
W. O. Larson	Proof Reader	25	4.00	Day	100.00
Michael A. Gergen	Chief Legislative Custodian	1	100.00	Mo.	100.00
Francis V. Robinson	E & R Legal Advisor	1	375.00		375.00

April Expenditures and Balances

On Hand May 1, 1941

Fund No. 1		$ 175.13
Incidental Expenses (None)		
Balance in Fund No. 1		175.13
Fund E-2		37,500.13
Members' Salaries (None)		
Balance in Fund E-2		37,500.13
Funds E-3, E-4, E-5, E-5A		22,772.62
Fund E-3, Mileage of Members	None	
Fund E-4, Salaries of Officers & Employees	$7,022.45	
Fund E-5, Supplies & other incidentals	1,790.65	
Fund E-5A, Legislative Investigation of Permanent Trust Funds	120.90	
Total		8,934.00
Balance in Funds. E-3, E-4, E-5, E-5A		13,838.62
Fund No. 8		900.00
Clerk of Legislature, Salary	$ 300.00	
Total		300.00
Balance in Fund No. 8		600.00
Note: Fund E-5—Expenditures made up as follows:		
Printing Journals (partial payment)		754.80
Printing Session Laws (Separates) (partial payment)		166.16
Office supplies and printing		377.13
Telephone Service & Tolls Jan.	$ 121.61	
Feb.	69.63	
Mar.	66.45	257.69
Members of Appropriations Committee Inspecting State Institutions:		
Mileage, lodging and meals		140.62
Typewriter rental (March)		90.50
Towel Service (3 months)		3.75
		1,790.65
Fund E-5A—Expenditures made up as follows:		
L. C. Opper, State Accountant		
Mileage and meal account		
Bond Investigation		6.55

Geo. F. Kolzow, Ass't State Accountant	
Expenses incurred includes all Mileage, meals and lodging; also for Mr. Hush, Photographer and the purchase of films, etc. account Bond Investigation..	104.35
Virginia Wilcox, cutting stencils account Bond Investigation	10.00
	120.90

(Signed) Tvrdik, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill No. 191

Legislative Resolution No. 22

Certificate on L. B. No. 130

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 23. Tax Structure—Request for Study

Tax Structure of the State of Nebraska and its Governmental Subdivisions—Request for Study, Report and Preparation of Bills by Nebraska Legislative Council ad interim

Introduced by Mischke of Knox, Johnson of Dodge

Preamble

WHEREAS, the Nebraska Legislative Council has, by law, imposed upon it the duty of studying and inquiring into the problems of taxation of the state of Nebraska and its several governmental subdivisions, including the assessment and collection of taxes and the distribution of the tax burden, and

WHEREAS, the matter of improving the tax structure of the state of Nebraska and its several governmental subdivisions by appropriate legislation which will increase the efficiency and effect economies in the administration of state and local government in Nebraska, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-FIFTH REGULAR SESSION ASSEMBLED:

1. That the Nebraska Legislative Council is hereby respectfully requested to conduct a study, to compile a report and to prepare such bill or bills as may be required for introduction at the 1943 session of the Nebraska state legislature, touching the subject of improvements in the tax structure of the state of Nebraska and its several governmental subdivisions, which shall include matters of evasion and methods of collection of taxes in the state and in the several governmental subdivisions thereof, stressing in particular a study of tax evasion and better methods of tax collections in the several counties.

LEGISLATIVE RESOLUTION NO. 24. Salaries of Officers and Employees—Request for Study.

Salaries of State, County, Township, City and Village Officers and Employees—Request for Study, Report and Preparation of Bills by Nebraska Legislative Council ad interim

Introduced by Mischke of Knox, Johnson of Dodge.

Preamble

WHEREAS, the Nebraska Legislative Council, among other things, is charged with the duty to study and inquire into the financial administration of the state government and the subdivisions thereof and to prepare a legislative program in the form of bills or otherwise, as in its opinion the welfare of the state may require, to be presented at the next session of the Nebraska state legislature, and

WHEREAS, the compensation which should be paid to officers and employees of the state of Nebraska and of the several counties, townships, cities and villages composing the same, is a matter of general concern which ought to be studied by the Nebraska Legislative Council and the result of that study reported to the 1943 session of the Nebraska state legislature for such action as said legislature may see fit to take, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-FIFTH REGULAR SESSION ASSEMBLED:

1. That the Nebraska Legislative Council is hereby respectfully requested to conduct a study, to compile a report and to prepare such bill or bills as may be required for introduction at the 1943 session of

the Nebraska state legislature, touching the subject of compensations and salaries which ought to be paid to officers and employees of the state of Nebraska and the several counties, townships, cities and villages composing the same, whose salaries are not fixed by the constitution.

CONSENT—To Add Name as Introducer

Mr. Blome requested unanimous consent to add his name as an introducer of Legislative Resolution No. 24.

No objection was offered and the President so ordered.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 466. With emergency clause.

A bill for an Act relating to highways; to provide for the lighting of county highways by county boards; to provide for the payment thereof out of funds that are available for the construction and maintenance of county highways: and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

Adams, E. A.	Crosby	Kotouc	Price
Adams, J. Jr.	Crossland	Matzke	Raecke
Asimus	Gantz	Mekota	Rakow
Blome	Greenamyre	Metzger	Reed
Bowman	Hanna	Mischke	Sorrell
Brodahl	Howard	Murphy	Thornton
Callan	Jeppesen	Neubauer	Tvrdik
Carlson	Johnson	Norman	Weborg
Carmody	Knezacek	Peterson	

Voting in the negative, 0.

Not voting, 8:

Bevins	Lambert	Sullivan	Thomas, Ray
Garber	Mueller	Thomas, Amos	Van Diest

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 508. With emergency clause.

A bill for an Act to amend Sec. 88-229, C. S. Supp., 1939, relating to public grain warehouses; to provide procedure for termination and renewal of public grain warehouse receipts; to repeal said original section; to repeal Sec. 88-230, C. S. Supp., 1939; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

Adams, E. A.	Crosby	Kotouc	Price
Adams, J. Jr.	Gantz	Matzke	Raecke
Asimus	Garber	Mekota	Rakow
Blome	Greenamyre	Metzger	Reed
Bowman	Hanna	Mischke	Sorrell
Brodahl	Howard	Murphy	Thornton
Callan	Jeppesen	Neubauer	Tvrdik
Carlson	Johnson	Norman	Weborg
Carmody	Knezacek	Peterson	

Voting in the negative, 0.

Not voting, 8:

Bevins	Lambert	Sullivan	Thomas, Ray
Crossland	Mueller	Thomas, Amos	Van Diest

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 174.

A bill for an Act to amend Secs. 71-1504, 71-1507, 71-1508 and 71-1518, C. S. Supp., 1939, relating to the practice of nursing; to prescribe the time when the bureau of education and registration for nurses shall file its annual report; to provide the method of making appointments to membership of the bureau; to provide for the appointment of a state director of nursing education; to prescribe the amount of annual re-registration fee; and to repeal said original sections.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 37:

Adams, E. A.	Crossland	Matzke	Price
Adams, J. Jr.	Gantz	Mekota	Raecke
Asimus	Greenamyre	Metzger	Rakow
Blome	Hanna	Mischke	Reed
Bowman	Howard	Mueller	Sorrell
Brodahl	Jeppesen	Murphy	Sullivan
Callan	Johnson	Neubauer	Thornton
Carlson	Knezacek	Norman	Tvrdik
Carmody	Kotouc	Peterson	Weborg
Crosby			

Voting in the negative, 0.

Not voting, 6:

Bevins	Lambert	Thomas, Ray
Garber	Thomas, Amos	Van Diest

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL NO. 17. Passed over.

LEGISLATIVE BILL NO. 81. E and R amendments, found in the Legislative Journal for the Eighty-second Day, were adopted.

Referred to E and R for engrossment.

MOTION—To Recall Bill to Select File

Mr. President: I move that L. B. No. 192 be recalled to Select File for consideration of the following unanimous consent amendment:

Amend the bill, page 6, section 4, line 36, by striking therefrom the word "three" and insert in lieu thereof the words "three five".

(Signed) Mueller

The motion prevailed.

SELECT FILE (Continued)

LEGISLATIVE BILL NO. 192. Mr. Mueller asked that his amendment, above set out, be adopted by unanimous consent.

No objection was offered and the President so declared.

Referred to E and R for engrossment.

Members Excused

Mr. Crosby and Mr. Norman were excused for the remainder of the day.

GENERAL FILE

LEGISLATIVE BILL NO. 202. Laid over. Retains place on File.

LEGISLATIVE BILL NO. 282. Mr. Kotouc withdrew his amendment, found in the Legislative Journal for the Eightieth Day.

Mr. Raecke offered the following amendments, which were adopted:

1. Amend the bill, page 3, section 1, line 65 by striking the word "and" after the word "dollars" and inserting in lieu thereof the word "or".

2. Amend the bill, page 3, section 1, line 67 by inserting after the word "year" the punctuation "," and the words "or both".

Mr. Peterson offered the following amendments, which were adopted:

Line 22, Section 3, strike the following "give to each assignor or borrower" and insert in lieu thereof the following: **", at the time any loan is made, give to the borrower, or if there are two or more borrowers to one of them."**

Section 4. Line 1, insert after the word "person", the following: **", firm, partnership, association or corporation subject to this act".** Line 4, insert after the comma following the word "broadcast," the following: **"in any manner whatsoever".**

Mr. Rakow offered the following amendment, which was adopted:

Add to Section 6, at end of the section the following words: "provided, however, that banks, savings banks and building and loan associations (as to members on the mutual plan), may become licensees hereunder and make loans upon the terms and security prescribed in this act from their usual places of business."

Mr. Raecke offered the following amendment, which was adopted:

Amend the bill, page 8, section 9, line 8 by striking the word "and" and to insert in lieu thereof the word "or" and in line 9,

after the word "months" insert the punctuation and words ", or both".

Mr. Peterson offered the following amendment, which was adopted:

Section 9, line 14, strike everything after the word "Whatsoever" in lines 14 and 15, and insert a period after the word "whatsoever."

No further action was taken on the bill.

Members Excused

John Adams, Jr. and Mr. Brodahl were excused for the remainder of the day.

MOTION—To Make Saturday Legislative Day

Mr. Howard moved that Saturday, May 3, 1941 be made a legislative day.

A call of the House was ordered.

The call was raised with 21 ayes, no nays, 22 not voting.

Mr. Howard's motion prevailed with 17 ayes, 14 nays, 12 not voting.

Member Excused

Mr. Kotouc was excused from the session on Saturday, May 3, 1941.

Recess

At 12:12 p. m. on motion by Mr. Gantz the Legislature adjourned until 2:00 p. m.

After Recess

Pursuant to adjournment the Legislature reconvened at 2:00 p. m. President Johnson presiding.

The roll was called and all members were present except Messrs. John Adams, Jr., Crosby, Norman, Price, Sullivan, Amos Thomas and Ray Thomas, who were excused.

MOTION—Adjournment

Mr. Mueller moved that a committee be appointed to arrange for adjournment sine die.

The motion was lost with 9 ayes, 15 nays, 19 not voting.

STANDING COMMITTEE REPORTS (Continued)

Enrollment and Review

LEGISLATIVE BILL NO. 375. Correctly enrolled.

LEGISLATIVE BILL NO. 192. Correctly engrossed.

LEGISLATIVE BILL NO. 511. Correctly engrossed.

LEGISLATIVE BILL NO. 67. Correctly engrossed.

LEGISLATIVE BILL NO. 399. Placed on Select File with amendments.

E and R amendments to L. B. No. 399:

1. Amend the bill, page 2, section 1, line 10 by striking the word "fuels" therein, and by inserting in lieu thereof the word **"fuel".**

2. Amend the bill, page 2, section 1, line 12 by inserting the punctuation "," after the word "law" therein.

3. Amend the bill, page 2, section 2, line 3 by inserting after the section symbol and punctuation "68-324." therein, the following: **"Subdivision 1."**

4. Amend the bill, page 2, section 2, line 12, by striking the word "For" therein, and by inserting in lieu thereof the word **"for";** and in said section 2, lower case and underscore the first word in subsections (3) and (4).

5. Amend the bill, page 3, section 2, line 23 by striking the words, punctuation and figures "deducting the above items, 1 to 3", and by inserting in lieu thereof the following: **"making the deductions provided for in subsections (1) to (3)".**

6. Amend the bill, page 3, section 2, line 30 by striking the word and figure "item 3" therein, and by inserting in lieu thereof the following: **"subsection (3)".**

7. Amend the bill, page 3, section 2, line 44, by striking the

figure "1" therein, and by inserting in lieu thereof the following: **"(1)".**

8. Amend the bill, page 4, section 2, line 74 by striking therefrom the word and figure "item 4", and by inserting in lieu thereof the following: **"subsection (4)".**

9. Amend the bill, page 4, section 2, line 74, by inserting after the word and punctuation "above." therein, and before the word "The", the following: **"Subdivision 2."**

10. Amend the bill, page 4, section 2, line 76, by inserting after the word "amended" and before the word "or" therein, the punctuation ","; and in line 84 of said section 2 on page 4, strike the punctuation "," after the word "equipment"; and also strike the punctuation "," after the word "education" in said line 84.

11. Amend the bill, page 2, section 1, line 12, by inserting a stricken period before the word "Any".

12. Amend the bill, page 2, section 2, line 18, by inserting the punctuation "," after the word "projects" and before the word "not".

13. Amend the bill, page 3, section 2, line 31, by striking the word "costs" and inserting in lieu thereof the word "cost".

Presented to Secretary of State

Friday, May 2, 1941 at 2:15 p. m.

Legislative Bill No. 130.

(Signed) Rakow, Vice Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill No. 375

GENERAL FILE

Speaker Howard presiding

LEGISLATIVE BILL NO. 282.

Mr. Mekota moved that Mr. Peterson, Ernest A. Adams and Mr. Greenamyre be appointed a committee to submit to the Legislature on Monday next an amendment for the purpose of eliminating abuses pertaining to insurance in connection with L. B. No. 282.

The motion prevailed.

Mr. Raecke offered the following amendment, which was adopted:

Amend the bill, General File amendment May 2, 1941, (Rakow) by inserting after the word and punctuation "banks," the following: "trust companies,".

Mr. Metzger offered the following amendments, which were adopted:

Amend page 8, Sec. 7, line 1 by striking Secretary of State and insert in lieu thereof "Department of Banking".

Strike the words "Secretary of State" whenever they appear in L. B. 282 and insert in lieu thereof **"Department of Banking".**

President Johnson presiding

Mr. Peterson offered the following amendment:

Insert the following clause following line 39, at end of Section 3. **"No licensee shall enter into any contract of loan under this act under which the borrower agrees to make any payment of principal more than twenty-one months from the date of making such contract on loans of three hundred dollars or less, or more than twenty-five months from the date of making such contract on loans in excess of three hundred dollars, and every such contract shall provide for repayment of the amount lent in substantially equal installments, either of principal or of principal and charges in the aggregate, at approximately equal periodic intervals of time; provided, however, that charges may be received at the rate contracted for in the loan contract until the loan is fully paid".**

The vote thereon was 14 ayes, 14 nays, 15 not voting.

The President voted aye and the amendment was adopted with 15 ayes, 14 nays, 15 not voting.

Explanation of Vote

I vote "aye" because this amendment will abolish the present scheme of providing balloon payments, thus requiring borrowers to refinance and to pay additional brokerage charges, with the reservation that the maximum term for repayment of the loan ought to be revised in conformance with whatever limit in amount of loan, if any, which may be imposed by later action of this legislature.

(Signed) Wm. Edw. Johnson

Mr. Metzger offered the following amendments, which were adopted:

Page 8, Sec. 7, add after "herewith" in line 7, the following: "Immediately upon the taking effect of this act, all records, accounts, books, documents, proceeds and assets in the possession of or under the control of the secretary of state used or useful in the administration or enforcement of the provisions of the statutes repealed in subdivision 1 of this section, shall be delivered to and taken possession of by the director of banking for the department of banking for his uses and purposes in administering and enforcing the **'Nebraska small loan act'**. All duties heretofore enjoined upon or exercised by the secretary of state with respect to the statutes relating to interest and chattel loans, not specifically terminated by this act shall be performed by the director of banking; and all title, contracts, agreements, actions or causes of action owned or held by the secretary of state arising out of the sections of the statutes repealed in subdivision 1 of this section or pertaining to interest or chattel loans, are hereby transferred to and invested in the director of banking for the department of banking, state of Nebraska, which is hereby made and constituted successor to said secretary of state with reference to the administration of the laws pertaining to interest and chattel loans. All actions pending in the name of or against the secretary of state shall be continued in the name of the director of banking, department of banking, state of Nebraska."

Amend by adding a new section numbered 10: "No license shall be granted to any person, if such person, partner or associate, or if any officer, director or employee of such corporation has been found guilty of usury by a court of competent jurisdiction of the State of Nebraska, or of any other state of the United States of America or of the United States."; and renumber succeeding sections.

Laid over and made Special Order for Monday, May 5, 1941 at 10:00 a. m.

LEGISLATIVE BILL NO. 339. Read and considered.

Mr. Kotouc's proposed amendments were withdrawn.

Laid over. Retains place on File.

MOTION—To Reconsider Action

Mr. Bevins moved that the Legislature reconsider its action in making Saturday, May 3d a legislative day.

A call of the House was ordered.

Mr. Hanna moved to raise the call.

The motion prevailed with 18 ayes, 11 nays, 14 not voting.

Mr. Bevins' motion was lost with 16 ayes, 12 nays, 15 not voting.

Recess

At 4:52 p. m. Ernest A. Adams moved to recess until 7:30 p. m.

The motion prevailed with 20 ayes, 8 nays, 15 not voting.

After Recess

Pursuant to adjournment the Legislature reconvened at 7:30 p. m. President Johnson presiding.

The roll was called and all members were present except Messrs. Carlson and Sullivan, and except Messrs, Adams, J. Jr., Brodahl, Kotouc, Lambert, Amos Thomas and Ray Thomas, who were excused.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 81. Correctly re-engrossed.

Correctly engrossed

L. B. No. 223	L. B. No. 430
L. B. No. 351	L. B. No. 501

(Signed) Rakow, Vice Chairman

REQUEST—Special Order

Mr. Asimus requested unanimous consent to make L. B. 296 Special Order for Monday, May 5, 1941 at 3:00 p. m.

No objection was offered and the President so ordered.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 332. Read and considered.

Mr. Norman offered the following amendments, which were adopted:

1. Amend the bill, page 2, section 2, by striking all of lines 1, 2 and 3 of said section and by inserting in lieu thereof the following:

"Sec. 2. In addition to the assessments from the school districts as stated in the previous section, all school districts".

2. Amend the bill, page 2, section 2 by striking lines 8 to 12 inclusive of said section.

3. Amend the bill, page 3, section 7, line 2 by striking therefrom the word "ten" and by inserting in lieu thereof the word "five".

4. Amend the bill, page 3, section 7, by striking all of line 9 therein.

5. Amend the bill, page 3, section 8, line 2 by striking therefrom the word "ten" therein and by inserting in lieu thereof the word "five".

6. Amend the bill, page 4, section 8, line 6 by striking therefrom the word "city" therein and by inserting in lieu thereof the words "school district".

7. Amend the bill, page 4, section 11, line 4 by striking therefrom the word "ten" therein and by inserting in lieu thereof the word "five".

8. Amend the bill, page 4, section 11, by striking that part of said section commencing with the word "shall" in line 5 therein down to and including the word "purchased" in line 7 therein and by inserting in lieu thereof the following:

"may be withdrawn or at the option of the employee an annuity shall be purchased which".

9. Amend the bill, page 4, section 11, line 9 by striking the word "city" therein and by inserting in lieu thereof the words "school district".

10. Amend the bill, page 4, section 12, line 4 by striking the word "ten" and inserting in lieu thereof the word "five".

11. Amend the bill, page 4, section 12, line 5 by striking the word "city" therein and by inserting in lieu thereof the words "school district".

12. Amend the bill, page 4, section 12 by striking that part of said section commencing with the word "shall" in line 5, down to and including the word "purchased" in line 7 therein and by inserting in lieu thereof the following:

"may be withdrawn or at the option of the employee an annuity may be purchased which".

Mr. Norman moved to refer to E and R for review.

Mr. Garber moved to indefinitely postpone.

The President announced the motion had prevailed.

Mr. Norman appealed from the decision of the Chair.

The President put the question: "Shall the Chair be sustained?"

The motion prevailed with 19 ayes, 10 nays, 14 not voting.

Indefinitely postponed.

LEGISLATIVE BILL NO. 506. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 154. Read and considered.

Laid over. Retains place on File.

LEGISLATIVE BILL NO. 494. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Forty-ninth Day, were adopted.

Mr. Neubauer offered the following amendments, which were adopted:

1. Amend the bill, page 2, section 1, by striking all new matter in lines 8, 9, 10 and 11 therein.

2. Amend the bill, page 2, section 1, line 22 by striking the conjunction "**and**" therein, and by inserting in lieu thereof the preposition "**for**".

3. Amend the bill, page 2, section 1, line 23 by striking the word "**wildlife**" therein, and by inserting in lieu thereof the words "**wild life**".

4. Amend the bill, page 2, section 1, by striking that part of said section commencing with the punctuation and words "**, but**" in line 25 down to and including the word "**hours**" in line 30.

5. Amend the bill, page 1, title, line 4 by inserting after the word "obtained" and before the second preposition "to" therein, the following:

"from the department of roads and irrigation"; and in lines 5 and 6 of said title strike the words "to establish fees;".

Referred to E and R for review.

LEGISLATIVE BILL NO. 263. Read and considered.

Mr. Greenamyre moved to refer to E and R for review.

Mr. Raecke moved to indefinitely postpone.

The motion was lost.

Mr. Price and Mr. Gantz offered the following amendment, which was adopted:

Amend the title, line 8, after the word "deposit," insert the words "with intent to defraud,".

Mr. Greenamyre's motion prevailed.

Referred to E and R for review.

LEGISLATIVE BILL NO. 271. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Forty-eighth Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 486. Laid over. Retains place on File.

LEGISLATIVE BILL NO. 139. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Forty-fifth Day, were adopted.

Mr. Gantz offered the following amendment, which was adopted:

Amend Standing Committee amendment to title, line 2 of said amendment, after the word "America" insert the following: ", or any county, city or village of the state of Nebraska,".

Referred to E and R for review.

LEGISLATIVE BILL NO. 33. **Standing Committee amendments,** found in the Legislative Journal for the Forty-fourth Day, were adopted as amended.

Referred to E and R for review.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor for approval

Friday, May 2, 1941 at 5:30 p. m.

Legislative Bill No. 375

LEGISLATIVE BILL NO. 221. Correctly enrolled.

LEGISLATIVE BILL NO. 462. Correctly engrossed.

LEGISLATIVE BILL NO. 464. Placed on Select File with amendments.

E and R amendments to L. B. No. 464:

1. Amend the bill, page 2, section 1, line 33 by striking the punctuation "." therein and by inserting in lieu thereof the punctuation ":".

2. Amend the bill, page 3, section 1, line 36, by striking therefrom the punctuation and words ", the additional tax of one cent per gallon", and insert in lieu thereof the words **"that part of the tax".**

3. Amend the bill, page 3, section 1, line 38, by striking the punctuation and word ", as".

4. Amend the bill, page 3, section 1, lines 39 and 40 by striking therefrom the following: **"Sec. 66-411, C. S. Supp., 1939, for"**, and insert in lieu thereof the following:

"Secs. 66-405 and 66-416, C. S. Supp., 1939, as amended by sections 1 and 3, legislative bill No. 70, fifty-fifth session, Nebraska state legislature, 1941, as now existing or as hereafter amended, allocated by Sec. 66-411 (A), C. S. Supp., 1939, as amended by section 2, legislative bill No. 70, fifty-fifth session, Nebraska state legislature, 1941, as now existing or as hereafter amended, to".

5. Amend the bill, page 3, section 1, line 44, by striking the words "throughout said emergency period".

LEGISLATIVE BILL NO. 499. Placed on Select File with amendments.

E and R amendments to L. B. No. 499:

1. Amend the bill, page 2, section 1, line 2 by striking the punctuation "." after the word "resolution" therein; and in said line 2 insert the punctuation "," after the word "congress" therein.

2. Amend the bill, page 2, section 1, line 12 by striking the word "become" therein and by inserting in lieu thereof the word "becomes".

3. Amend the bill, pages 2, 3, 4 and 5 by striking all of section 2 thereon and for the purpose of correlating section 5, legislative bill No. 375, as amended, with section 2, legislative bill No. 499, insert in lieu thereof the following:

"Sec. 2. That Sec. 26-105, C. S. Supp., 1939, as amended by section 7, legislative bill No. 495, fifty-fifth session, Nebraska state legislature, 1941, as amended by section 5, legislative bill No. 375, fifty-fifth session, Nebraska state legislature, 1941, be amended to read as follows:

26-105. The county boards of the several counties shall have the power: First. To take and have the care and custody of all the real and personal estate owned by the county; and, in connection with the foregoing, to file and to require each county officer of the county to file the annual inventory statements with respect to county personal property, as required by Secs. 26-758, 26-759 and 26-760, C. S. Supp., 1939, as now existing or as hereafter amended. Second. To manage the county funds and county business except as otherwise specifically provided. Third. To make all orders respecting the property of the county; to keep the county buildings insured; to sell the public grounds or buildings of the county, and purchase other properties in lieu thereof: **Provided,** that said county boards may, if they deem it for the best interests of the county, sell county property upon such terms of credit as shall by resolution of said county boards be determined upon; **and provided further,** that such deferred payment shall be for not more than two-thirds of the purchase price, the same to be secured by note or notes, and a first mortgage upon the property so sold, said deferred payments to draw not less than six per cent interest per annum from date until paid, the interest to be paid annually. Said county board shall also have the power to sell or negotiate, without recourse upon the county, said notes and mortgages so taken by them : **Provided,** the same shall not be sold for less than par value including accrued interest; **and provided further,** no lease for a period of more than ten years, or sale shall be made of real estate costing the county more than three thousand dollars until such proposition shall have been approved by a majority of the electors of the county voting thereon. Fourth. To lay out, alter or discontinue any road running through their county, to vacate or discontinue public roads running parallel and adjacent to state or

federal highways not more than four hundred yards from said highway, or any part thereof, or any abandoned or unused road or part thereof, and for such purpose may acquire title to lands therein, either by gift, prescription, dedication, the exercise of the right of eminent domain, purchase or lease, and may perform such duties concerning roads as may be prescribed by law. Fifth. To examine and settle all accounts against the county, and accounts concerning receipts and expenditures of the county. Sixth. To authorize the vacation of any city or village plat when the same is not within an incorporated city or village, on the petition of two-thirds of the owners thereof. Seventh. To change the name of any city or village plat on the petition of a majority of the legal voters residing therein, when the inhabitants thereof have not become a body corporate. Eighth. To settle by compromise or by accepting in full settlement thereof less than the face or full amount on any claim, judgment or demand in favor of the county, on which said claim, judgment or demand no payment or payments have been made or recovered during a full period of five years from and after the date or dates on which said claim, judgment or demand became due and enforceable, and execute full acquittance or receipt for said claim, judgment or demand, or to sell, at public or private sale, any claim, judgment or demand in favor of a county for cash, at the best price obtainable in the judgment of said board, and execute and deliver a proper transfer or assignment of said claim, judgment or demand so sold: **Provided,** that no member of the board may be personally interested, directly or indirectly, in the purchase of any such claim, judgment or demand. Ninth. When petitioned by twenty-five freeholders of the county, the county board may expend money from the general fund of the county for the care and maintenance of abandoned and neglected cemeteries: **Provided,** that no county board shall expend more than one hundred dollars in any one year for said purpose. Tenth When the county or any portion thereof outside the corporate limits of any city or village is included in a state zoning district, as provided in legislative bill No. 495, fifty-fifth session, Nebraska state legislature, 1941, to adopt by a majority vote of its members-elect a zoning resolution, which shall have the force and effect of law, which shall be effective forthwith upon its passage and approval, which shall be spread at large in the minutes of the proceedings of the county board, which shall be published in book or pamphlet form or in a legal newspaper published in and of general circulation in the county one time within ten days after its passage and approval, and the proof of publication of such resolution shall be filed for record in the office of the county clerk of the county; and, in like manner, to make and promulgate regulations not inconsistent with the zoning resolution which shall also have the force and effect of law; and, to pay out of its general fund its proportionate share of the cost of the technical and other services rendered to it by the

state zoning agency and then proceed to zone the territory within its jurisdiction according to law. Eleventh. To establish a **"county food or cotton stamp revolving fund"** as authorized in sections 1, 2, 3 and 4, legislative bill No. 375, fifty-fifth session, Nebraska state legislature, 1941. Twelfth. **To cooperate with the department of agriculture and inspection, state of Nebraska, the college of agriculture, university of Nebraska or the department of agriculture of the United States in the control or eradication of insect pests or plant diseases for the protection of agricultural or horticultural crops within the county and to expend money from the general fund for this purpose. Thirteenth.** As a board, or as individuals, to perform such other duties as may from time to time be imposed by general law.".

4. Amend the bill, page 5, section 3, line 2 by inserting after the figures and punctuation "1939," therein the following:

"as amended by section 7, legislative bill No. 495, fifty-fifth session, Nebraska state legislature, 1941, as amended by section 5, legislative bill No. 375, fifty-fifth session, Nebraska state legislature, 1941,".

5. Amend the bill, page 1, title, line 5 by striking the punctuation "," after the word "resolution" therein and also in said line 5 insert the punctuation "," after the word "congress" therein.

6. Amend the bill, page 1, title, line 15 by inserting after the figures "1939" therein the following:

", as amended by section 7, legislative bill No. 495, fifty-fifth session, Nebraska state legislature, 1941, as amended by section 5, legislative bill No. 375, fifty-fifth session, Nebraska state legislature, 1941"; and in line 16 of said title insert after the word "section" therein the following: ", as amended".

(Signed) Rakow, Vice Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill No. 221

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 24. Read and considered.

Mr. Gantz offered the following amendments, which were adopted:

Amend Standing Committee amendment, Sec. 2, page 2, line 10, by striking the words "state sheriff" in said line and insert in lieu

thereof the words "superintendent of law enforcement and public safety,".

1. Amend the standing committee amendments, mimeographed, April 7, 1941, amendment No. 1, page 5, section 5, line 24, by inserting after the word and punctuation "licensee." therein and before the word "Any" therein the following: **"Subdivision 1."**

2. Amend the standing committee amendments, mimeographed, April 7, 1941, amendment No. 1, page 5, section 5, line 45, by inserting after the word and punctuation "forced." therein the following:

"Subdivision 2. The director shall forthwith revoke or suspend, as case is, on his own motion, the license of any person to operate a motor vehicle anywhere within the state of Nebraska upon receipt of a certified copy of a judgment of conviction that, by its terms, revokes or suspends the right of such person to operate a motor vehicle within the jurisdiction of the court, if the jurisdiction of the court that revokes or suspends the license, as case is, comprises territory less in area than the area of the entire state of Nebraska: Provided, the period of statewide revocation or suspension ordered by the director shall be the same period of time as fixed by the trial judge or magistrate. Subdivision 3. The director shall forthwith revoke on his own motion, without the direction of any court, the operator's license of any person whose license is suspended, revoked or cancelled and who, during the period of such suspension, revocation or cancellation, has been issued a new license to operate a motor vehicle. Subdivision 4. The director shall, at the end of the period of suspension, revocation or cancellation of the operator's license, return the license so surrendered to the licensee. Subdivision 5. The director, in any case where it appears in the certified copy of the judgment of conviction that an operator's license has been by the court ordered revoked or suspended, and where the surrendered license does not accompany the certified copy of the judgment of conviction forwarded to director by trial judge or magistrate, shall, through the Nebraska safety patrol or any other Nebraska peace officer, take the necessary steps to effect the surrender of the driver's license of such convicted person and shall retain possession of the suspended or revoked license until it is returned to the licensee, as required by law.".

3. Amend the standing committee amendments, mimeographed, April 7, 1941, amendment No. 1, page 8, section 9, line 29, by inserting after the word "court" therein the following:

", except as otherwise provided in Sec. 60-429, C. S. Supp., 1939, as amended by section 5, legislative bill No. 24, fifty-fifth session, Nebraska state legislature, 1941".

4. Amend the standing committee amendments, mimeographed, April 7, 1941, amendment No. 2, page 9, line 17, by inserting after the word and punctuation "therewith;" therein the following:

"to empower the director of motor vehicles to revoke and suspend operators' licenses on his own motion in certain cases;".

Standing Committee amendments, found in the Legislative Journal for the Sixty-fourth Day, were adopted as amended.

Unanimous consent was granted to add the name of Mr. Jeppesen as a co-introducer.

Referred to E and R for review.

Member Excused

Mr. Reed was excused from the session on Saturday, May 3, 1941.

Adjournment

At 10:40 Mr. Gantz moved to adjourn.

The motion prevailed with 23 ayes, no nays, 20 not voting.

Hugo F. Srb,
Clerk of the Legislature.

EIGHTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Saturday, May 3, 1941.

Pursuant to adjournment the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. John Adams, Jr., Brodahl, Kotouc, Matzke, Norman, Rakow, Reed, Amos Thomas and Ray Thomas, who were excused.

The Journal for the Eighty-third Day was approved as corrected.

PETITIONS AND MEMORIALS

Mr. Neubauer introduced a petition favoring L. B. No. 434.

Approved by the Governor

May 2, 1941

To the President, the Speaker and Members of the Legislature
Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bill, viz:

L. B. No. 375.

Respectfully submitted,

(Signed) Jean Spencer
Acting Secretary to the Governor.

SELECT FILE

LEGISLATIVE BILL NO. 17. Laid over.

LEGISLATIVE BILL NO. 509. E and R amendments, found in the Legislative Journal for the Eighty-third Day, were adopted.

Referred to E and R for Engrossment.

LEGISLATIVE BILL NO. 418. E and R amendment, found in the Legislative Journal for the Eighty-third Day, was adopted.

Referred to E and R for Engrossment.

LEGISLATIVE BILL NO. 301. E and R amendment, found in the Legislative Journal for the Eighty-third Day, was adopted.

Referred to E and R for Engrossment.

LEGISLATIVE BILL NO. 426. E and R amendments, found in the Legislative Journal for the Eighty-third Day, were adopted.

Referred to E and R for Engrossment.

LEGISLATIVE BILL NO. 207. E and R amendments, found in the Legislative Journal for the Eighty-third Day, were adopted.

Mr. Mischke offered the following amendments:

A. Amend the bill, page 7, by inserting immediately after section 9, line 11, thereon, a new section to read as follows:

"Sec. 10. That Section 37-406, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

37-406. **Subdivision 1.** It shall be the duty of every person who owns or controls, or who may hereafter own or control any dam or other obstruction, except the uppermost dam, across any water course within the jurisdiction of the state, to erect or cause to be erected, in connection with such dam, or obstruction, a durable and efficient ~~fishway~~ **fish way,** so that fish in such watercourse may have free access around, over or through such dam or obstruction. Such dams, obstruction and ~~fishways~~ **fish ways** built or erected therein shall be

kept in good repair by the person owning or controlling the same, so as to at all times permit the passage of fish around, over or through the same. In case the owner or person operating or using any dam or other obstruction, except the uppermost dam, across any watercourse in this state shall fail or refuse after ten days **days'** notice in writing by the Game **game,** Forestation **forestation** and Parks Commission **parks commission,** to construct or repair a fishway **fish way,** the Commission **commission** may construct or repair the same and recover the cost thereof in the name of the State **state** of Nebraska from the owner of such dams or obstruction, in any court of competent jurisdiction. No owner or party in control of any dam shall be required to construct a fishway **fish way** in such a manner as to endanger the permanent durability of such dam or to impair the usefulness thereof, and every owner of such dam, shall, after the construction or repair thereof by the state and after the payment of the cost thereof, be entitled to receive a certificate from the Commission **commission** to the effect that such fishways **fish ways** have been constructed or repaired in compliance with the provisions of the law. The Commission **commission** shall determine the location, character and kind of fishway **fish way** to be built in dams or obstructions where none exist, and in case any differences arise between the department and the owner of a dam or obstruction over a watercourse within the state, with reference to such questions, or with reference to the impairing of the usefulness of such dam by the construction of fishways **fish ways** therein, the same shall be submitted to a board of arbitrators, one to be chosen by the Commission **commission,** one by the owner of such dam and the third to be chosen by the two, or if they are unable to agree, then by the governor of the state, and the decision of the three arbitrators shall be binding upon the Commission **commission** and the owner of such dam or obstruction. **: Provided, that the owner of such dams or obstructions that impound water and return the same directly to the bed of the stream from which it was originally taken without providing for the passage of said water through some canal or other intermediate body of water at all times, shall permit enough water to flow over or through the dam to maintain such a level of water in the stream or river below the dam so as to preserve fish life in such stream or river. Subdivision 2. Any person, firm or corporation violating any of the provisions of subdivision 1 of this section shall be deemed guilty of a misdeemanor, and, upon conviction thereof shall be fined in any sum not less than fifty dollars nor more than one hundred dollars for each offense.".**

B. Amend the bill, page 8, section 10, line 1, by striking the figure "10" therein, and by inserting in lieu thereof the figure "11"; and in line 2, strike the conjunction "and" therein, and insert in lieu thereof the punctuation ","; and also in said line 2, insert after the section symbol "37-501" therein, the following:

"and 37-406".

C. Amend the Standing Committee Amendments, mimeographed March 18, 1941, Amendment 7, line 6, by striking the conjunction "and" therein, and by inserting in lieu thereof the punctuation ","; and also in said line 6, insert after the section symbol "37-609" therein, the following:

"and 37-406".

D. Amend the Standing Committee Amendments, mimeographed March 18, 1941, Amendment No. 7, line 21, by inserting after the word and punctuation "fish;" therein, the following:

"to provide for the passage of water over or through dams or other obstructions that impound water and return the same directly to the bed of the stream from which it was originally taken without providing for the passage of said water through some canal or other intermediate body of water at all times, in order to preserve fish life;".

Laid cver.

LEGISLATIVE BILL NO. 398. E and R amendments, found in the Legislative Journal for the Eighty-third Day, were adopted.

Referred to E and R for Engrossment.

LEGISLATIVE BILL NO. 399. E and R amendments, found in the Legislative Journal for the Eighty-third Day, were adopted.

Mr. Lambert offered the following amendment, which was adopted by unanimous consent:

Amend the bill, page 3, and 4, line 56 and 57, by striking "for relief assistance or services afforded by any other federal agencies," and inserting in lieu thereof: "the administration of any of the services coming under the State Assistance program."

Referred to E and R for Engrossment.

LEGISLATIVE BILL NO. 499. E and R amendments, found in the Legislative Journal for the Eighty-third Day, were adopted.

Referred to E and R for Engrossment.

LEGISLATIVE BILL NO. 464. Laid over.

Visitors

A men's chorus from Hefskin College of Hefskin, Kansas rendered a selection for the Legislature.

A vote of thanks was extended by the members.

GENERAL FILE

LEGISLATIVE BILL NO. 202. Read and considered.

Mr. Van Diest offered the following amendments:

1. Amend the bill, page 3, section 1, line 41, by striking the punctuation ":" therein and by inserting in lieu thereof the punctuation ";".

2. Amend the bill, page 3, section 1, line 44, by striking the punctuation "." therein and by inserting in lieu thereof the punctuation":".

3. Amend the bill, page 3, section 1, line 56, by striking the section symbol "48-817" therein and by inserting in lieu thereof the section symbol "46-617".

4. Amend the bill, page 3, section 1, line 60, by inserting after the word and punctuation "purposes," and before the definite article "the" therein the following: **"or when any person, firm, association, corporation or organization seeks to acquire any water being used for power purposes".**

5. Amend the bill, page 3, section 2, line 4, by inserting after the word and punctuation **"purposes,"** and before the word "they" therein the following: "or whenever any person, firm, association, corporation or organization seeks to acquire any water being used for power purposes and shall be unable to agree with the user of such water for power purposes upon the compensation to be paid to such power user,".

6. Amend the bill, page 4, section 2, line 9, by striking the word "notices" therein and by inserting in lieu thereof the word "districts"; and also strike that part of said section 2 commencing with the word "one" in line 9 therein down to and including the word and punctuation "located," in line 11 therein.

7. Amend the bill, page 4, section 2, lines 12, 15, 19, 35 and page 5, section 3, lines 1, 6, 12, 14, 18, 19 and pages 5 and 6, section 4, lines 3, 9 and 17, by striking the word "condemnation" wherever the same appears in each of said lines and sections respectively and by inserting in lieu thereof the words "water claims".

8. Amend the bill, page 4, section 2, line 16, by striking that part of said section commencing with the word "such" therein down to and including the word "thereof" and by inserting in lieu thereof the following: "the power plant of the user of such water for power purposes".

9. Amend the bill, page 4, section 2, lines 22 and 29, by inserting after the word "corporations" and before the word "or" wherever the same appears in each of said lines respectively therein the following: ", firms, associations, organizations".

10. Amend the bill, page 4, section 2, line 24, by inserting after the word "corporation" and before the word "or" therein the following: ", firm, association, organization".

11. Amend the bill, page 4, section 2, lines 23, 32 and 33, and in section 4, line 5, by striking the word "condemnation" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the words "water valuation".

12. Amend the bill, page 4, section 2, line 38, by striking the punctuation and word ", and" and by inserting in lieu thereof the following: ": **Provided,**".

13. Amend the bill, page 5, section 3, line 9, by striking the word "commissioners" therein and by inserting in lieu thereof the word "mediators"; and in lines 9 and 10 in said section 3, strike the words "condemnation and".

14. Amend the bill, pages 5 and 6, section 4, lines 3, 11 and 22, by inserting after the word "district" therein the following: ", person, firm, association, organization or corporation".

15. Amend the bill, page 5, section 4, line 4, by striking the words "by its directors" therein.

16. Amend the bill, page 5, section 4, line 7, by inserting after the word "person" and before the word "or" therein the following: ", firm, association, organization".

17. Amend the bill, page 6, section 5, line 1, by striking the figure "5" and by inserting in lieu thereof the figure "6".

18. Amend the bill, page 1, title, by striking all of said title after the word "irrigation" in line 8 therein and by inserting in lieu thereof the following: "districts for agricultural purposes of any water being used for power purposes; to provide procedure for collecting and satisfying the compensation due for the value of water so used; and to repeal said original section.".

19. Amend the bill, page 6, by inserting a new section before

Section 5, of the printed bill as follows: If any clause, sentence, section, provision or part of this act shall be adjudged to be unconstitutional or invalid for any reason by any court of competent jurisdiction, such judgment shall not invalidate, impair, or affect the remainder of this act, which shall remain in full force and effect.

No action was taken thereon.

Mr. Crosby offered the following amendment:

Strike the new and underlined matter on page 3, Sec. 1, lines 47 to 51 inclusive, and insert in lieu thereof the following: **"The just compensation paid to those using water for power purposes shall not be greater than the cost of permanently replacing the power which would be generated in the plant or plants of the power user by the water so acquired."**

Laid over. Retains place on file.

MOTION—To Reconsider Action

Mr. President: I move that the amendment offered by Mr. Brodahl, to Legislative Bill No. 403 and adopted April 24, 1941 (Legislative Journal, Seventy-seventh Day) be reconsidered, that said amendment be stricken from the bill by unanimous consent.

(Signed) Peterson

A call of the House was ordered.

Mr. Metzger moved to raise the call.

The motion prevailed with 27 ayes, no nays, 16 not voting.

Mr. Peterson's motion to reconsider prevailed with 31 ayes, no nays, 12 not voting.

Unanimous consent was granted to strike the amendment from the bill.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 486. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Sixty-ninth Day, were adopted.

Mr. Gantz presiding

Mr. Sorrell offered the following amendment, which was adopted:

Amend the standing committee amendments, mimeographed, April 15, 1941, amendment No. 1, section 1, line 20 by inserting after the word **"labor"** therein the following: **": and provided further, in manufacturing plants that process seasonable agricultural products, any female may be employed not exceeding eleven hours in any one day for emergency periods not longer than twenty days at any one time if the employer obtains a permit for such employment from the commissioner of labor".**

Mr. Mischke offered the following amendment, which was adopted:

Following the period in line 6, insert the following: "Provided, that said nine hour day shall not be divided in more than two shifts in any one day".

Referred to E and R for review.

Speaker Howard presiding

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor for approval

Saturday, May 3, 1941 at 9:00 a. m.

L. B. No. 191 L. B. No. 221

LEGISLATIVE BILL NO. 508. Correctly enrolled.

(Signed) Crosby, Chairman

Speaker Signs

While the Legislature was in session and capable of transacting business, the Speaker signed:

Legislative Bill No. 508

Message from Governor

L. B. No. 191

May 3, 1941

To the President, the Speaker and Members of the Legislature

Gentlemen:

I have received Legislative Bill No. 191 which appears to have

been passed by your honorable body with the necessary majority. This bill does not require the approval of the Governor and I am transmitting it today to the Secretary of State.

Respectfully submitted,

(Signed) Dwight Griswold
Governor.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 72. Read and considered.

Mr. Howard offered the following amendments:

1. First strike all amendments heretofore adopted to the text and title of the bill, and then amend the bill, pages 2, 3, 4 and 5 by striking all of sections 1 and 2 thereon and by inserting in lieu thereof the following:

"Section 1. That at the general election in November, 1942, there shall be submitted to the electors of the state of Nebraska for approval or rejection upon a ballot separate from that upon which the names of candidates appear the following amendments to the constitution which are hereby proposed by the legislature:

"Section 1. That Sec. 2, Article VIII, constitution of Nebraska, be amended to read as follows:

'Sec. 2. The property of the state and its governmental subdivision shall be exempt from taxation: **Provided, that property real or personal, of public power and public power and irrigation districts which at the time of its acquisition was used for the generation, transmission, or distribution of electricity, and all additions, renewals, and replacements of such property shall not be exempt from taxation; and provided further, that any other real estate acquired by a public power or public power and irrigation district for use as a part of an electric power system, exclusive of any additions or improvements constructed thereon subsequent to any such acquisition, shall not be exempt from taxation; and provided further, that any such property which is now or may be hereafter owned by any city or village shall be exempt from taxation.** The ~~Legislature~~ **legislature** by general law may exempt property owned by and used exclusively for agricultural and horticultural societies, and property owned and used exclusively for educational, religious, charitable or cemetery purposes, when such property is not owned or used for financial gain or profit to either the owner or user. House hold goods of the value of two hundred ~~($200.00)~~ dollars to each family shall be exempt from taxation. The ~~Legislature~~ **legislature** by general law may provide that the increased

value of land by reason of shade and ornamental trees planted along the highway shall not be taken into account in the assessment of such land. No property shall be exempt from taxation except as provided in this section.'

Sec. 2. That the foregoing proposed amendment to the constitution shall be submitted to the electors at said election upon one ballot separate from that upon which the names of candidates appear, after publication once each week for four weeks in at least one legal newspaper in each county where a newspaper is published immediately preceding said election. Said ballot for the submission of said proposed amendment shall be in the following form:

PROPOSED CONSTITUTIONAL AMENDMENT

"FOR an amendment to Sec. 2, Article VIII, constitution of the state of Nebraska, to read as follows:

'Article VIII, Section 2. The property of the state and its governmental subdivision shall be exempt from taxation: **Provided, that property real or personal of public power and public power and irrigation districts which at the time of its acquisition was used for the generation, transmission, or distribution of electricity, and all additions, renewals, and replacements of such property shall not be exempt from taxation; and provided further, that any other real property acquired by a public power or public power and irrigation district for use as a part of an electric power system, exclusive of any additions or improvements constructed thereon subsequent to any such acquisition, shall not be exempt from taxation; and provided further, that any such property which is now or may be hereafter owned by any city or village shall be exempt from taxation.** The ~~Legislature~~ legislature by general law may exempt property owned by and used exclusively for agricultural and horticultural societies, and property owned and used exclusively for educational, religious, charitable or cemetery purposes, when such property is not owned or used for financial gain or profit to either the owner or user. Household goods of the value of two hundred ~~($200.00)~~ dollars to each family shall be exempt from taxation. The ~~Legislature~~ **legislature** by general law may provide that the increased value of land by reason of shade and ornamental trees planted along the highway shall not be taken into account in the assessment of such land. No property shall be exempt from taxation except as provided in this section.' " and

"AGAINST an amendment to Sec. 2, Article VIII, constitution of the state of Nebraska, to read as follows:

'Article VIII, Section 2. The property of the state and its governmental subdivision shall be exempt from taxation: **Provided, that property real or personal of public power and public power and irri-**

gation districts which at the time of its acquisition was used for the generation, transmission, and distribution of electricity, and all additions, renewals, and replacements of such property shall not be exempt from taxation; and provided further, that any other real property acquired by a public power or public power and irrigation district for use as a part of an electric power system, exclusive of any additions or improvements constructed thereon subsequent to any such acquisition, shall not be exempt from taxation; and provided further, that any such property which is now or may be hereafter owned by any city or village shall be exempt from taxation. The ~~Legislature~~ legislature by general law may exempt property owned by and used exclusively for agricultural and horticultural societies, and property owned and used exclusively for educational, religious, charitable or cemetery purposes, when such property is not owned or used for financial gain or profit to either the owner or user. Household goods of the value of two hundred ~~($200.00)~~ dollars to each family shall be exempt from taxation. The ~~Legislature~~ **legislature** by general law may provide that the increased value of land by reason of shade and ornamental trees planted along the highway shall not be taken into account in the assessment of such land. No property shall be exempt from taxation except as provided in this section.' "

2. Amend the bill, page 1, title, line 4 by inserting after the word and punctuation "Nebraska;" therein, the following:

"to provide for the taxation of certain property of public power districts or of public power and irrigation districts;".

No action was taken thereon.

Recess

At 12:00 m. on motion by Mr. Carmody the Legislature recessed until 2:00 p. m.

After Recess

Pursuant to adjournment the Legislature reconvened at 2:00 p. m. Mr. Gantz presiding.

The roll was called and all members were present except Messrs. Adams, J. Jr., Kotouc, Matzke, Rakow, Reed, Amos Thomas and Ray Thomas, who were excused.

STANDING COMMITTEE REPORTS

Enrollment and Review

Correctly enrolled

L. B. No. 466 L. B. No. 174

(Signed) Crosby, Chairman

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 72. Mr. Blome moved to make Special Order for Tuesday, May 6, 1941 at 10:00 a. m.

The motion prevailed.

President Johnson presiding

LEGISLATIVE BILL NO. 424. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Fifty-first Day, were adopted.

Referred to E and R for review with 35 ayes, no nays, 8 not voting.

LEGISLATIVE BILL NO. 329. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Fifty-ninth Day, were adopted.

Laid over. Retains place on File.

Members Excused

Mr. Lambert and Mr. Weborg were excused at 2:45 p. m. for the remainder of the day.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 126. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Fifty-eighth Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 331. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 64. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Forty-ninth Day, were adopted.

Mr. Raecke moved to refer to E and R for review.

Mr. Mischke moved to indefinitely postpone.

The motion was lost.

Mr. Raecke's motion prevailed.

Referred to E and R for review.

LEGISLATIVE BILL NO. 294. Unanimous consent granted to omit reading the bill. Considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 214. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Forty-eighth Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 427. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 206. Read and considered.

Standing Committee amendment, found in the Legislative Journal for the Forty-fifth Day, was adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 300. Unanimous consent granted to omit reading the bill. Considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 220. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 233. Unanimous consent granted to omit reading the bill. Considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 246. Passed over. Retains place on File.

LEGISLATIVE BILL NO. 510. Read and considered.

Referred to E & R for review.

SELECT FILE (Continued)

LEGISLATIVE BILL NO. 207. Mr. Mischke's amendments, found in this day's Journal, were adopted by unanimous consent.

Laid over.

STANDING COMMITTEE REPORTS (Continued)

Enrollment and Review

LEGISLATIVE BILL NO. 470. Correctly engrossed.

(Signed) Crosby, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 174 L. B. No. 466

MOTION—Mail Service

The Chairman of the Committee on Legislative Administration brought up the matter of mail service on Saturday afternoon.

Mr. Blome moved that the Chairman of the Committee on Legislative Administration be given authority to take such action as he deems necessary.

The motion prevailed.

Member Excused

Mr. Raecke was excused from the session on Monday May 5, 1941.

Adjournment

At 4:15 p. m. on motion by Mr. Blome the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

EIGHTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, May 5, 1941.

Pursuant to adjournment the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Rakow, and except Mr. Raecke and Amos Thomas, who were excused.

The Journal for the Eighty-fourth Day was approved as corrected.

PETITIONS AND MEMORIALS

A petition was received through the Governor's office requesting the Legislature to memorialize Congress to pass H. R. 4000 and S. F. 860.

Communications

The following letters were read: One, from M. H. McIntyre, Secretary to the President, acknowledging receipt of L. R. No. 20, regarding the Old Oregon Trail; one, from Dewey Short, M.C., acknowledging receipt of L. R. No. 21, regarding Republican Valley flood control; one, from Sam Rayburn, Speaker of the House of Representatives, one, from Senator Hugh Butler, one, from Congressmen Charles F. McLaughlin and Carl T. Curtis, acknowledging receipt of L. R. No. 20.

Invitation

A letter was read from Cal A. Ward, Director of the Farm Security Administration, extending an invitation to the members of the Legislature to meet with representatives of that administration on Wednesday, May 7, 1941 at 7:30 p. m.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor for approval

Monday, May 5, 1941 at 8:10 a. m.

L. B. No. 508 L. B. No. 174 L. B. No. 466

(Signed) Crosby, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 23. Mr. Mischke moved that the resolution be adopted.

The motion prevailed with 26 ayes, no nays, 17 not voting.

LEGISLATIVE RESOLUTION NO. 24. Mr. Johnson moved that the resolution be adopted.

The motion prevailed with 27 ayes, no nays, 16 not voting.

SELECT FILE

LEGISLATIVE BILL NO. 17. Mr. Crosby offered the following amendments which were adopted by unanimous consent:

1. Amend Standing Committee amendment 1, mimeographed, page 2, Sec. 4, lines 8 and 9, by striking the words and punctuation "to an appropriator or riparian owner, where", and insert in lieu thereof the word "and"; and in lines 9 and 10 strike the words "or an appropriator or riparian owner".

2. Amend Standing Committee amendment 1, mimeographed, page 2, Sec. 4, line 26, by striking the words "to an appropriator or riparian owner, where", and substitute in lieu thereof the word "and"; and in line 27 strike the words "or an appropriator or riparian owner".

3. Amend Standing Committee amendment 1, mimeographed, page 2, Sec. 4, line 49, by striking the word "prior"; and by inserting after the word "appropriators" the following words, "whose rights to the delivery of water might in any manner be affected".

4. Amend Standing Committee amendment 1, mimeographed, page 3, Sec. 4, line 51 of said section, by striking the words "the prior", and also strike the article "the" before the word "riparian".

5. Amend Standing Committee amendment 1, mimeographed, page 3, Sec. 4, lines 57 and 58 of said section, by striking the words "to an appropriator or riparian owner, where", and by inserting in lieu thereof the word "and"; and in lines 58 and 59 strike the words "or an appropriator or riparian owner", and strike Enrollment and Review number 5 adopted April 29, 1941.

6. Amend Standing Committee amendment 1, mimeographed, page 1, Sec. 1, by adding at the end of said section the following words and punctuation, "Subdivision 5. Wherever notice by registered letter to an appropriator is required in this act, the address of said appropriator shall be that recorded in the office of the Department of Roads and Irrigation under the provisions of Section 81-6310, Compiled Statutes of Nebraska, 1929, as amended by legislative bill No. 17, fifty-fifth session, Nebraska State Legislature, 1941".

7. Amend Standing Committee amendment 1, mimeographed, page 3, Sec. 5, lines 9 and 10, by striking the words "to an appropriator or riparian owner, where", and by inserting in lieu thereof the word "and"; and in lines 10 and 11 by striking the words "or an appropriator or riparian owner".

8. Amend Standing Committee amendment 1, mimeographed, page 3, Sec. 6, lines 6 and 7 by striking the words "to an appropriator or riparian owner, where", and inserting in lieu thereof the word "and"; and in line 7 and 8 strike the words "or an appropriator or riparian owner, and strike Enrollment and Review amendment number 6, adopted April 29, 1941.

9. Amend Standing Committee amendment 1, mimeographed, page 4, Sec. 8, lines 15 and 16 by striking the words "to an appropriator or riparian owner, where", and by inserting in lieu thereof the word "and"; and in lines 16 and 17 strike the words "or an appropriator or riparian owner", and strike Enrollment and Review amendment number 7 adopted April 29, 1941.

10. Amend Standing Committee amendment 1, mimeographed, page 4, Sec. 9, line 8 by striking the words "writ of", and by inserting after the word "mandamus" the words "in the first instance"; and in line 9 strike the word "irrigation", and in lines 9 and 10 strike the words "to an appropriator or riparian owner, where" and insert in lieu thereof the word "where"; and in lines 10 and 11 strike the words "or an appropriator or riparian owner."

11. Amend Standing Committee amendment 1, mimeographed, page 4, by inserting a new section as follows, "Sec. 10. That Section 20-2160, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

20-2160. The motion for the writ must be made upon affidavit, and the court may require a notice of the application to be given to the adverse party, or may grant an order to show cause why it should not be allowed, or may grant the writ without notice. **Provided, no peremptory writ of mandamus shall be allowed in any case involving the delivery of water where the State Engineer is a party, except where notice by registered mail has been mailed seventy-two hours prior to the time of hearing to the State Engineer and Water Superintendent in the water division in which said action is brought and to all appropriators whose rights to the delivery of water might in any manner be affected, of the time and place of said hearing; and in such case any person injured or likely to be injured by the granting of such writ may intervene in said action at any stage of the proceedings and become a party to such litigation."**

12. Amend Standing Committee amendment 1, mimeographed, page 4, by inserting a new section as follows, "Sec. 11. That Section 81-6310, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

81-6310. As the adjudication of a stream progresses, and as each claim is finally adjudicated, the department of public works shall make and cause to be entered of record in its office an order determining and establishing the several priorities of right to use the water of said stream, and the amount of the appropriation of the several persons claiming water from such stream and the character of use for which each appropriation shall be found to have been made, **and the address of the owner of each water appropriation. It shall be the duty of every owner of an appropriation to give notice to the Department of Roads and Irrigation of its address, and any change of its address."**

13. Amend Standing Committee amendment 1, mimeographed, by re-numbering the sections to conform with the foregoing amendments.

14. Strike the second Crosby amendment, April 22nd, and strike Enrollment and Review amendment number 2 adopted April 29, 1941.

15. Amend the Standing Committee amendment 1, mimeographed, page 2, Sec. 4, line 42, by striking the words "to an appropriator or riparian owner, where", and by substituting in lieu thereof the word "and"; and in line 43 strike the words "or an appropriator or riparian owner", and strike Enrollment and Review amendment number 4 adopted April 29, 1941.

16. Amend Standing Committee amendment 1, mimeographed, Sec. 1, lines 11 and 12, by striking the words "to an appropriator or riparian owner".

17. Amend Standing Committee amendment 1, mimeographed, Sec. 12, line 2, after the numerals "20-1920", and amend standing committee amendment 2, mimeographed, line 32, after the numerals "20-1920", by inserting the numerals ", 81-6310, 20-2160".

18. Amend Standing Committee amendment 1, mimeographed, Sec. 4, page 2, line 13, by striking the words "to an appropriator or riparian owner, where", and by inserting in lieu thereof the word "and"; and in line 13 strike the words "or an appropriator or riparian owner".

19. Amend Standing Committee amendment 2, mimeographed, page 5, lines 8 and 9, by striking the words "to an appropriator or riparian owner"; and in lines 11 and 12 strike the words "or an appropriator or riparian owner", and insert in lieu thereof the punctuation ","; and in line 16 strike the words "prior" and insert in lieu thereof the word "all", and strike the words "and to riparian owners" and insert in lieu thereof after the word "appropriators" the words "whose rights to the delivery of water might in any manner be affected", and insert after the word and punctuation "brought," the word "and"; and in line 19 strike the word "prior"; and in line 28 strike the words "writ of", and insert after the word "mandamus" the words "in the first instance"; and in lines 29 and 30 strike the words "to an appropriator or riparian owner"; and in lines 30 and 31 strike the words "or an appropriator or riparian owner"; and in line 31 after the word and punctuation "party;" insert the following words "to make provisions for the giving of notice of hearing on the allowance of a peremptory writ of mandamus in any case involving the delivery of water where the State Engineer, his employees, agents or servants or other state officers, who administer irrigation water of the state, are parties, and to provide for intervention in any such case by certain persons; to provide requirements for recording and giving notice of the address of every owner of a water appropriation;".

Referred to E and R for Engrossment.

LEGISLATIVE BILL NO. 207. Laid over.

GENERAL FILE

Special Order—10:00 a. m.

LEGISLATIVE BILL NO. 282. Messrs. Peterson, Greenamyre and Ernest A. Adams offered the following amendments, which were adopted:

1. Amend the bill, page 6, section 2, line 68, by inserting

immediately after the word and punctuation "indebtedness." therein, the following:

"Subdivision 2. Notwithstanding the provisions of this section, a licensee may require a borrower to insure tangible personal property of a kind usually requiring insurance protection when offered as security for a loan under this act against any substantial risk of loss, damage, or destruction, for an amount and term and upon conditions which are reasonable and appropriate considering the nature of the property and the amount, maturity and other circumstances of the loan, and the licensee may be protected by a mortgagee clause as the licensee's interest may appear. No other insurance shall be required as a condition precedent to the making of a loan. The premium on the personal property insurance shall not exceed the premium fixed pursuant to law or by current applicable manual of a recognized standard insurance rating bureau. The licensee shall not require the purchasing of insurance from the licensee as a condition precedent to the making of the loan and shall not decline existing insurance where such existing insurance is provided by an insurance company duly licensed by this state. The licensee shall, at the time the loan is made, give to the borrower, or if more than one, to one of them a statement concerning any insurance procured by or through the licensee, which shall include the amount of any premium which the borrower has paid or is obligated to pay, the amount, the expiration date of the policy, and a concise description of the risks insured. If a borrower procures insurance by or through a licensee, the licensee shall deliver to the borrower within fifteen days after the making of the loan an executed copy of an insurance policy or a certificate of insurance.".

Mr. Weborg asked unanimous consent to add the following names as co-introducers: Otto Kotouc, Jr., C. Petrus Peterson, Wm. A. Metzger, Stanley A. Matzke.

No objection was offered and the President so ordered.

Mr. Metzger offered the following amendment, which was adopted:

Strike all of Sec. 11, page 9, printed Bill 282 and in title, the words "; and to declare an emergency".

Mr. Metzger moved that the bill be made Special Order of business for Tuesday, May 6, 1941 at 2:00 p. m.

The motion prevailed.

LEGISLATIVE BILL NO. 339.

Mr. Mischke offered the following amendment, which was adopted:

Add the names Otto Kotouc, Jr., C. Petrus Peterson, Wm. A. Metzger, H. G. Greenamyre and Stanley A. Matzke as co-introducers.

Mr. Kotouc offered the following amendments:

1. First strike all amendments heretofore adopted and then strike all of the bill after the enacting clause and insert in lieu thereof the following:

'Section 1. That Section 45-113, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

45-113. **Subdivision 1. The word "person", when used in this act, means individuals, copartnerships, associations, banks, trust companies, trusts, corporations and all other legal entities. The word "license", when used in this act, means permit; and it is not the intention of the legislature that any revenue arising hereunder shall inure to any school fund of the state of Nebraska or any of its governmental subdivisions. Subdivision 2. If any** Any person, firm, partnership, association or corporation desiring **who** desires to obtain a **an original** license **to engage in the business of lending money under the terms and conditions of Chapter 45, Article 1, Compiled Statutes of Nebraska, 1929, or of Chapter 45, Article 1, C. S. Supp., 1939, as amended by legislative bills Nos. 339 and 282, fifty-fifth session, Nebraska state legislature, 1941, as now existing or as hereafter amended,** shall apply therefor under oath on forms prescribed by the secretary of state **director of banking for the department of banking** and by paying **and shall pay** annually a **an original** license fee in the sum of sixty **one hundred** dollars , **such person** shall be entitled to obtain a **be issued an original license, subject to the provisions of this act, for a period of one year by the director of banking.** The said license shall be issued by the secretary of state and shall expire the first day of March next following the date of its issuance but no abatement of said charges shall be made if licenses are issued for less than one year. Every such license shall be renewed annually on the first day of March in each year. **Subdivision 3. For the annual renewal of an original license to lend money under the provisions of this act, the fee shall be fifty dollars: Provided, no publication of the notice of filing application for the annual renewal license shall be required as in the case of filing an application for an original license. The money paid under the terms of this act to the director of banking for original licenses, for renewal licenses, for investigation fees, for examination fees or from any other source shall be credited to and kept in the "loan act fund", established in Section 45-117, Compiled Statutes of Nebraska, 1929, as amended by section 3, legislative bill No. 339, fifty-fifth session, Nebraska state legislature, 1941, as now existing or as hereafter amended. Subdivision 4.** No license shall be granted to any person, firm, partnership, corpora-

tion or association unless and until such applicant **therefor** shall in writing and in due form to be first approved by and filed **file** with the secretary of state **director of banking, a designation in writing that** appoint **appoints** the county clerk of the county where the business **of applicant** is to be conducted, **to act** as **applicant's** agent, upon whom all judicial and other processes **process** or legal notice **notices** directed to such applicant may be served; and service on said **the** agent, so designated, shall be equivalent to personal service on the **applicant or** licensee. That said secretary of state **subdivision 5. The director of banking for the department of banking** may revoke any license so **issued,** if the licensee shall knowingly violate any of the provisions of this act. Whenever, for any cause, such license is revoked, said secretary of state **the director of banking** shall not issue another **license** to said **the** licensee, until the expiration of at least one year from the date of revocation of such license and not at all if such licensee shall have been convicted of a violation of this act **unless such director is otherwise ordered by a court of competent jurisdiction to do so.**

Sec. 2. That Section 45-114, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

45-114. **Subdivision 1.** Every application **for an original license as contemplated under section 1 of this act,** shall be filed not less than thirty days prior to the granting of **approval or rejection of the issuance of** such license; and notice of the filing of such **the** application shall, be posted in the office of the said secretary of state and be published by the secretary of state **director of banking, be published** at least twice **once** each week for three successive weeks in a daily **legal** newspaper of general circulation published in **or of general circulation in** the county where the applicant resides or the said **proposes to operate the** business is to be located, **of lending money.** the **The** expense of **the** publication to **shall** be paid by **the** applicant. Protest may be made by any person to the issuing **issuance** of such **the** license; and when such **if any protest or** protests are be filed with said secretary of state **the director of banking,** the latter **he** shall give notice to **the person or** persons whom he considers interested, and he **shall** hold a public hearing within two weeks on such protest before issuing **he approves or rejects the issuance of** such license. The said secretary of state **director of banking** shall have the power to reject any application for license after hearing **is had** upon such protest. **The director of banking shall, within his discretion, make such examination and inspection concerning the propriety of the issuance of a license to any applicant; and the cost of such examination and inspection shall be borne by the applicant. Subdivision 2. Every applicant shall prove, in form satisfactory to the director of banking, that it has available for the operation of such business at the location specified in the application, liquid assets of at least five thousand**

dollars if the specified location is within a city having a population of less than three thousand five hundred inhabitants or ten thousand dollars if the specified location is within a city having a population of three thousand five hundred inhabitants or more. Subdivision 3. Upon the filing of such application, the payment of the licensee fee and the approval of the required bond, the director of banking shall investigate the facts, and, if he shall find (a) that the financial responsibility, experience, character and general fitness of the applicant, and of the members thereof if the applicant be a copartnership or association, and of the officers and directors thereof if the applicant be a corporation, are such as to command the confidence of the community and to warrant belief that the business will be operated honestly, fairly, and efficiently within the purposes of this act, and (b) that allowing such applicant to engage in business will promote the convenience and advantage of the community in which the business of the applicant is to be conducted, and (c) that the applicant has available for the operation of such business, at the specified location, liquid assets of at least five thousand dollars if the specified location is within a city having a population of less than three thousand five hundred inhabitants or ten thousand dollars if the specified location is within a city having a population of three thousand five hundred inhabitants or more persons (the foregoing facts being conditions precedent to the issuance of a license under this act), the director of banking shall thereupon issue and deliver an original license to the applicant to make loans at the location specified in the said application to residents within and without the said community, in accordance with the provisions of this act, which license shall remain in full force and effect for a period of one year and from year to year thereafter, if and when renewed, until it is surrendered by the licensee or revoked as hereinafter provided. The director of banking shall approve or deny every application for license hereunder within sixty days from the filing thereof, if such filing is accompanied with the required fees and with the approved bond. If the application is denied, the director of banking shall within twenty days thereafter, at the request of the applicant, prepare a written decision and findings that contain a transcript of the evidence and the reasons supporting the denial.

Sec. 3. That Section 45-117, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

45-117. Subdivision 1. The secretary of state director of banking, through his agents in the department of banking, is hereby charged with the duty of inspecting the business records and accounts of all persons, firms, corporations or associations which that lend money subject to the provisions of this act and. The director of banking is hereby empowered to appoint deputy inspectors examiners in each county in the state who shall, under the direction of the secre-

tary of state **department of banking, investigate the loans and business and** inspect **examine** the books and records of such persons, firms, corporations or associations annually **semiannually,** and more often when directed to do so by the secretary of state **director of banking** and said inspectors shall be compensated for their services at the rate of five dollars per day for the time actually employed for such inspection and a full day shall consist of eight working hours. Said compensation for said inspectors' services shall be paid by the person, firm, corporation or asociation whose business book and records are inspected. **The expenses of the department of banking, incurred in the examination and supervision of the books and records of licensees under this act and fully to administer the provisions of the law durfng each calendar year, shall be charged semiannually to each licensee by the department as soon as reasonably possible after June thirtieth and December thirty-first of each year, in proportion to the number of days required to examine and supervise the books and records of the respective licensees. Subdivision 2. All original license fees and annual renewal fees shall be collected by the department of banking and deposited with the state treasurer in and shall be credited to the "loan act fund", department of banking, state of Nebraska which, during any biennium, shall be used exclusively for the administration and enforcement of this act, if and when specifically appropriated by the legislature for that purpose. All investigation and examination fees, collected by or paid to the department of banking under any of the provisions of this act, shall likewise be deposited and credited to the "loan act fund" and shall be available for the uses and purposes of said fund.**

Sec. 4. That said original Sections 45-113, 45-114 and 45-117, Compiled Statutes of Nebraska, 1929, are hereby repealed.".

2. Amend the bill, page 1, title, by striking all of said title after the word "ACT" in line 2 therein and by inserting in lieu thereof the following:

"relating to the lending of money; to amend Sections 45-113, 45-114 and 45-117, Compiled Statutes of Nebraska, 1929; to define terms; to prescribe procedure for the issuance, rejection or revocation of original and renewal licenses by the director of banking to persons who desire to engage in the business of lending money; to fix the amount of original, renewal, investigation and examination fees that applicants for license shall pay; to provide the conditions precedent that must exist before licenses are issued or renewed; **to provide for investigation and examination of licensed and unlicensed lenders;** to establish the **"loan act fund";** to designate the uses to which the fund shall be put; and to repeal said original sections.".

Mr. Greenamyre offered the following amendment to Mr. Kotouc's amendments:

Amend the Kotouc amendment by striking Subdivision 2, Section 2, and commencing with the word "that" in line 49 down to and including the word "act" in line 57; all on 4th sheet of amendment.

Renumber Subdivisions accordingly.

The amendment was adopted.

The Kotouc amendments, as amended, were laid over.

SELECT FILE (Continued)

LEGISLATIVE BILL NO. 464. E and R amendments, found in the Legislative Journal for the Eighty-third day, were adopted.

Mr. Crosby moved to refer to E and R for engrossment.

Mr. Johnson moved to indefinitely postpone.

The motion was lost with 15 ayes, 19 nays, 9 not voting.

Mr. Sorrell moved to return the bill to General File for the following Specific amendment:

Amend the Callan amendment, adopted May 1, 1941 by striking the word "two" therein and inserting in lieu thereof the word "one".

No further action taken thereon.

Recess

At 12:00 m. on motion by Mr. Mischke the Legislature recessed until 2:00 p. m.

After Recess

Pursuant to adjournment the Legislature reconvened at 2:00 p. m. President Johnson presiding.

The roll was called and all members were present except Mr. Rakow, and except Mr. Price, Mr. Raecke and Amos Thomas, who were excused.

MOTION—Arrangements for Picture

Mr. Mischke moved that arrangements be made with the University photographer to take pictures of the members of the Legislature.

The motion prevailed and Mr. Reed was requested to make such arrangements.

Approved by the Governor

May 5, 1941

To the President, the Speaker, and members of the Legislature

Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. No. 334	L. B. No. 174
L. B. No. 508	L. B. No. 466

Respectfully submitted,

(Signed) Val Peterson
Secretary to the Governor.

SELECT FILE (Continued)

LEGISLATIVE BILL NO. 464. Vote was taken thereon and Mr. Sorrell's motion to refer to General File for Specific amendment was lost with 15 ayes, 19 nays, 9 not voting.

Mr. Crosby's motion to refer to E and R for engrossment prevailed with 17 ayes, 9 nays, 17 not voting.

MOTION—To Suspend Rules

Mr. Tvrdik moved to suspend the rules and place L. B. No. 512 at the head of General File.

The motion prevailed with 32 ayes, no nays, 11 not voting.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 512. Read and considered.

Referred to E and R for review.

MOTION—To Reconsider Action

John Adams, Jr. moved that the Legislature reconsider its action of the Eighty-third day indefinitely postponing L. B. No. 332.

Mr. Mischke moved to refer the bill to the Standing Committee.

John Adams, Jr. raised the point of order that his motion did not yield to the Mischke motion.

The Chair sustained Mr. Adams.

Mr. Norman requested a call of the House on Mr. Adams' motion.

Mr. Adams moved to raise the call.

The motion prevailed with 19 ayes, no nays, 24 not voting.

Mr. Adams' motion to reconsider prevailed with 23 ayes, 1 nay, 19 not voting.

Placed on General File.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 332. Mr. Garber, with the consent of his second, withdrew his motion to indefinitely postpone.

Mr. Norman offered the following amendments, which were adopted:

1. Page 2, Sec. 1, line 2, strike the word "shall" and insert in lieu thereof the word "may".

2. Page 2, Sec. 2, line 7, after the word "district" strike the period and insert "; providing the maximum amount granted any employee shall not exceed the sum of $1,000.00."

Laid over. Retains place on file.

STANDING COMMITTEE REPORTS (Continued)

Enrollment and Review

LEGISLATIVE BILL NO. 403. Placed on Select File with amendments.

E and R amendments to L. B. No. 403:

1. Amend the standing committee amendments, page 10, amendment 18, line 1, by inserting after the word and punctuation 'law;" ' and before the article "the", the words "by inserting".

2. Amend the bill, section 1, page 2, by inserting the punctuation "," after the word "service" in line 16; after "1940" in line 30; after "1943" in line 31; on page 3, after "week)" in line 67; on page 4, line 90, before the word "would".

3. Amend the bill, page 3, section 1, line 36, by inserting after the words and punctuation "1939," the following: **"as amended by section 4 of this act,"**.

4. Amend the bill, page 3, section 1, line 39, by inserting the punctuation and words **", C. S. Supp.,** 1939," after "(e)", and by inserting the words **"by section 3 of this act"** after the word "amended".

5. Amend the bill, section 1, page 4, lines 80, 84, 98, by striking the word "Any" therein and insert in lieu thereof the word **"any"**.

6. Amend the bill, section 1, page 4, line 100, by striking ", (3), or (4)" and insert in lieu thereof **"or (3)"**.

7. Amend the bill, page 4, section 1, line 102, by inserting the words **"by section 6 of this act"** after the word "amended".

8. Amend the bill, section 1, page 5, line 103, by striking the word "or"; also by striking the word "For" and inserting in lieu thereof the word **"for"**; and by inserting the word **"or"** in line 106 after the word and punctuation **"law;"**.

9. Amend the bill, page 5, section 1, lines 123 and 134; page 6, lines 144, 151, and 164; page 7, line 203; page 8, lines 205, 207, 209, 212, and 236; page 9, lines 245 and 254; page 12, line 325, by striking the punctuation ";" and insert in lieu thereof the punctuation ".".

10. Amend the bill, page 6, section 1, line 146; page 13, section 1, lines 361 and 381, by striking the word "The" and inserting in lieu thereof the word **"the"**.

11. Amend the bill, page 6, section 1, lines 158 and 162, by striking the word "Such" and inserting in lieu thereof the word **"such"**.

12. Amend the bill, page 6, section 1, line 166, by striking the word "On" and inserting in lieu thereof the word **"on"**.

13. Amend the bill, page 7, section 1, lines 172, 178 and 186, by striking the word "In" and inserting in lieu thereof the word **"in"**.

14. Amend the bill, page 7, section 1, line 186, by inserting the word **"and"** after the syllable and punctuation "poses;".

15. Amend the bill, page 8, section 1, by striking the word "Government" from line 213 and inserting in lieu thereof the word **"government"**; strike "Congress" from line 216 and insert **"congress"** in lieu thereof; and insert the punctuation "," after the word "state" and before "or" in line 237.

16. Amend the bill, page 9, section 1, line 244, by striking the word "Section" and inserting in lieu thereof the word **"section"**; in line 260, strike the punctuation and word "; Provided" and insert the punctuation and word ": **Provided,"**; and in line 263, strike the word "agreement" and insert in lieu thereof the word **"agreements"**; and in line 272, strike the figure "1".

17. Amend the bill, pages 10 to 12, section 1, line 283, by striking "; 2" and insert in lieu thereof **".(K)"**; in line 285, strike "; 3" and insert in lieu thereof **".(L"**; in line 294, strike "; 4" and insert in lieu thereof **".(M)"**; in line 303, strike "; 5" and insert in lieu thereof **".(N)"**; in lines 309 and 310, strike "; (K)" and insert in lieu thereof **".(O)"**; in line 317, strike "; (L)" and insert in lieu thereof **".(P)"**; and in line 321, strike "; (M)" and insert in lieu thereof **".(Q)"**.

18. Amend the bill, page 10, section 1, line 276, by striking therefrom "$45" and inserting in lieu thereof **"forty-five dollars"**.

19. Amend the bill, page 10, section 1, line 286, by striking the word "employee's" and inserting in lieu thereof the word **"employees' "**.

20. Amend the bill, page 10, section 1, lines 300 and 301, by striking the word "Government" and inserting in lieu thereof the word **"government"**.

21. Amend the bill, page 10, section 1, line 291, by striking the figures "85" and inserting in lieu thereof **"eighty-five"**.

22. Amend the bill, page 12, section 1, line 327, by inserting the indefinite article **"a"** after "of" and before "state".

23. Amend the bill, page 12, section 1, line 334, by striking ' ".' after the syllable "ment" and insert in lieu thereof the punctuation '." '.

24. Amend the bill, page 12, section 1, line 353, by striking the punctuation ";" therein and by inserting in lieu thereof the punctuation ":"; and also strike therefrom the word and punctuation "however,".

25. Amend the bill, page 12, section 1, line 357, by striking the symbol and figures "$3,000" therein, and by inserting in lieu thereof the word **"three thousand dollars"**.

26. Amend the bill, page 13, line 383, by striking the word "Section" and by inserting in lieu thereof the word **"section"**.

27. Amend the bill, page 13, section 1, line 384, by striking the word "Dismissal" and inserting in lieu thereof the word **"dismissal"**.

28. Amend the standing committee amendments, amendment 1, page 1, line 5, by striking the word and punctuation **"fund."** and insert in lieu thereof the word and punctuation 'fund".'.

29 Amend the bill, pages 17 and 18, section 3, lines 17, 20, 21, 22, 23, and 43, by striking the semicolon in each of said lines and inserting in lieu thereof the punctuation ".".

30. Amend the bill, page 17, section 3, lines 26 and 27, by striking the punctuation and word ", provided" and by inserting in lieu thereof the following: **": Provided,"**; and also in line 29 on said page 17, strike the punctuation "," and insert in lieu thereof the punctuation ";"; and insert the punctuation "," after the word "further" therein.

31. Amend the bill, page 18, section 3, line 35, by striking the word "If" and inserting in lieu thereof the word **"if"**; and in lines 36 and 41, strike "Unless" and insert the word **"unless"**; and in line 41, after the word "as" and before the word "amended" insert the following: **"now existing or as hereafter"**.

32. Amend the bill, page 19, section 4, line 35, by inserting after "(e)" the following: **", C. S. Supp., 1939, as amended by section 3 of this act,"**.

33. Amend the bill, page 19, section 4, line 43, by inserting after "(d)," and before the word "the", the following: **"C. S. Supp., 1939, as now existing or as hereafter amended,"**.

34. Amend the bill, page 21, section 4, line 88, by inserting the punctuation "," after the syllable **"mination"** and before the indefinite article **"an"** therein.

35. Amend the bill, page 22, section 4, line 122, by inserting after the letter and punctuation **"(d),"** therein the following: **"C. S. Supp., 1939,"**; and also in line 127 on said page 22, after the letter and parenthesis **"(d)"** therein the following: **"C. S. Supp., 1939,"**.

36. Amend the bill, page 22, section 4, line 129, by striking therefrom the symbol and figures "$10", and by inserting in lieu thereof the words **"ten dollars"**.

37. Amend the bill, page 22, section 4, line 151, by striking therefrom the word and punctuation **"however,"**.

38. Amend the bill, page 23, section 4, line 174 by striking the word **"insofar"** and by inserting in lieu thereof the words **"in so far"**.

39. Amend the bill, page 24, section 4, line 194, by striking

the punctuation and words ", **provided, however,**" and by inserting in lieu thereof the following: ": **Provided,**".

40. Amend the bill, page 24, section 4, line 218, by inserting the punctuation "," after the word "**agree**" therein.

41. Amend the bill, pages 24 and 25, section 4, lines 220, 224 and 227, by striking the words "**respondent**" or "**respondents**" wherever the same appear in each of said lines respectively, and by inserting in lieu thereof the words "**defendant**" or "**defendants**", as the case is.

42. Amend the bill, page 26, section 4, line 275, by inserting after the word and punctuation "**general.**", the following: "(f)"; and in said line 275 strike the punctuation and figure "(7)" therein, and insert in lieu thereof "**(7)**".

43. Amend the bill, page 26, section 4, line 279, by striking the words "District Court" therein and inserting in lieu thereof the words "**district court**".

44. Amend the bill, page 27, section 4, line 297, by inserting the punctuation "," after the word "**determination**", and before the conjunction "**and**".

45. Amend the bill, page 29, section 5, line 21, by striking the punctuation "." after the figures "**1940**" therein and by inserting in lieu thereof the punctuation ",".

46. Amend the bill, page 29, section 5, line 24, by inserting the punctuation "," after the figures "**1940**".

47. Amend the bill, page 31, section 5, line 91 by striking the word "**Section**", and by inserting in lieu thereof the abbreviation and punctuation "**Sec.**"; and after the section symbol "48-706" therein, insert the following: ", **C. S. Supp., 1939, as amended,**"; and also strike the words "**of this law**" in said line 91.

48. Amend the bill, page 33, section 5, line 151, by striking the word "law" therein, and by inserting in lieu thereof the word "**law**".

49. Amend the Standing Committee Amendments, Amendment No. 7, page 3, line 18, by striking the symbol "%" therein, and by inserting in lieu thereof the words "**per cent**".

50. Amend the bill, page 38, section 7, line 6, by striking the word "**Section**" therein, and by inserting in lieu thereof the abbreviation and punctuation "**Sec.**" therein; and after the letter and punctuation "(d)," insert the following: "**C. S. Supp., 1939,**".

51. Amend the bill, page 38, section 7, line 18, by inserting the punctuation"," after the word "amended" therein; and insert after the word "as" and before the word "amended" the following: **"now existing or as hereafter".**

52. Amend the bill, page 39, section 7, line 26, by striking the word "Section" therein and by inserting in lieu thereof the word **"section".**

53. Amend the bill, page 39, section 7, line 31, by striking the definite article "the" therein and by inserting in lieu thereof the word "this".

54. Amend the bill, page 41, section 9, line 26, by inserting after the word **"reappoint"** therein the word **"members".**

55. Amend the bill, page 44, section 11, line 20, by striking therefrom the following: "($100.00)" and in line 21 of said page 44 strike the following: "($1,000.00)".

56. Amend the bill, page 45, section 12, line 24, by striking the word **"Section"** therein and by inserting in lieu thereof the abbreviation and punctuation "Sec."; and also after the letter in parenthesis and punctuation "(b)," therein insert the following: **"C. S. Supp., 1939, as amended,"**; and also in line 28, strike the word "Section" therein and insert in lieu thereof the abbreviation and punctuation "Sec."; and also in said line 28 after the section symbol **"48-706"** insert the following: **", C. S. Supp., 1939, as amended,".**

57. Amend the bill, page 45, section 12, line 35, by striking the word and punctuation **"however," therein.**

58. Amend the Standing Committee amendments, amendment No. 16, page 5, section 14, line 5, by striking '." ' and by inserting in lieu thereof: ' ".'.

59. Amend the Standing Committee amendments, amendment No. 16, page 5, section 15, line 8, by striking the words "full time" and by inserting in lieu thereof the word **"full-time".**

60. Amend the Standing Committee amendments, amendment No. 16, page 6, section 15, line 24, by inserting after the first punctuation "," and before the word **"as"** the following: **"C. S. Supp., 1939,".**

61. Amend the Standing Committee amendments, amendment No. 16, page 6, section 15, line 22, by striking therefrom the word "provided" and insert in lieu thereof the punctuation and words **": Provided,".**

62. Amend the Standing Committee amendments, amendment No. 16, page 6, section 15, line 33, by inserting after the figures and

punctuation **"1939,"** the following: **"as amended by section 1, legislative bill No. 290, fifty-fifth session, Nebraska state legislature, 1941,".**

63. Amend the Standing Committee amendments, amendment No. 16, page 7, section 16, lines 1 and 3 by striking the letter "K" in each of said lines respectively and by inserting in lieu thereof the letter "k".

64. Amend the Standing Committee amendments, amendment No. 16, page 8, section 17, line 14, by inserting the punctuation ")," after the letter and punctuation "(c)" therein.

65. Amend the Standing Committee amendments, amendment No. 16, page 10, section 19, line 8, by striking the words and punctuation "as amended," therein.

66. Amend the Standing Committee amendments, amendment No. 16, page 10, section 19, line 5, by striking the section symbol and punctuation "48-702," therein; and also in line 6 in said section 19 insert after the section symbol and punctuation "48-711 (e)," the following: "48-712,".

67. Amend the bill, page 1, title, line 6, by striking the second conjunction "and" therein; and in line 7, strike the words and punctuation "as amended,".

68. Amend the bill, page 17, section 3, line 33, by striking the word "purpose" and inserting in lieu thereof the word **"purposes".**

69. Amend the bill, section 4, page 24, line 217, by inserting the word **"in"** after the word **"or"** and before the word **"any"**; and in line 258, page 26, strike the second word **"any"** and insert in lieu thereof the word **"an".**

70. Amend the bill, page 41, section 9, line 32, by striking the following: "($10.00)".

LEGISLATIVE BILL NO. 506. Placed on Select File with amendments.

E and R amendments to L. B. No. 506:

1. Amend the bill, page 2, section 1, line 33 by inserting the punctuation "." after the word "decree" therein.

2. Amend the bill, pages 3 and 4, sections 2 to 6 inclusive, by striking the word "Section" in line 1 of each of said sections, and by inserting in lieu thereof the abbreviation and punctuation "Sec." therein.

3. Amend the bill, page 3, section 4, line 9 by striking the punctuation and words "; Provided, however" and by inserting in lieu thereof the following: **": Provided".**

4. Amend the bill, page 4, section 6, line 2 by inserting the punctuation "," after the word "effect" therein; and in line 3 of said section 6, insert the punctuation "," after the word "expressd" therein; and in line 4 of section 6, insert the punctuation "," after the word "approval" and before the syllable "accord-" therein.

5. Amend the bill, page 1, title, line 11, by striking the punctuation "," therein and by inserting in lieu thereof the punctuation ";".

LEGISLATIVE BILL NO. 494. Placed on Select File with amendments.

E and R amendments to L. B. No. 494:

1. Strike general file amendment No. 3, Neubauer, adopted May 2, 1941.

2. Amend the bill, page 2, section 1, line 16 by inserting the punctuation "." after the word "offense".

LEGISLATIVE BILL NO. 271. Placed on Select File with amendments.

E and R amendments to L. B. No. 271:

1. Amend the bill, page 3, section 1, line 47 by striking the word **"shall"** therein and by inserting in lieu thereof the word **"if".**

2. Amend the bill, page 3, section 1, line 48, by striking the word **"be"** therein and by inserting in lieu thereof the word **"is".**

3. Amend the bill, page 2, section 1, line 15, by striking the word "the" and insert in lieu thereof the word "the".

4. Amend the bill, page 2, section 1, line 16, by striking the word **"is"** and insert in lieu thereof the word **"was".**

5. Amend the bill, page 2, section 1, line 17, by inserting the punctuation "," after the word **"date"** and before "as".

6. Amend the bill, page 2, section 1, line 26, by striking the punctuation and word ", however,".

LEGISLATIVE BILL NO. 263. Placed on Select File.

Correctly engrossed

L. B. No. 418 L. B. No. 398

L. B. No. 301 L. B. No. 499

(Signed) Crosby, Chairman

Speaker Howard presiding

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 296. Standing Committee amendments, found in the Legislative Journal for the Seventieth Day, were adopted.

Mr. Sorrell moved to indefinitely postpone.

The motion prevailed with 11 ayes, 9 nays, 23 not voting.

Mr. Knezacek moved to reconsider action on L. B. No. 296.

Laid over. Retains place on File.

LEGISLATIVE BILL NO. 154. Mr. Peterson moved to adopt the Standing Committee amendments, found in the Legislative Journal for the Fifty-third Day.

The motion prevailed with 13 ayes, 3 nays, 27 not voting.

Mr. Carmody offered the following amendment:

Strike Section 7 of the bill.

No action was taken thereon.

Recess

At 5:05 p. m. Mr. Reed moved to adjourn.

Mr. Gantz moved to recess until 7:30 p. m.

The motion to recess prevailed with 17 ayes, 16 nays, 11 not voting.

After recess

The Legislature reconvened at 7:30 p. m. Speaker Howard presiding.

The roll was called and all members were present except Messrs. Callan, Price, Raecke and Amos Thomas, who were excused.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 154. Mr. Carmody's amendment, to strike Section 7, was discussed.

Mr. Van Diest moved the previous question.

The motion was lost with 9 ayes, 16 nays, 18 not voting.

Vote was taken and Mr. Carmody's amendmnet was lost with 12 ayes, 17 nays, 14 not voting.

Mr. Mekota offered the following amendment, which was adopted:

That L. B. No. 154 be amended by striking all of Section 7 following the word "amended", in line 8.

Mr. Peterson moved to refer to E and R for review.

The motion prevailed with 17 ayes, 10 nays, 16 not voting.

LEGISLATIVE BILL NO. 329. Laid over. Retains place on File.

LEGISLATIVE BILL NO. 246. Read and considered.

Standing Committee amendment, found in the Legislative Journal for the Forty-sixth Day, was adopted.

Referred to E and R for review.

STANDING COMMITTEE REPORTS (Continued)

Enrollment and Review

LEGISLATIVE BILL NO. 139. Placed on Select File with amendments.

E and R amendments to L. B. No. 139:

1. Amend the standing committee amendments, page 2, amendment 4, line 3 by inserting the punctuation "." after the word "purposes" therein.

2. Amend the standing committee amendments, page 3, amendment 6, line 14 by inserting the punctuation "," after the figures "1939" therein; and also in line 15 of said amendment strike the

word "amandatory" and insert in lieu thereof the word "amendatory"; and also in line 23 of said amendment strike the punctuation "," after the word "that" and before the preposition "in".

3. Amend the standing committee amendments, page 1, amendment 2, line 16 by inserting the punctuation "," after the figures **"1939"** therein; and also in line 24 of said amendment insert the punctuation "," after the word "county" therein; and also on page 2, line 26 of said amendment insert the punctuation "," after the word "thereof" therein; and also in line 30 of said amendment insert the punctuation "." after the word "provide" therein; and also in said line 30 insert the word **"further"** after the word **"provided"** therein.

4. Amend the bill, page 3, section 1, line 66 by inserting the article **"the"** after the second preposition "for" therein.

5. Amend the bill, page 4, section 1, line 80 by inserting the punctuation "," after the word "subdivision" and before the adjective "any".

6. Amend the bill, page 6, section 1, line 167 by inserting the punctuation "," after the word "irrigation" and before the definite article "the" therein.

7. Amend the bill, page 6, section 1, line 174 by striking the word "is" therein and by inserting in lieu thereof the word **"are"**.

8. Amend the standing committee amendments, 5-2-41, amendment 6, line 11, by inserting the punctuation "," after the word "Congress".

9. Amend the standing committee amendments, 5-2-41, amendment 2, line 13, by inserting the punctuation "," after the word **"Congress"**, and before the word **"entitled"**.

10. Amend the bill, page 6, section 1, line 164, by striking the word "they" therein and inserting in lieu thereof the word **"it"**.

11. Amend the bill, page 7, section 2, line 1, by inserting after the word "That" the words "said original".

LEGISLATIVE BILL NO. 33. Placed on Select File with amendments.

E and R amendments to L. B. No. 33:

1. Amend the bill, page 2, section 1, lines 6, 7, 8, 9, 12, 15, 16 and 18 by striking the punctuation ";" wherever the same appears in each of said line respectively, and insert in lieu thereof the punctuation "."

2. Amend the Standing Committee Amendments, page 1, amendment 2, line 2 by striking the word "after", and by inserting in lieu thereof the words "commencing with".

3. Amend the Standing Committee Amendments, page 1, amendment 2, line 9 by striking the punctuation "." after the word "days" and before the word **"time"** therein.

4. Amend the Standing Committee Amendments, page 1, amendment 2, line 22, by inserting the punctuation "," after the word **"office"** and before the word **"shall"** therein.

5. Amend the bill, page 3, section 3, line 2 by inserting the punctuation "," after the word "effect" and before the word "from" therein.

6. Amend the standing committee amendments, 5-2-41, amendment No. 2, line 21, by inserting the definite article **"the"** after the word **"as"** and before the word **"case"**.

LEGISLATIVE BILL NO. 24. Placed on Select File with amendments.

E and R amendments to L. B. No. 24:

1. Amend the standing committee amendments, page 1, amendment 1, section 1, line 14, by inserting after the stricken syllable "rector" the definite article **"the"**.

2. Amend the standing committee amendments, page 6, amendment 1, section 4, line 68, by striking the word **"being"** therein and by inserting in lieu thereof the word **"is"**.

3. Amend the general file amendments, Gantz, 5-2-41, by inserting the word "mimeographed" after the word and punctuation "amendment," and before the abbreviation "Sec.".

4. Amend the standing committee amendments, amendment 1, section 1, line 16, by inserting the word "the" after the word "return" and before "said".

5. Amend the standing committee amendments, amendment 1, section 6, line 28, by inserting the punctuation "," after the word "Act" and before the word "and".

6. Amend the standing committee amendments, amendment 1, section 2, line 35, by inserting the word **"the"** after the word and punctuation **"then,"** and before **"director"**.

7. Amend the standing committee amendments, amendment 1, section 4, by striking from lines 70 and 71, the words **"and has been**

cancelled by the director"; and in line 73 strike the words **"and cancelled by the director".**

8. Amend the general file amendments, 5-2-41, amendment 2, lines 6 and 12, by inserting the definite article **"the"** after the word **"as"** and before the word **"case".**

(Signed) Crosby, Chairman

MOTION—To Place on General File

Mr. President: I move to raise L. B. No. 473 from the Committee on Revenue to the head of General File. (Signed) Brodahl

Mr. Mischke asked for a division of the question.

Vote was taken on the first part of the motion, to raise L. B. No. 473 from the Committee.

The motion was lost with 10 ayes, 15 nays, 18 not voting.

MOTION—To Indefinitely Postpone

Mr. President: I move that all bills in Standing Committees, except Enrollment and Review, be indefinitely postponed.

(Signed) Mueller

The motion prevailed.

MOTION—To Indefinitely Postpone

Mr. President: I move that we indefinitely postpone all bills on General File, except the preferential list. (Signed) Murphy

Mr. Carmody presiding

SUBSTITUTE MOTION—To raise 25 Bills

Mr. President: I move that the Sifting Committee meet and raise twenty-five bills from General File to preferential file.

(Signed) Greenamyre

The motion was lost with 13 ayes, 22 nays, 8 not voting.

Mr. Sorrell moved to adjourn.

The motion was lost with 2 ayes, 31 nays, 11 not voting.

MOTION—To Refer to Sifting Committee

Mr. President: I move that all bills on General File be referred to the Sifting Committee for the selection of bills for consideration by the Legislature. (Signed) Mekota

The motion was lost with 17 ayes, 17 nays, 9 not voting.

Vote was taken and the Murphy motion to indefinitely postpone was lost with 17 ayes, 17 nays, 9 not voting.

Adjournment

At 10:14 p. m. on motion by Mr. Johnson the Legislature adjourned.

Hugo F. Srb,
Clerk cf the Legislature.

EIGHTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, May 6, 1941.

Pursuant to adjournment the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Sullivan, and except Messrs. Price and Amos Thomas, who were excused.

The Journal for the Eighty-fifth Day was approved as corrected.

Communications

Letters were read from Harold Young, Assistant to the Vice President, Charles A. Sprague, Governor of Oregon, and Congressman Karl Stefan, all acknowledging receipt of Legislative Resolution No. 20 regarding the Old Oregon Trail.

Mr. Gantz presiding

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 486. Placed on Select File with amendments.

E and R amendments to L. B. No. 486:

1. Amend the general file amendments, Sorrell, adopted May 3, 1941, by striking the punctuation ":" and by inserting in lieu thereof the punctuation ";".

2. Amend the general file amendments, Mischke, adopted May 3, 1941, line 1, by striking therefrom the word "period" and inserting in lieu thereof the words 'word "week" '; and also in said line insert the punctuation ":" before the word **"Provided,"**.

3. Amend the standing committee amendments, amendment 1, section 1, line 6, by striking the word **"by"** and inserting in lieu thereof the word **"in"**.

(Signed) Crosby, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 25. Zoning Ordinance, Lincoln

Memorializing the City of Lincoln to Revise the Zoning Ordinances of the City of Lincoln Relating to that Area of the City Near Fifteenth Street and Between K and O Streets

Introduced by Wm. A. Metzger of Otoe

Preamble

WHEREAS, certain residents of Lincoln owning property abutting upon and adjacent to Fifteenth Street and between K and O Streets, in the City of Lincoln, Nebraska, have allowed their properties to become run down and neglected because of the popular misconception that the state of Nebraska is going to purchase some or all of those properties, and

WHEREAS, the state of Nebraska does not intend at this time nor at any time in the future to purchase such properties, and

WHEREAS, the unsightliness of these properties detracts greatly from the magnificent beauty of our state capitol and its environs, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-FIFTH REGULAR SESSION ASSEMBLED:

1. That this legislature respectfully petitions, memorializes and urges the city of Lincoln through the members of the city council and zoning board thereof to enact such zoning ordinances as will correct the objections recited in the preamble of this resolution; and that the zoning ordinances of the city of Lincoln be so revised that the owners of such run down and neglected properties be compelled to keep up their properties so as to be a credit to the city of Lincoln and to the beautiful capitol building and grounds of the state of Nebraska.

2. That this resolution be spread at large upon the journal of this legislature and that the clerk of this legislature is hereby ordered and directed forthwith to forward a copy of this resolution, properly authenticated and suitably engrossed, to the mayor of the city of Lincoln as presiding officer of the city council of the city of Lincoln, and to the zoning board of the city of Lincoln, to the end that the proper officers of the city of Lincoln may be advised that this legislature considers as imperative remedial legislation by the city of Lincoln, to revise the zoning ordinances of the city of Lincoln as outlined herein.

Speaker Howard presiding

PROPOSAL—To Amend Rules

Mr. Garber offered the following proposal to amend the rules of the Legislature:

Amend Section 2, Rule XII, by adding after the word and punctuation "support." the following: "No member shall introduce to exceed six bills."

MOTION—To Suspend Rules

Mr. Garber moved to suspend the rules and consider the proposal at once.

The motion was lost with 20 ayes, 5 nays, 18 not voting.

The proposal was referred to the Committee on Rules.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 156. With emergency clause.

A bill for an Act relating to revenue; to provide for checking inventories filed for estates for personal property, tangible and intangible, by the tax commissioner or his subordinates acting jointly with the county judge, the county clerk, and the county treasurer, to determine if said personal property was, during three years prior to the year in which deceased died, returned for taxation purposes; to prescribe procedure for filing claims against estates of deceased persons for the year or years that payment of taxes by them was avoided; to prescribe the duties of the tax commissioner, his subordinates, the county judge, the county clerk, and the county treasurer with respect to the administration of this act; to declare that the provisions of this act shall

be cumulative with and supplemental to existing laws on the same subject; to state a saving clause; to amend Section 77-304, Compiled Statutes of Nebraska, 1929; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Adams, E. A.	Crosby	Kotouc	Peterson
Adams, J. Jr.	Crossland	Lambert	Raecke
Asimus	Gantz	Matzke	Rakow
Bevins	Garber	Mekota	Reed
Blome	Greenamyre	Metzger	Sorrell
Bowman	Hanna	Mischke	Thomas, Ray
Brodahl	Howard	Mueller	Thornton
Callan	Jeppesen	Murphy	Tvrdik
Carlson	Johnson	Neubauer	Van Diest
Carmody	Knezacek	Norman	Weborg

Voting in the negative, 0.

Not voting, 3:

Price	Sullivan	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Member Excused

Mr. Mekota was excused for one hour.

LEGISLATIVE BILL NO. 372. With emergency clause.

A bill for an Act relating to armories; to create the **"Nebraska armory board"**; to define its powers and duties; to amend Secs. 18-1801, 14-101, 14-113, 14-518, 15-201, 16-201, 16-202, 14-508, 15-831, 16-705 and 17-571, C. S. Supp., 1939; to amend Sec. 17-401, C. S. Supp., 1939, as amended by section 1, legislative bill No. 171, fifty-fifth session, Nebraska state legislature, 1941; to confer delegated charter powers on cities or villages with respect to the acquisition of real estate within their corporate limits for the construction of armories thereon by the state of Nebraska, or by the **"Nebraska armory board"**; to provide for the conveyance without consideration by such cities or villages to the **"Nebraska armory board"** of any lot, piece

or parcel of land now owned or hereafter owned or acquired for armory purposes; to repeal said original sections; to repeal said original section, as amended; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Adams, E. A.	Crosby	Matzke	Rakow
Adams, J. Jr.	Crossland	Metzger	Reed
Asimus	Greenamyre	Mischke	Sorrell
Bevins	Hanna	Mueller	Sullivan
Blome	Howard	Murphy	Thomas, Ray
Bowman	Jeppesen	Neubauer	Thornton
Brodahl	Johnson	Peterson	Tvrdik
Callan	Knezacek	Raecke	Weborg
Carlson	Kotouc		

Voting in the negative, 0.

Not voting, 9:

Carmody	Lambert	Price
Gantz	Mekota	Thomas, Amos
Garber	Norman	Van Diest

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Statement

Mr. President: Had I been present when L. B. No. 372 was voted on, I would have voted "aye". (Signed) Carmody

MOTION—To Change Position on File

Mr. President: I move to place L. B. No. 504 on the preferential list of bills. (Signed) John Adams, Jr.

The motion prevailed with 32 ayes, no nays, 11 not voting.

President Johnson presiding

MOTION—To Change Position on File

Mr. President: I move that Legislative bills numbered 354, 355, 356, 357, 358, 359 be raised to the top of General File.

(Signed) Ernest A. Adams

The motion was lost with 7 ayes, 6 nays, 30 not voting.

MOTION—To Change Position on File

Mr. President: I move that L. B. No. 90 be advanced to the head of General File. (Signed) Sorrell

No action was taken on the motion.

GENERAL FILE

Special Order—10:00 a. m.

LEGISLATIVE BILL NO. 72. Mr. Howard's amendments, found in the Legislative Journal for the Eighty-fourth Day were discussed.

Mr. Carmody offered the following amendments:

Amend the General File Amendment, Howard, mimeographed, May 3, 1941, amendment 1, section 1 of the Constitution, line 23 by inserting after the word and punctuation **"taxation."** the following:

"The legislature may by general law exempt from taxation farm buildings, including a dwelling, which are outside of the corporate limits of any municipality, to the actual value not to exceed five hundred dollars. The real estate upon which such buildings are situated shall consist of not less than forty acres of dry land or not less than ten acres of pump or ditch irrigated land.".

2. Amend the General File Amendments, mimeographed, amendment 1, section 2 and amendment 2 by restating the proposed constitutional amendment and the title to conform with the preceding amendment.

Record vote was requested.

Voting in the affirmative, 15:

Asimus	Carmody	Peterson	Thomas, Ray
Bevins	Jeppesen	Rakow	Thornton
Callan	Metzger	Sorrell	Weborg
Carlson	Neubauer	Sullivan	

Voting in the negative, 16:

Adams, J. Jr.	Garber	Johnson	Murphy
Brodahl	Greenamyre	Kotouc	Raecke
Crosby	Hanna	Matzke	Reed
Gantz	Howard	Mischke	Van Diest

Not voting, 12:

Adams, E. A.	Crossland	Mekota	Price
Blome	Knezacek	Mueller	Thomas, Amos
Bowman	Lambert	Norman	Tvrdik

The amendment was not adopted.

Mr. Greenamyre moved to indefinitely postpone.

No action was taken thereon.

Mr. Rakow presiding

Approved by the Governor

May 6, 1941

To the President, the Speaker and Members of the Legislature

Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that on May 5, 1941, he signed the following bill, viz:

L. B. No. 221

Respectfully submitted,
(Signed) Val Peterson
Secretary to the Governor.

Recess

At 12:00 m. on motion by Mr. Mueller the Legislature recessed until 2:00 p. m.

After Recess

The Legislature reconvened at 2:00 p. m. Mr. Gantz presiding.

The roll was called and all members were present except Mr. Price and Amos Thomas, who were excused.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 72. Vote was taken on Mr. Greenamyre's motion to indefinitely postpone.

The motion prevailed with 19 ayes, 11 nays, 13 not voting.

STANDING COMMITTEE REPORTS (Continued)

Enrollment and Review

LEGISLATIVE BILL NO. 64. Placed on Select File with amendments.

E and R amendments to L. B. No. 64:

1. Amend the bill, page 2, section 1, line 8, by inserting the punctuation "," after the word "auditorium" and before the word "buildings" therein.

2. Amend the bill, page 2, section 1, line 16, by striking the word "consecutive" therein and by inserting in lieu thereof the word "successive".

3. Amend the bill, page 2, section 1, line 17, by inserting the punctuation "," after the word "Provided" therein.

4. Amend the bill, page 1, title, line 9, by inserting the punctuation "," after the word "auditorium" and before the word "buildings" therein.

LEGISLATIVE BILL NO. 126. Placed on Select File with amendments.

E and R amendments to L. B. No. 126:

1. Amend the bill, section 1, line 7, by striking the arabic numeral and punctuation "1." and insert in lieu thereof the following "**(1)**"; in line 11, strike "; and 2." and insert "**.(2)**"; and follow the same procedure with respect to each of the remaining numbered divisions of said section, from 3 to 14 inclusive, appearing in lines 23, 31, 36 and 37, 58, 61, 81, 108, 126, 131, 139 and 140, 143, and 146.

2. Amend the bill, page 2, section 1, line 26, by striking the punctuation ";" and by inserting in lieu thereof the punctuation ":".

3. Amend the bill, page 6, section 1, line 149, by striking the word "non-participating" therein, and by inserting in lieu thereof the word **"nonparticipating"**.

4. Amend the bill, page 6, section 1, lines 152 and 153, by striking the words "trade and commerce" therein and by inserting in lieu thereof the word **"insurance"**.

5. Amend the bill, section 2, pages 6 and 7, by striking "1." in line 5 and inserting in lieu thereof "**(1)**"; in line 8, strike the punctuation "," after "made" and insert in lieu thereof the punctuation ";"; also in line 8, strike "2. A" and insert in lieu thereof "**(2) a**"; in line 18, strike "3. If" and insert in lieu thereof "**(3) if**"; and in line 26, strike "4. If" and insert in lieu thereof "**(4) if**".

6. Amend the bill, page 6, section 1, line 154, by striking the punctuation "," after the word "favorable" and before the word "to".

7. Amend the bill, page 7, section 2, line 17, by inserting the punctuation "," after the word "policy" and before the word "be".

LEGISLATIVE BILL NO. 214. Placed on Select File with amendments.

E and R amendments to L. B. No. 214:

1. Amend the standing committee amendments, amendment No. 2, line 2, by inserting the punctuation "," before the word "except" therein; and also in line 3 of said standing committee amendment, insert the punctuation "," after the word "credit" therein.

2. Amend the bill, page 2, section 3, line 1, by inserting the words "intoxicating liquors" after the word "sell" and before the word "at"; and in line 2 of said section, strike the words "intoxicating liquors".

LEGISLATIVE BILL NO. 294. Placed on Select File with amendment.

E and R amendment to L. B. No. 294:

1. Amend the bill, page 2, section 1, line 11, by striking the punctuation "," after the word **"provided"** therein.

LEGISLATIVE BILL NO. 331. Placed on Select File.

LEGISLATIVE BILL NO. 424. Placed on Select File with amendments.

E and R amendments to L. B. No. 424:

1. Amend the standing committee amendments, amendment No. 1, page 1, section 1, line 25, by striking the punctuation ";" after the word "year" and before the word "one" therein and by inserting in lieu thereof the punctuation ",".

2. Amend the standing committee amendments, amendment No. 1, page 6, section 8, line 12, by striking the word "disbursement" and by inserting in lieu thereof the word "disbursements".

Correctly engrossed

L. B. No. 399
L. B. No. 426
L. B. No. 500
L. B. No. 509

(Signed) Crosby, Chairman

MOTION—To Change Position on File

Mr. President: I move that L. B. No. 183 be advanced on General File to the bottom of preferential bills. (Signed) Howard

The motion prevailed with 29 ayes, no nays, 14 not voting.

MOTION—To Discharge Sifting Committee

Mr. President: I move that the Sifting Committee be discharged.

(Signed) Murphy

The motion prevailed.

Unanimous Consent to Consider

Mr. Sorrell asked unanimous consent to consider a motion instead of special order.

No objection was offered and the President so ordered.

MOTION—To Change Position on File

Mr. President: I move that L. B. No. 90 be raised to bottom of preferential file. (Signed) Sorrell

A call of the House was ordered.

Mr. Sorrell moved to raise the call.

The motion prevailed with 28 ayes, no nays, 15 not voting.

Mr. Sorrell's original motion prevailed with 22 ayes, no nays, 21 not voting.

Unanimous Consent to Consider

Mr. Neubauer asked unanimous consent to consider a motion instead of special order.

No objection was offered and the President so ordered.

MOTION—To Change Position on File

Mr. President: I move that L. B. No. 42 be advanced to the bottom of the preferential file. (Signed) Neubauer

A call of the House was ordered.

Mr. Raecke moved to raise the call.

The motion prevailed with 30 ayes, no nays, 13 not voting.

Mr. Neubauer's original motion prevailed with 22 ayes, no nays, 21 not voting.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 282. Mr. Mekota offered the following amendment, which was adopted with 26 ayes, 7 nays, 10 not voting:

That L. B. 282 be amended by striking Sec. 2, except the Peterson amendment adopted May 5, 1941 thereof, and by inserting in lieu thereof the following:

"Sec. 2. 45-119, Subdivision 1. Any licensee hereunder may contract for, collect, or receive interest or charges, upon any loan, which loan may be repayable in installments as may be agreed upon between the parties, not in excess of the following: (a) Interest at the rate of ten per cent per annum, computed on unpaid balances of the loan; Provided, such interest shall not be paid, deducted, or received in advance; and (b) A service charge of one-tenth of the amount of cash advanced or credit extended, which service charge shall not be paid, received or deducted in advance, but may be made payable in pro rata installments together with the regular payments on the loan, and which service charge shall be deemed to have been earned in full at the expiration of twelve months from the date of such loan, and which shall be pro rated if the loan is paid or renewed within said twelve month period: Provided, a service charge shall not be contracted for, charged, collected, or received more than once in any twelve month period on any renewal, extension or transfer of any loan unless the service charge of said loan which is being renewed, extended or transferred, is pro rated according to the period of the loan and the charge for any unexpired period is credited to the borrower; and provided further, that where loans are made for a period of less than twelve months, the service charge shall be pro rated according to the period for which said loan is made. In the event that a loan is made for a longer period than twelve months, an additional service charge may be made at the end of twelve months on the unpaid balance, in the same manner and at the same rate as though a new loan was being made. Subdivision 2. It shall not be lawful for any lender to divide or split up applications for loans or said loans under any pretext whatsoever, so as to require or exact any other or greater charges than prescribed herein. A licensee hereunder shall not be entitled to any charge whatsoever unless a loan is actually made. If interest or charges for the use

of money advanced or credit extended in excess of those hereinbefore prescribed shall be contracted for, collected or received by any licensee, the said licensee shall thereupon lose all of his right to collect or receive any sum whatsoever on said indebtedness."

Mr. Metzger offered the following amendment:

Amend Mekota amendment by adding after the word indebtedness in last line: "The director of banking shall deliver standard forms of notes and all other documents evidencing the loans which licensee is permitted to use in the business of lending money under this act. It shall be unlawful for licensee to use any forms of notes or other documents that evidence loans other than in the exact form of the standard forms of notes or other instruments so furnished. The standard form, among other things, shall set forth in conspicuous type on the face thereof the original principal amount received and retained by the borrower and the total amount of all interest and other charges, and the per cent per year computed on declining balances including insurance, if any, properly itemized. It shall be unlawful for the licensee to refuse or neglect to furnish to and to deliver to the borrower a final copy of each note or other document executed by the borrower or by licensee in connection with each loan made."

Mr. Peterson moved to defer further action on the bill until 2:00 p. m. on Wednesday, May 7, 1941.

The motion prevailed.

MOTION—To Change Position on File

Mr. President: I move to advance L. B. No. 255 to the bottom of preferential file. (Signed) Mischke

The motion prevailed with 32 ayes, no nays, 11 not voting.

MOTION—To Change Position on File

Mr. President: I move that L. B. No. 23 be raised from General File and placed at bottom of preferential file. (Signed) Gantz

The motion prevailed with 32 ayes, no nays, 11 not voting.

MOTION—To Change Position on File

Mr. President: I move that L. B. No. 84 be placed from General File to the bottom of preferential file. (Signed) Greenamyre

The motion prevailed with 25 ayes, no nays, 18 not voting.

MOTION—To Change Position on File

Mr. President: I move that L. B. No. 289 be raised from General File to the bottom of preferential file. (Signed) E. A. Adams

The motion prevailed with 24 ayes, 1 nay, 18 not voting.

MOTION—To Change Position on File

Mr. President: I move that L. B. No. 478 be placed at the bottom of preferential list. (Signed) Callan

The motion prevailed with 25 ayes, no nays, 18 not voting.

MOTION—To Change Position on File

Mr. President: I move that L. B. No. 265 be raised to the bottom of the preferential file. (Signed) Matzke

The motion prevailed with 22 ayes, no nays, 21 not voting.

MOTION—To Change Position on File

Mr. President: I move that L. B. No. 349 be placed on preferential file. (Signed) Peterson

The motion prevailed with 29 ayes, no nays, 14 not voting.

MOTION—To Change Position on File

Mr. President: I move that L. B. No. 340 be raised from General File to preferential file. (Signed) Jeppesen

The motion prevailed with 28 ayes, no nays, 15 not voting.

MOTION—To Change Position on File

Mr. President: I move to raise L. B. No. 353 to bottom of preferential file. (Signed) Tvrdik

The motion prevailed with 27 ayes, 1 nay, 15 not voting.

MOTION—To Indefinitely Postpone

Mr. President: I move that all bills on General File, except those on preferential list, be indefinitely postponed. (Signed) Murphy

The motion prevailed.

MOTION—To Suspend Rules

Mr. President: I move to suspend the rules for the introduction of L. B. No. 513. (Signed) Van Diest

A call of the House was ordered.

Mr. Neubauer moved to raise the call.

The motion prevailed with 28 ayes, no nays, 15 not voting.

Mr. Van Diest's motion prevailed with 29 ayes, no nays, 14 not voting.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 513. By Van Diest of Loup, Blome of Cheyenne, Carlson of Phelps, Brodahl of Saunders, Metzger of Cass, Hanna of Sheridan, Neubauer of Harlan, Weborg of Cuming; J. Adams, Jr., Norman, of Douglas; Knezacek of Valley, Crosby of Lincoln, Ray Thomas of Clay, Howard of McPherson, Asimus of Holt, Mueller of Buffalo, Sorrell of Otoe, Thornton of Jefferson, Garber of Webster; Peterson, Price of Lancaster; Johnson of Dodge, Bowman of Adams.

A bill for an Act to amend Section 71-1705, Compiled Statutes of Nebraska, 1929, relating to public health, convenience and welfare; to prescribe the scope of the practice of osteopathy; to repeal said original section; to state a saving clause; and to declare an emergency.

MOTION—To Suspend Rules and Read Second Time

Mr. President: I move that the rules be suspended and that L. B. No. 513 be read the second time. Van Diest

The motion prevailed with 30 ayes, no nays, 13 not voting.

BILLS ON SECOND READING

The following bill was read the second time by title:

(For title, see Bills on First Reading)

LEGISLATIVE BILL NO. 513. By Van Diest, et al.

MOTION—To Suspend Rules

Mr. President: I move that the rules be suspended and that the members of the former Sifting Committee be constituted a special committee to hear L. B. No. 513. (Signed) Peterson

A call of the House was ordered.

Mr. Neubauer moved to raise the call.

The motion prevailed with 25 ayes, no nays, 18 not voting.

Mr. Peterson's motion prevailed with 29 ayes, no nays, 14 not voting.

MOTION—To Suspend Rules for Hearing

Mr. President: I move that we suspend the rules and that hearing on L. B. No. 513 be set for Thursday, May 8, 1941 at 2:00 p. m.

(Signed) Murphy

The motion prevailed with 31 ayes, no nays, 12 not voting.

REQUEST—To Add Name as Introducer

Mr. Norman asked that unanimous consent be granted to have his name added to L. B. No. 23 as an introducer.

No objection was offered and the President so ordered.

STANDING COMMITTEE REPORTS (Continued)

Rules

Mr. President: Your Committee on Rules, to which was referred for consideration the motion of Mr. Garber to amend the rules of the legislature to limit to six the number of bills which may be introduced by each member, recommends that said motion be not adopted.

It is the opinion of your Committee that the proposed rule would be impractical. (Signed) Mekota, Chairman

Communication

A letter was read from Nebraska's Graduate Nurses extending their appreciation and expressing their confidence in the Nebraska State Legislature.

Adjournment

At 5:25 p. m. on motion by Mr. Sorrell the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

EIGHTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, May 7, 1941.

Pursuant to adjournment the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Amos Thomas, who was excused.

The Journal for the Eighty-sixth Day was approved as corrected.

PETITIONS AND MEMORIALS

A petition, addressed to all members, was introduced, favoring L. B. No. 513.

Communications

A letter was read from Cal A. Ward regarding cooperation of the Farm Security Administration with the Legislature.

Letters, acknowledging receipt of L. R. No. 22, were read from Senator Hugh Butler and Congressman Carl T. Curtis.

Letters, acknowledging receipt of L. R. No. 21, were read from M. H. McIntyre, Secretary to the President, Senator George W. Norris, Lachlan Macleay, President of the Mississippi Valley Association, and Congressman Charles F. McLaughlin.

SELECT COMMITTEE REPORTS

Mr. Reed reported that a time definite should be set for the members to meet at the University Studio.

Mr. Mueller moved that Monday, May 12, 1941 at 1:30 p. m. be set for such meeting.

The motion prevailed.

Report of Special Committee

For Investigating the Permanent School

Funds of the State of Nebraska

To the Fifty-fifth Session of the Nebraska Legislature:

Pursuant to Legislative Resolution No. 12, adopted March 7th, 1941, your Committee has investigated the administration of the State's Educational Lands and Permanent Trust Funds. The subject is so vast and so complicated, and the time and facilities at the disposal of the Committee have been so circumscribed that no exhaustive investigation has been possible. The Committee has made use of records and materials supplied by the Governor, the Auditor of Public Accounts, the State Treasurer, the Board of Educational Lands and Funds, and of the report on **The Administration of State School Lands and Public Trust Funds,** prepared by the Nebraska Legislative Council. Four open hearings were held, at which testimony was presented, in addition to numerous informal conferences with interested parties. Conscious of its limitations, however, your Committee submits herewith its report, together with the supporting documentary evidence.

Statement of Lands and Funds

The State's lands and public trust funds are administered by the Board of Educational Lands and Funds. These properties may be roughly classified as follows: (1) Permanent land endowment of 1,633,412 acres, and an equity in some 61,000 acres which are under sale contract but not fully paid for; (2) Permanent trust funds, represented by bonds and uninvested cash, derived primarily, so far as the educational funds are concerned, from the early sale of lands; and (3) Current, or temporary trust funds, representing the income derived from the lands and investments.

The temporary trust funds are distributed semi-annually to the public schools and educational institutions, hence do not figure in the permanent assets of the State. The "book" value of the permanent endowments, on December 31st, 1940, was as follows:

Table No. 1

Leased lands (1,633,412 acres).....	$ 6,373,116.22
Equity in sales contracts.....	695,911.20

Bonds	13,722,055.57
Uninvested Cash	614,890.99
Total	$21,405,973.98

The bonds, totaling $13,722,055.57, are held for the various endowment funds as follows:

Table No. 2

Trust Funds Invested (Bonds)

Agricultural College Endowment	$ 637,550.00
Bessey Memorial	5,000.00
Normal School Endowment	81,450.00
Permanent School Endowment	10,872,582.44
Permanent University	282,040.00
Soldiers Relief	1,843,433.13
Total	$13,722,055.57

The actual value of these endowments is problematical. The study made by the Legislative Council suggests that the true value of the leased lands is somewhat greater than the appraised value. On the other hand, some of the bonds held are of questionable value. The Legislative Council report further suggests that the State has suffered substantial losses in the handling of its leased lands, but your Committee has made no independent investigation of this matter, confining its consideration to the bond investments and cash accounts.

Investment Losses

The records disclose that there have been considerable losses in the handling of these trust funds. In at least one notable case, during the latter part of the Nineteenth Century, a heavy loss resulted from misappropriation of funds. In another case, that of the Whitney Irrigation District, the State, in conformity with a Federal court order, charged off $39,024.00 in principal, and all accrued interest, due to the bankruptcy of the issuing authority. Some of the bonds now held have declined in value, and hence represent losses which have not been adjusted or charged off. Still other losses have resulted from questionable administrative practices. The exact extent to which the trust funds have suffered has never been definitely established, and the State, despite its constitutional mandate to make good all such losses, has never made restitution.

On the surface, the bond accounts do not present an unfavorable appearance. The Auditor's report shows that, as of December 31st,

1940, the total delinquent principal on these bonds was only $151,-260.00, and the delinquent interest amounted to $30,795.33. In dealing with nearly $14,000,000.00 worth of bonds, these delinquencies do not seem at all excessive. It is the opinion of the Committee, however, that the situation is much less favorable than these figures would indicate, since it seems to have been the practice to refund bonds as they become delinquent. This extends the time of payment, and prevents unsafe or worthless bonds from showing on the record as being delinquent. Sometimes this seems to have been done primarily for the purpose of preventing the record from showing delinquencies. Refunding is resorted to not only to take care of the principal, but of the interest as well. For example, bonds to the amount of $103,750.00 which were issued in payment of delinquent interest, are now carried in the temporary funds as "cash".

The bonds now held bear interest at rates varying from one-half of one per cent to six per cent. Contrary to generally accepted practice, the bonds of the most doubtful value often carry the lowest interest rate. Bonds may have been issued years ago, to bear interest at the rate of five per cent or six per cent, but if, at maturity, the municipality is unable to pay, they are refunded, often at a rate as low as one-half per cent.

The Committee did not attempt to list all questionable administrative practices, or to catalogue all of the worthless or depreciated bonds now held. A few examples may be cited, however, by way of illustration.

North River Irrigation District. Between May 25th, 1920, and July 20th, 1923, the Board of Educational Lands purchased bonds of the North River Irrigation District in Garden County totaling $145,-000.00 at six per cent interest. On June 10th, 1930, the entire issue was refunded, the first series to become due January 1st, 1931. On November 12th, 1935, the Board again permitted the refunding of the entire issue, plus $37,000.00 delinquent interest, at the rate of two per cent. The irrigation district now owes the State $205,513.71 in principal and interest on this original issue. A report by the State Auditor on the financial affairs of the district offers little hope that anything can be realized on these bonds.

Short Line Irrigation District. The State now holds, for its permanent trust funds, $55,000.00 in bonds of the Short Line Irrigation District, in Morrill County, bearing one-half per cent interest, and $16,993.00 in bonds of the same district, at the same interest rate, for its temporary trust funds. It likewise holds $12,000.00 one-half per cent bonds of Drainage District No. 1, in Lincoln County, for the temporary school fund.

Village of Spencer. Between 1923 and 1931, the State bought,

for its several trust funds, Spencer bonds totaling $166,849.47, at interest rates varying from 4.15 per cent to 7 per cent. Today, the State holds Spencer refunding bonds amounting to $200,880.95, at one-half per cent for the first ten years, and one per cent for the next ten years, representing the principal and accrued interest on the original issues. The financial conditions of the City is such that little return can be expected. Some of the bonds were bought after it should have been obvious that payment was unlikely.

Village of Newport, Rock County. The State holds $13,000.00 of Newport bonds at 5½ per cent, and $175,000.00 at 2½ per cent in the Permanent School Fund, and $1,000.00 at 2½ per cent in the Temporary School Fund.

Village of Scotia, Greeley County. The State holds $4,000.00 in 4 per cent bonds in the Permanent School Fund, $500.00 in 4 per cent bonds in the Temporary School Fund, and $500.00 in 4 per cent bonds in the Temporary Soldiers' Relief Fund.

The law requires that the principal, or permanent investment funds be kept intact, and that the income from these funds be distributed to the public schools and institutions of higher education. Thus where bonds are held in the temporary trust funds, it would appear that the Board of Educational Lands and Funds has permitted some of the governmental units to pay interest on their bonds merely by issuing more bonds, and these at an abnormally low rate of interest. Why this practice has been followed is a question that should, perhaps, receive further attention.

Village of Wynot. Purchase of refunding Light and Powers Bonds of an unspecified amount was authorized September 14th, 1927, at a premium of $420.00, apparently 4.2 per cent. The Minutes of the Board do not show either the amount of bonds purchased, or from whom purchased. The State now holds $9,000.00 of these bonds, with approximately $1,968.75 interest due. Because of the low assessed value of property in the village, and the high rate of tax delinquency, the possibility of making any substantial collection on these bonds is very remote, and the Auditor's recommendation is that they be charged off and declared a loss.

Village of Bloomington. On July 11th, 1928, the Board of Educational Lands and Funds authorized three purchases, as follows: $18,700.00 of Village of Bloomington District Paving Bonds; $14,000.00 of Village of Bloomington Intersection Paving Bonds; and an unspecified amount of Village of Bloomington Intersection Bonds. On the first purchase, a premium of 2.7 per cent, or $498.75 was paid; on the second, a premium of $541.25, or about 4 per cent; and no premium is mentioned in connection with the third purchase. The record does not disclose from whom the purchases were made. The

State now holds $19,200.00 of these bonds, all of which are delinquent, with approximate interest due of $4,379.50, making a total obligation of $23,579.50. Practically no paving assessments are being paid. A study of the population, assessed valuation, and tax delinquency, coupled with the fact that there is an overlapping school district debt of $27,000.00 suggests that little return can be expected from these bonds, and the Auditor recommends that they be charged off.

Village of Magnet. On October 30th, 1922, purchase of two bond issues was authorized: Village of Magnet Electric Light and Electric Transmission bonds, $11,000.00; and Village of Magnet Refunding Water bonds, $2,500.00. A premium of $210.00, or slightly less than 2 per cent was paid on the first purchase, and no premium on the second. The record does not disclose from whom these purchases were made. The State now holds $13,500.00 of these bonds, or all the original issue, part of which are delinquent, and interest due amounts to approximately $4,687.50, or a total obligation of $18,187.50. The population of the village is only one hundred and fifty-two (152), and the assessed valuation $74,660.00, with tax delinquency very high, in many cases amounting to more than the value of the property. It seems highly improbable that these bonds will be paid, and the State Auditor recommends that they be charged off.

Normal School Dormitory Bonds. In the late 1930's, the State purchased Normal School Dormitory bonds in the amount of $564,000.00, at 3 per cent interest. At that time, there were outstanding $216,000.00 in bonds of an earlier dormitory issue of $728,000.00, but held by private investors. In September, 1940, the Board of Education for State Normal Schools proposed to refund the bonds held by the State at 2½ per cent, which the Board of Educational Lands and Funds rejected. Later, however, the balance outstanding on the two issues was refunded as one issue, at 2½ per cent, with a bond brokerage company acting as intermediary in the transaction. The Normal School Board paid the bond company $2,964.50 for its services. The Board of Educational Lands and Funds finally agreed to accept the refunded 2½ per cent bonds, but by that time all but $503,000.00 worth had been disposed of. Separate interest coupons were printed for the first two years, bearing 2 per cent and one-half per cent, respectively. The one-half per cent coupons were detached by the bond company, and retained as commission.

Your Committee finds the conduct of the bond company in this transaction to have been regular. It was employed by a state agency, and charged a commission for its services, as it would have charged any other client. It is not readily apparent, however, why the Board of Educational Lands and Funds could not have dealt directly with the Normal School Board, and saved the $5,030.00 paid in commissions. It is true that the Normal School Board profited to the extent of

$36,000.00 in the reduction of interest, and the bonds now held are better secured than the ones refunded, since the two issues were combined and the major portion of the earlier issue had already been retired. Nevertheless, the $564,000.00 issue was considered safe enough to justify direct refunding. Therefore, the necessity for employing the bond company as an intermediary in the transaction is not apparent to the Committee.

Findings and Recommendations

The foregoing list of depreciated bonds and questionable transactions is not exhaustive, by any means. We have merely described the ones which came to our attention and were investigated by us. A complete check would, no doubt, reveal many more of a similar nature. Substantial revenues have been derived from these funds, but many losses have been sustained, and commissions have been paid to bond brokers when they might have been saved to the State.

The Committee recognizes that the blame for losses should not be attributed solely to the Board of Educational Lands and Funds. Any investing agency, whether private or governmental, will make errors of judgment, and will suffer losses therefrom. Furthermore, the Board cannot be held accountable for the general economic conditions which have, in recent years, forced interest rates down and made a certain amount of delinquency and refunding at a lower rate inevitable. Nevertheless, the information which has been presented to the Committee is such as to suggest that an **ex officio** board is not a suitable agency for the direct administration of the State's lands and trust funds. Its members are apt to be absorbed primarily in the duties of their regular offices. They are not likely to have the highly specialized knowledge which is needed, or the time to acquire such knowledge. Under those circumstances, despite the high character and good intentions of individual members, the Board's records are apt to be incomplete, its responsibility diffused, and its business methods inadequate. Your Committee is pleased to report, however, that the present Board has shown a renewed interest in the State's trust funds, and that a marked improvement has been made in the Board's system of record keeping and general office administration. With the increased funds provided for the Board in the present appropriations bill, it is hoped that further improvements can be made.

In light of the foregoing considerations, your Committee recommends that:

1. The Legislature, pursuant to its mandate in the State Constitution, make immediate provision for reimbursing the trust funds for the losses which they have suffered, in so far as such losses can be determined.

2. The Board of Educational Lands and Funds be instructed to institute proceedings through the Attorney General, on all bonds that are of questionable value, in order that the State's interest may be protected, and further that the Legislature consider the desirability of enacting additional measures providing for methods of liquidating such bonds.

3. Legislation be enacted to provide for the employment of a qualified person to advise and assist the Board of Educational Lands and Funds in the purchase of bonds, the leasing of lands, and all matters relating to the administration thereof.

4. The Board of Educational Lands and Funds be instructed to complete the reappraisal and classification of school lands as authorized in Sec. 72-204, **C. S. Supp., 1939.**

5. The practice of refunding bonds, and including delinquent interest with principal, for the purpose of effecting a technical reduction of delinquency, be immediately discontinued; and

6. That the practice of carrying bonds issued to cover delinquent interest or principal as "cash" in the trust funds, be discontinued.

Respectfully submitted,

(Signed) Daniel Garber, Chairman

Harry E. Gantz
H. G. Greenamyre
R. M. Howard
Richard N. Johnson
Martin J. Mischke
George T. Sullivan

Mr. Garber moved that the report be adopted.

MOTION—Appropriation for Loss

Mr. President: I move that the report of the committee be adopted and that this session of the legislature recognize its responsibility to restore lost principal, and that the one item definitely recognized and defined in the report, to wit, $39,024.00 in principal, lost by the bankruptcy of Whitney Irrigation District, should be included in the appropriation for the coming biennium. (Signed) Peterson

No action was taken on the motion.

MOTION—To Meet in Evening

Mr. President: I move that the Legislature convene at 7:30 this evening to take up bills on third reading. (Signed) Howard

The motion prevailed.

GENERAL FILE

Special Order—10:00 a. m.

LEGISLATIVE BILL NO. 507. Read and considered.

Mr. Sorrell presiding

Mr. Raecke offered the following amendment:

Amend the bill page 2, section 1 by striking all of said section beginning with the word "The" in line 8 and inserting in lieu thereof the following: "The counties of Richardson, Nemaha, Johnson, Pawnee, Gage, Lancaster, Saline, Jefferson, Thayer, Fillmore, Clay, Nuckolls, Webster, Adams, Kearney, Franklin, Phelps, Harlan, Furnas, Gosper, Frontier, Red Willow, Hitchcock, Hayes, Chase and Dundee shall constitute the first district. The counties of Douglas, Sarpy, Cass, Otoe and Washington shall constitute the second district. The counties of Burt, Thurston, Dakota, Dixon, Cuming, Dodge, Saunders, Seward, Butler, Colfax, Stanton, Wayne, Cedar, Knox, Pierce, Madison, Platte, Polk, York, Hamilton, Merrick, Nance, Boone and Antelope shall constitute the third district. The counties of Boyd, Holt, Wheeler, Greeley, Howard, Hall, Buffalo, Sherman, Valley, Garfield, Keya Paha, Rock, Brown, Blaine, Loup, Custer, Dawson, Lincoln, Logan, Thomas, Cherry, Hooker, McPherson, Grant, Arthur, Keith, Perkins, Deuel, Garden, Sheridan, Dawes, Box Butte, Morrill, Cheyenne, Kimball, Banner, Scotts Bluff and Sioux shall constitute the fourth district.

Mr. Callan presiding

The amendment was adopted with 24 ayes, 12 nays, 7 not voting.

Mr. Sorrell presiding

Referred to E and R for review.

MOTION—To Reconsider Action

Mr. President: I move that the Howard motion to proceed with third reading at 7:30 p. m. be reconsidered and that we proceed immediately on third reading. (Signed) J. Adams, Jr.

The motion prevailed with 31 ayes, no nays, 12 not voting.

Speaker Howard presiding

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 503. With emergency clause.

A bill for an Act relating to banks and banking; to repeal Section 8-154, Compiled Statutes of Nebraska, 1929, relating to the liability of stockholders in banking corporations; to amend Sec. 8-197, C. S. Supp., 1939, to provide for the restoration of the impaired capital of banks by the levy and collection of any assessments upon the common capital stock of banks; to provide that the preferred capital stock of banks shall not be liable for the levy and collection of any assessments to restore impaired capital; to repeal said original section; and to decare an emergency.

Whereupon the president stated: "All provisions of law relating to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

Adams, E. A.	Crosby	Matzke	Reed
Adams, J. Jr.	Crossland	Mekota	Sorrell
Asimus	Gantz	Mischke	Sullivan
Bevins	Greenamyre	Mueller	Thomas, Ray
Blome	Hanna	Murphy	Thornton
Bowman	Howard	Neubauer	Tvrdik
Brodahl	Jeppesen	Peterson	Van Diest
Callan	Johnson	Price	Weborg
Carlson	Kotouc	Raecke	

Voting in the negative, 0.

Not voting, 8:

Carmody	Knezacek	Metzger	Rakow
Garber	Lambert	Norman	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Statement

Mr. President: Had I been present I would have voted for L. B. No. 503. (Signed) Carmody.

LEGISLATIVE BILL NO. 89. With emergency clause.

A bill for an Act relating to public welfare and social security; to abolish the old age assistance and blind assistance liens; to abolish the blind assistance claims from estates of deceased recipients of old age and blind assistance; to abolish the procedure for enforce-

ment of such liens and claims; to provide for the release and satisfaction of the old age assistance and blind assistance liens and blind assistance claims, now existing or hereafter filed; to prescribe the duties of the various county judges, registers of deeds or county clerks with respect thereto; to provide for a claim against the estate of a deceased old age assistance recipient; to provide the manner in which old age assistance claims may be released; to amend Sec. 68-268, C. S. Supp., 1939, as amended by Section 1, Chapter 4, Session Laws of Nebraska, fifty-fourth (Extraordinary) session, 1940; to amend Sec. 68-270, C. S. Supp., 1939, as amended by Section 2, Chapter 4, Session Laws of Nebraska, fifty-fourth (Extraordinary) session, 1940; to repeal said original sections, as amended; to repeal Secs. 68-271, 68-412, 68-414, 68-417 and 68-418, C. S. Supp., 1939; and to repeal Secs. 68-413 and 68-416, C. S. Supp., 1939, as amended by Chapter 4, Session Laws of Nebraska, fifty-fourth (Extraordinary) session, 1940; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams, E. A.	Carmody	Kotouc	Price
Adams, J. Jr.	Crosby	Lambert	Raecke
Asimus	Crossland	Matzke	Reed
Bevins	Gantz	Mischke	Sorrell
Blome	Hanna	Mueller	Sullivan
Bowman	Howard	Murphy	Thomas, Ray
Brodahl	Jeppesen	Neubauer	Thornton
Callan	Johnson	Norman	Tvrdik
Carlson	Knezacek	Peterson	Van Diest
			Weborg

Voting in the negative, 0.

Not voting, 6:

Garber	Mekota	Rakow
Greenamyre	Metzger	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 441.

A bill for an Act to amend Sec. 53-337, C. S. Supp., 1939, relating to liquors; to prohibit the sale at retail of alcoholic liquors, including beer, on secular days between the hours of one o'clock A.

M. and six o'clock A. M.; to prohibit the sale at retail of alcoholic liquors, including beer, between the hours of one o'clock A. M. Sunday and six o'clock A. M. Sunday; to prohibit the sale at retail of alcoholic liquors, except beer, between the hours of six o'clock A. M. Sunday and twelve o'clock midnight Sunday; to provide for closing prior to one o'clock A. M. within the corporate limits of cities or villages by ordinance; to provide for closing prior to one o'clock A. M. outside the corporate limits of cities or villages by rule of the commission; to provide penalties for the violation of the provisions thereof; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'shall the bill pass?' "

Voting in the affirmative, 25:

Adams, E. A.	Carlson	Jeppesen	Neubauer
Adams, J. Jr.	Gantz	Knezacek	Norman
Asimus	Garber	Lambert	Sullivan
Bevins	Greenamyre	Matzke	Thornton
Blome	Hanna	Mueller	Tvrdik
Callan	Howard	Murphy	Van Diest
			Weborg

Voting in the negative, 14:

Bowman	Crosby	Kotouc	Peterson
Brodahl	Crossland	Mekota	Raecke
Carmody	Johnson	Metzger	Sorrell
		Mischke	Thomas, Ray

Not voting, 4:

Price	Rakow	Reed	Thomas, Amos

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 430.

A bill for an Act relating to corporations; to provide for the organization of nonprofit hospital service corporations; to establish the powers, duties and purposes of such corporations; to establish the rules and regulations for the government thereof; to prescribe the powers and duties of the department of insurance; to provide for licenses; and to establish fees therefor.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 39:

Adams, E. A.	Crosby	Lambert	Raecke
Adams, J. Jr.	Crossland	Matzke	Reed
Asimus	Gantz	Mekota	Sorrell
Bevins	Greenamyre	Metzger	Sullivan
Blome	Hanna	Mischke	Thomas, Ray
Bowman	Howard	Mueller	Thornton
Brodahl	Jeppesen	Neubauer	Tvrdik
Callan	Johnson	Norman	Van Diest
Carlson	Knezacek	Peterson	Weborg
Carmody	Kotouc	Price	

Voting in the negative, 0.

Not voting, 4:

Garber	Murphy	Rakow	Thomas, Amos

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 511.

A bill for an Act to amend Sec. 53-351, C. S. Supp., 1939, as amended by legislative bill No. 461, fifty-fifth session, Nebraska state legislature, 1941, relating to liquors; to provide a reference in said section to Sec. 53-350, C. S. Supp., 1939, as amended by legislative bill No. 401, fifty-fifth session, Nebraska state legislature, 1941, instead of to Sec. 50-350, C. S. Supp., 1939; and to repeal said original section as amended.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 38:

Adams, E. A.	Crosby	Lambert	Reed
Adams, J. Jr.	Crossland	Mekota	Sorrell
Asimus	Gantz	Metzger	Sullivan
Bevins	Greenamyre	Mischke	Thomas, Ray
Blome	Hanna	Mueller	Thornton
Bowman	Howard	Neubauer	Tvrdik
Brodahl	Jeppesen	Norman	Van Diest
Callan	Johnson	Peterson	Weborg
Carlson	Knezacek	Price	
Carmody	Kotouc	Raecke	

Voting in the negative, 0.

Not voting, 5:

Garber	Murphy	Thomas, Amos
Matzke	Rakow	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 67. With emergency clause.

A bill for an Act relating to safety deposit boxes; to permit the creation by contract of the relationship of either lessor and lessee or the relationship of bailor and bailee between the owner and user thereof and by contract between the parties to limit the liability of the owner of safety deposit boxes under certain conditions and to fix rules of evidence which shall govern the relationship in case of legal controversy arising therefrom; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams, J. Jr.	Crossland	Lambert	Raecke
Asimus	Gantz	Matzke	Reed
Bevins	Garber	Mekota	Sorrell
Blome	Greenamyre	Metzger	Sullivan
Bowman	Hanna	Mischke	Thomas, Ray
Brodahl	Howard	Mueller	Thornton
Callan	Jeppesen	Neubauer	Tvrdik
Carlson	Johnson	Norman	Van Diest
Carmody	Knezacek	Peterson	Weborg
Crosby	Kotouc	Price	

Voting in the negative, 0.

Not voting, 4:

Adams, E. A.	Murphy	Rakow	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 501. With emergency clause.

A bill for an Act relating to public health and welfare; to provide for housing cooperation; to authorize housing authorities to undertake the development or administration of projects to assure the

availability of safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the federal government in the development and administration of such projects of the federal government, to acquire or lease such projects and to sell certain projects to the federal government; to authorize public bodies to assist such projects of housing authorities and of the federal government; to declare valid all bonds, notes and obligations of housing authorities issued for projects heretofore undertaken to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities; to provide that the provisions of this act shall be cumulative with and supplemental to other laws pertaining to housing; to state a validity clause; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Adams, E. A.	Crosby	Kotouc	Price
Adams, J. Jr.	Crossland	Lambert	Raecke
Asimus	Gantz	Matzke	Reed
Bevins	Garber	Mekota	Sorrell
Blome	Greenamyre	Metzger	Sullivan
Bowman	Hanna	Mischke	Thomas, Ray
Brodahl	Howard	Mueller	Thornton
Callan	Jeppesen	Murphy	Tvrdik
Carlson	Johnson	Neubauer	Van Diest
Carmody	Knezacek	Norman	Weborg

Voting in the negative, 0.

Not voting, 3:

Peterson	Rakow	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Recess

At 12:09 p. m. on motion by Mr. Lambert the Legislature recessed until 2:00 p. m.

After Recess

The Legislature reconvened at 2:00 p. m. President Johnson presiding.

The roll was called and all members were present except Amos Thomas, who was excused.

Special Order: 2:00 p. m.

LEGISLATIVE BILL NO. 282. Laid over. Retains place on File.

BILLS ON THIRD READING (Continued)

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 223. With emergency clause.

A bill for an Act to provide for the payment of the salaries of the officers of the Nebraska state government for the biennium ending June 30, 1943; to prescribe conditions for payment thereof; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams, E. A.	Crosby	Lambert	Price
Adams, J. Jr.	Crossland	Matzke	Raecke
Asimus	Gantz	Mekota	Reed
Bevins	Garber	Metzger	Sorrell
Blome	Greenamyre	Mischke	Sullivan
Bowman	Howard	Mueller	Thomas, Ray
Brodahl	Jeppesen	Murphy	Thornton
Callan	Johnson	Neubauer	Tvrdik
Carlson	Knezacek	Norman	Van Diest
Carmody	Kotouc	Peterson	

Voting in the negative, 0.

Not voting, 4:

Hanna	Rakow	Thomas, Amos	Weborg

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 81. With emergency clause.

A bill for an Act relating to banks and banking; to define the meaning of the words **Department of Trade and Commerce, Department of Trade and Commerce of the State of Nebraska,** and **Secretary of the Department of Trade and Commerce,** as used in Article 5, Chapter 26, Compiled Statutes of Nebraska, 1929, as now existing or as hereafter amended; to provide that the words **Department of Trade and Commerce of the State of Nebraska** when used in said article shall be construed to mean **"department of banking"** and that the words **Secretary of the Department of Trade and Commerce** when used in said article shall be construed to mean **"director of banking"**; to provide that the functions and duties heretofore imposed by the above upon said office and officers shall hereafter be performed by the department of banking and the director of banking; to provide that the words **Department of Trade and Commerce, Department of Trade and Commerce of the State of Nebraska** or **superintendent of banks** when used either in Chapter 8, Compiled Statutes of Nebraska, 1929, or in Article 51, Chapter 81, Compiled Statutes of Nebraska, 1929, or in Chapter 8, C. S. Supp., 1939, or in Article 51, Chapter 81, C. S. Supp., 1939, as now existing or as hereafter amended, shall be construed to mean **"department of banking"** or **"director of banking"**, as case is; to provide that the functions and duties heretofore imposed by the chapters and articles cited above upon the said office or officers therein named shall hereafter be performed by the department of banking and the director of banking; to repeal all acts and parts of acts in conflict therewith; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Adams, E. A.	Crosby	Lambert	Price
Adams, J. Jr.	Crossland	Matzke	Raecke
Asimus	Gantz	Mekota	Rakow
Bevins	Greenamyre	Metzger	Reed
Blome	Hanna	Mischke	Sorrell
Bowman	Howard	Mueller	Sullivan
Brodahl	Jeppesen	Murphy	Thomas, Ray
Callan	Johnson	Neubauer	Thornton
Carlson	Knezacek	Norman	Tvrdik
Carmody	Kotouc	Peterson	Van Diest

Voting in the negative, 0.

Not voting, 3:

Garber	Thomas, Amos	Weborg

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION—To Return to Select File for Specific Amendments

Mr. President: I move that L. B. No. 351 be recommitted to Select File for the following Specific amendments:

1. Amend the bill, page 5, by inserting immediately after section 11 therein the following two new sections and renumber succeeding sections to conform with this amendment:

"Sec. 12. In addition to all other penalties and enforcement devices provided for in this act, any mother of a child born out of wedlock or any woman who is pregnant with child which if born alive, may be born out of wedlock, who is a resident of this state, may make complaint before any justice of the peace, municipal judge, county judge or district judge of the state of Nebraska accusing on oath or affirmation any person of being the father of said child, the justice or judge shall take such accusation in writing, and thereupon issue a warrant, directed to the sheriff or constable of any county of this state, commanding him forthwith to bring such accused person before said justice or judge, to answer to the complaint; and, if at the time of such answer, the party accused shall pay or secure to be paid to the complainant such sum or sums of money or property as she may agree to receive in full satisfaction and shall further give bonds to the county board of the county in which said complainant shall reside and their successors in office, conditioned to save such county free from all charges toward the maintenance of said child, then and in that case the justice shall discharge the party accused out of custody, upon his paying the costs of prosecution: **Provided,** the agreement aforesaid shall be made or acknowledged by both parties in the presence of the justice or judge, who shall thereupon enter a memorandum of the same upon his docket.

Sec. 13. If the accused person does not make a settlement agreement as provided in section 12 of this act, the justice or judge to whom such complaint was made shall bind such person in a recognizance to appear at the next term of the district court, with sufficient security in a sum not less than five hundred dollars, for the benefit of the county in which such child is born out of wedlock, to answer such accusation, and to abide the order of the court thereon, and on neglect or refusal to find such security, the justice or judge shall cause him to be committed to the jail of the county, there to be held to answer such complaint.".

2. Amend the bill, page 1, title, line 8 by inserting immediately

after the syllable and punctuation "ren;" the following: "to establish procedure for complaint against alleged father; to provide for recognizance to be given by alleged father;".

(Signed) Greenamyre

The motion prevailed.

Placed on Select File.

BILLS ON THIRD READING (Continued)

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 462. With emergency clause.

A bill for an Act relating to chemurgy; to provide for research into the use of agricultural products and by-products as raw materials of industry; to prescribe the nature and scope of such research; to establish the **chemurgy fund** for the uses and purposes of this act; to prescribe the duties of the board of regents, university of Nebraska, with respect to research investigations thereunder; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

A call of the House was ordered.

Mr. Hanna moved to raise the call.

The motion was lost with 18 ayes, 11 nays, 14 not voting.

Mr. Kotouc moved to raise the call.

The motion prevailed with 28 ayes, no nays, 15 not voting.

Voting in the affirmative, 27: (On passage of the bill)

Adams, E. A.	Carlson	Matzke	Raecke
Adams, J. Jr.	Carmody	Metzger	Rakow
Asimus	Crossland	Mueller	Sorrell
Blome	Gantz	Neubauer	Thomas, Ray
Bowman	Greenamyre	Norman	Thornton
Brodahl	Jeppesen	Peterson	Tvrdik
Callan	Kotouc	Price	

Voting in the negative, 8:

Crosby	Howard	Lambert	Mischke
Hanna	Johnson	Mekota	Murphy

Not voting, 8:

Bevins	Knezacek	Sullivan	Van Diest
Garber	Reed	Thomas, Amos	Weborg

A constitutional two-thirds majority having failed to vote in the affirmative,the bill failed of passage with the emergency clause attached.

Vote on L. B. No. 462 with the Emergency Clause Stricken

Voting in the affirmative, 26:

Adams, E. A.	Carlson	Matzke	Raecke
Adams, J. Jr.	Carmody	Metzger	Rakow
Asimus	Gantz	Mueller	Sorrell
Blome	Greenamyre	Neubauer	Thomas, Ray
Bowman	Howard	Peterson	Thornton
Brodahl	Jeppesen	Price	Tvrdik
Callan	Kotouc		

Voting in the negative, 5:

Hanna	Mekota	Murphy
Johnson	Mischke	

Not voting, 12:

Bevins	Garber	Norman	Thomas, Amos
Crosby	Knezacek	Reed	Van Diest
Crossland	Lambert	Sullivan	Weborg

A constitutional majority having voted in the affirmative, the bill was declared passed with the emergency clause stricken and the title agreed to.

MOTION—To Return to General File

Mr. President: I move to refer L. B. No. 509 back to General File for the following Specific amendment:

To add to said bill as allowed claims the following claims of district judges for expenses:

List of District Judges

Name	Location	Claim
Lewis H. Blackledge	Hastings	$ 95.30
Edwin P. Clements	Ord	52.90
Robert R. Dickson	O'Neill	110.85

Chas. E. Eldred	McCook	27.55
Virgil Falloon	Falls City	40.50
L. S. Hastings	David City	16.50
Bruno O. Hostetler	Kearney	31.15
G. W. Irwin	Gering	42.15
E. G. Kroger	Grand Island	30.45
Harry D. Landis	Seward	5.60) 23.25)
Lewis Lightner	Columbus	19.35
Fred W. Messmore	Beatrice	68.00
Earl L. Meyer	Alliance	55.41
Frank Munday	Red Cloud	28.52
Robert M. Proudfit	Friend	30.15) 16.16 46.31
Mark J. Ryan	Pender	27.95
Frederick L. Spear	Fremont	118.85
Chas. H. Stewart	Norfolk	66.60
Willis G. Sears	Omaha	17.00
James L. Tewell	Sidney	28.75
W. W. Wilson	Plattsmouth	67.80
Mrs. Lora A. Kieck, Adm		29.50

(Signed) Gantz

The motion was lost with 13 ayes, 21 nays, 9 not voting.

MOTION—To Return to General File

Mr. President: I move to return L. B. No. 509 to General File for the following Specific amendment:

Strike line 12, Section 1, page 2.

(Signed) Mischke

The motion was lost with 10 ayes, 15 nays, 18 not voting.

STANDING COMMITTEE REPORTS (Continued)

Enrollment and Review

LEGISLATIVE BILL NO. 250. Placed on Select File with amendments.

E and R amendments to L. B. No. 250:

1. Amend the bill, page 1, title, line 10, by striking the Roman numeral "I" and by inserting in lieu thereof the Arabic numeral "1"; and in line 12 of said title, strike the Roman numeral "II" and insert in lieu thereof the Arabic numeral "2".

2. Amend the bill, page 36, section 28, line 87, by striking the word and punctuation "contain-" therein and by inserting in lieu thereof the word "containing"; and in line 88 of said section, insert the punctuation "," after the word "fact" and before the word "shall" therein.

3. Amend the bill, page 40, section 31, line 36, by inserting the punctuation "," after the word "application" and before the word "service" therein.

4. Amend the bill, page 40, section 31, line 45, by inserting the punctuation "," after the word "sealed" and before the word "registered" therein.

5. Amend the bill, page 41, section 32, line 12, by striking the punctuation "," after the preposition "in" and before the adjective "this" therein.

6. Amend the bill, page 42, section 33, line 7, by striking the punctuation and word ". And" therein and by inserting in lieu thereof the following:

"; and".

7. Amend the general file amendments, Mekota, amendment 3, adopted April 29, 1941, line 7, by inserting the punctuation "," after the word "state" and before the word "three" therein.

8. Amend the bill, page 47, section 42, line 19, by inserting the punctuation "," after the word "shall" and before the word "only" therein; and in line 20 of said section 42, insert the punctuation "," after the word "commenced" and before the word "be" therein.

9. Amend the bill, page 84, section 78, line 73, by inserting the punctuation "," after the word "certificate" and before the word "statements" therein.

10. Amend the bill, page 92, section 89, line 8, by striking the punctuation "," after the figures "302" therein.

11. Amend the bill, page 9, section 9, line 41, by inserting a comma after the word "class" in each of the two places where said word appears in said line; and in line 42, strike the punctuation "," after the word "thereafter" and insert in lieu thereof the punctuation ";".

12. Amend the bill, page 15, section 14, line 30, by striking the word "issues", and insert in lieu thereof the word "issued".

13. Amend the bill, page 29, section 26, line 86, by striking the punctuation and word ". And" and insert in lieu thereof the following: "; and".

14. Amend the bill, page 48, section 43, line 3, by striking the punctuation "," after the word "court"; and in line 5 of said section, insert the punctuation "," after the word "state".

15. Amend the bill, page 49, section 46, line 11, by striking therefrom the word "services", and insert in lieu thereof the word "service"; and insert the punctuation "," after the word "impracticable" in line 12.

16. Amend the bill, page 51, section 50, line 6, by striking the word "which" and insert in lieu thereof the word "such".

17. Amend the bill, page 82, section 76, line 69, by striking the word "or", and insert in lieu thereof the word "of".

18. Amend the bill, page 88, section 80, line 30, by striking the first word "for", and insert in lieu thereof the word "of".

19. Amend the bill, page 49, section 45, line 9, by striking the word "and" and insert in lieu thereof the word "that".

LEGISLATIVE BILL NO. 427. Placed on Select File.

LEGISLATIVE BILL NO. 206. Placed on Select File with amendments.

E and R amendments to L. B. No. 206:

1. Amend the bill, page 2, section 1, line 12, by inserting the indefinite article **"a"** after the preposition "for" and before the word "regular" therein.

2. Amend the bill, page 2, section 1, line 13, by striking the punctuation "." therein and by inserting in lieu thereof the punctuation ":".

3. Amend the standing committee amendments, amendment No. 1, line 7, by inserting the punctuation ";" after the word **"chief"** therein.

4. Amend the bill, page 2, section 1, line 20, by inserting the punctuation "," after the word "shall" and before "before".

5. Amend the bill, page 3, section 1, line 42, by striking the word "city" and insert in lieu thereof the word **"cities"**; and also strike the word "village" and insert in lieu thereof the word **"villages"**.

6. Amend the bill, page 3, section 1, lines 54 and 60, by striking the words "It" therein and by inserting in lieu thereof the words **"They"**.

7. Amend the bill, page 2, section 1, line 15, by striking the word "if" therein and by inserting in lieu thereof the word "**is**".

LEGISLATIVE BILL NO. 300. Placed on Select File.

LEGISLATIVE BILL NO. 220. Placed on Select File with amendments.

E and R amendments to L. B. No. 220:

1. Amend the bill, page 2, section 1, line 16, by inserting the word "**and**" after the word "**borders**", and before the word "**having**" therein.

2. Amend the bill, page 2, section 1, line 17, by striking the punctuation "," after the word "**trustees**" and before the word "**associations**" and insert in lieu thereof the word "**or**"; and in line 17, insert the punctuation"," after "**associations**" and before "**whether**"; and in line 18, strike the conjunction "**and**" after the word "**not**" and insert in lieu thereof the punctuation ",".

3. Amend the bill, page 2, section 1, line 25, by inserting the word "**then**" after the word and punctuation "**name,**" and before the word "**the**".

LEGISLATIVE BILL NO. 464. Correctly engrossed.

Correctly enrolled

L. B. No. 156 L. B. No. 372

(Signed) Crosby, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 156 L. B. No. 372

Visitor

Mr. Murdock, former Chief Justice of the Supreme Court of Rhode Island, was introduced by Speaker Howard and addressed the Legislature briefly.

MOTION—To Recommit to General File

Mr. President: I move that Legislative Bill No. 399 be recommitted to General File for the following Specific amendments:

1. Amend the bill, page 4, by inserting immediately after line 85, section 2 thereon a new section as follows:

"Sec. 3. **Subdivision 1.** The board of control shall have the power to establish and enforce reasonable rules and regulations governing the custody, use and preservation of the records, papers, files and communications of the state and county departments. The use of such records, papers, files and communications by any other agency or department of government to which they may be furnished shall be limited to the purposes for which they are furnished. **Subdivision 2.** It shall be unlawful, except for purposes directly connected with the administration of general assistance, old age assistance, aid to the blind or aid to dependent children and in accordance with the rules and regulations of the board of control, for any person or persons to solicit, disclose, receive, make use of, or to authorize, knowingly permit, participate in, or acquiesce in the use of, any list of or names of, or any information concerning, persons applying for or receiving such assistance, directly or indirectly derived from the records, papers, files, or communications of the state or county or subdivisions or agencies thereof, or acquired in the course of the performance of official duties. **Subdivision 3.** Any person who knowingly violates the provisions of this section shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not exceeding one hundred dollars or shall be imprisoned in the county jail for not more than thirty days, or both, in the discretion of the court.".

2. Amend the bill, page 4 by renumbering sections 3 and 4 thereon to conform with the foregoing amendment.

3. Amend the bill, page 1, title, by striking all of said title after the word "ACT" therein and by inserting in lieu thereof the following:

"relating to public welfare and social security; to amend Secs. 68-317 and 68-324, C. S. Supp., 1939;to create, establish and make division of the assistance funds; to provide rules and regulations governing and controlling the custody, use and preservation of the records, papers, files and communications of state and county departments of assistance; to provide penalties for the violation thereof; to repeal said original sections; and to declare an emergency.".

(Signed) Crosby

No action was taken thereon. Laid over.

MOTION—To Reconsider

Mr. President: I move that we reconsider L. B. No. 296 and strike the word "Grain". (Signed) Knezacek

Mr. Mischke asked for a division of the question.

The Chair put the question "Shall L. B. No. 296 be reconsidered?"

A call of the House was ordered.

Mr. Sorrell moved to raise the call.

The motion prevailed with 28 ayes, no nays, 15 not voting.

Mr. Knezacek's motion to reconsider prevailed with 22 ayes, 1 nay, 20 not voting.

Mr. Sorrell withdrew his motion to indefinitely postpone.

Mr. Asimus moved to strike the word "Grain".

Mr. Hanna moved to indefinitely postpone.

The motion prevailed.

SELECT FILE

Speaker Howard presiding

LEGISLATIVE BILL NO. 207. Mr. Greenamyre moved to refer to General File for Specific amendment as follows:

By striking commencing with the word "Provided" in line 46, page 2, down to and including line 60, Select File amendments of May 3, 1941.

No action was taken thereon. Laid over.

LEGISLATIVE BILL NO. 403. E and R amendments, found in the Legislative Journal for the Eighty-fifth Day, were adopted.

Mr. Carmody moved that the bill be referred to General File for the following Specific amendments:

1. Amend the General File amendments, mimeographed, April 24, 1941, Carmody, by striking the last sentence in lines 4 and 5 of said amendment.

2. Amend the Standing Committee amendments, mimeographed, April 9, 1941, page 4, section 15, line 35 by inserting after the word "amended" therein the following:

": Provided, that the total salary of the commissioner payable under the provisions of this section and under the provisions of Sec. 81-103, C. S. Supp., 1939, as now existing or as hereafter amended, shall not exceed thirty-six hundred dollars per year".

No action was taken thereon. Laid over.

LEGISLATIVE BILL NO. 506. E and R amendments, found in the Legislative Journal for the Eighty-fifth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 494. E and R amendments, found in the Legislative Journal for the Eighty-fifth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 271. Mr. Crosby offered the following amendment, which was adopted by unanimous consent:

Amend E and R amendment No. 5, line 1, by striking the arabic numeral "17" and inserting in lieu thereof the arabic numeral "18".

E and R amendments, found in the Legislative Journal for the Eighty-fifth Day, were adopted as amended.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 139. E and R amendments, found in the Legislative Journal for the Eighty-fifth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 33. E and R amendments, found in the Legislative Journal for the Eighty-fifth Day, were adopted.

Mr. Tvrdik offered the following amendments, which were adopted by unanimous consent:

1. Amend the standing committee amendments, mimeographed, March 10, 1941, amendment No. 2, line 7, by inserting after the word

"office" and before the preposition "to" therein the following: **", except the office of member of the legislature,".**

2. Amend the standing committee amendments, mimeographed, March 10, 1941, amendment No. 2, line 22, by striking the word **"shall"** therein and by inserting in lieu thereof the word **"may".**

3. Amend the bill, page 1, title, line 4, by inserting after the word "offices" and before the word "become" therein the following: **",except the offices of members of the legislature,"**

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 24. E and R amendments, found in the Legislative Journal for the Eighty-fifth Day, were adopted.

Laid over.

LEGISLATIVE BILL NO. 263. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 486. E and R amendments, found in the Legislative Journal for the Eighty-sixth Day, were adopted.

Mr. Mischke moved to reconsider his amendment of May 3, 1941.

The motion prevailed with 30 ayes, no nays, 13 not voting.

Mr. Mischke's amendment of May 3, 1941 was withdrawn.

Unanimous consent was granted to withdraw E and R amendment No. 2, found in the Legislative Journal for the Eighty-sixth Day.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 64. E and R amendments, found in the Legislative Journal for the Eighty-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 126. E and R amendments, found in the Legislative Journal for the Eighty-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 403. Mr. Carmody withdrew his Specific amendments found in this Day's Journal.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 214. Laid over.

LEGISLATIVE BILL NO. 294. E and R amendment, found in the Legislative Journal for the Eighty-sixth Day, was adopted.

Mr. Peterson offered the following amendment, which was adopted by unanimous consent:

Strike from line 8 of section 5 the words "on each one thousand dollars".

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 331. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 424. E and R amendments, found in the Legislative Journal for the Eighty-sixth Day, were adopted.

Referred to E and R for engrossment with 31 ayes, no nays, 12 not voting.

President Johnson Presiding

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 233. Placed on Select File with amendments.

E and R amendments to L. B. No. 233:

1. Amend the bill, page 1, title, line 4, by inserting after the word "mortgagor" and before the word "to" the punctuation and words ", at reasonable hours,"; and in line 5, insert the punctuation "," after the word "property" and before the word "on"; and in line 6, strike the words "at reasonable hours".

2. Amend the bill, page 2, section 1, line 4, by inserting the punctuation "," after the word "mortgage" and before the word "shall".

3. Amend the bill, page 2, section 1, line 8, by inserting the words and punctuation "who," after the word "or" and before the

word "when"; and in line 9, strike the punctuation "," after the word "insufficient".

4. Amend the bill, page 2, section 1, line 10, by inserting after the word "fail" and before the word "to" the following: **", on demand of the mortgagee or his agent,".**

5. Amend the bill, page 2, section 1, lines 11 and 12, by striking the words "on demand of the mortgagee or his agent"; and in said line 12 insert after the word "or" and before the word "in" the word and punctuation **"who,".**

6. Amend the bill, page 2, section 1, line 14, by striking the definite article "the" after the word "after" and before the word "knowledge"; and in line 15, insert the punctuation "," after the word "loss".

(Signed) Crosby, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Resolution No. 23

Legislative Resolution No. 24

Member Excused

Mr. Neubauer was excused at 4:00 p. m.

Adjournment

At 5:05 p. m. on motion by Mr. Blome the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

EIGHTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, May 8, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Price, who was excused until 11:20, and except Amos Thomas, who was excused.

The Journal for the Eighty-seventh Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Ray Thomas, one, opposing L. B. No. 464; all members, one, favoring the Regents' budget for agricultural extension work.

Communications

Letters were read from Harold Young, Assistant to the Vice President, F. O. Hagie, Secretary-Manager of the National Reclamation Association, and Congressman Karl Stefan, regarding L. R. No. 21.

Letters were read from M. H. McIntyre, Secretary to the President, Harold Young, Assistant to the Vice President, and Congressmen Charles F. McLaughlin and Karl Stefan, regarding L. R. No. 22. Enclosed in Mr. McLaughlin's letter was a copy of H. R. 4642, to construct a toll bridge at Florence, Nebraska.

A letter was read from Congressman Harry B. Coffee regarding L. R. No. 20, L. R. No. 21 and L. R. No. 22.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 17. Replaced on Select File with amendments.

E and R amendments to L. B. No. 17:

1. Amend the select file amendments, amendment 12, Sec. 11, lines 6 and 7 by striking the words "public works" therein and by inserting in lieu thereof the words **"roads and irrigation"**.

2. Amend the standing committee amendments, page 7, amendment 2, line 12, by striking the words "is a party", and insert in lieu thereof the words "are parties".

3. Amend the standing committee amendments, mimeographed, page 1, amendment 1, section 2, line 6, by inserting the punctuation "," after "(c)" at the end of the line.

LEGISLATIVE BILL NO. 154. Placed on Select File with amendments.

E and R amendments to L. B. No. 154:

1. Amend the bill, page 4, section 7, line 8 by inserting the punctuation "." after the word "amended" therein.

2. Strike all of the standing committee amendments, mimeographed, March 21, 1941 and insert in lieu thereof the following:

"a. Amend the bill, pages 2 and 3 by striking all of sections 1, 2 and 3 thereon and by inserting in lieu thereof the following:

'Section 1. Any number of persons, not less than five, may form and organize a cooperative farm land company, with or without capital stock, for the purpose of facilitating the acquisition of agricultural and grazing lands by farmers and stock raisers by the adoption of articles of incorporation in the same manner and with like powers and duties as other corporations, except as herein provided.

Sec. 2. Every such cooperative farm land company shall provide in its articles of incorporation: (a) That the word **"cooperative"** shall be included in its corporate name and that it proposes to organize as a cooperative farm land company; (b) if organized with capital stock, that no one person shall own either directly or indirectly more than five per cent of the capital stock of the company; (c) if organized without capital stock whether the property rights and interest of each

member shall be equal or unequal; and if unequal, the articles shall set forth the general rule or rules applicable to all members by which the property rights and interests, respectively, of each member may and shall be determined and fixed; and the association shall have the power to admit new members who shall be entitled to share in the property of the association with the old members, in accordance with such general rule or rules; (d) that dividends on the capital stock shall be fixed by the company, but shall in no event exceed six per cent per annum of the amount actually paid thereon.

Sec. 3. Every cooperative corporation that shall organize under this act shall have power: (a) To have succession by its corporate name; (b) to sue and be sued; (c) to make and use a common seal and alter the same at its pleasure; (d) to regulate and limit the right of stockholders to transfer their stock; (e) to appoint such subordinate officers and agents as the business of the corporation shall require and to allow them suitable compensation; (f) to adopt by-laws for the management and regulation of the affairs of the company; (g) to purchase, hold, sell, assign, or transfer the shares of the capital stock of other cooperative companies which it may own and while owner of such stock to exercise all the rights, powers, and privileges of ownership, including the right to vote thereon; (h) to provide that each individual stockholder may be limited to one vote per person regardless of the number of shares of stock which he may own; (i) to prohibit proxy voting and to permit voting by mail under such regulations as shall be provided for in the by-laws; (j) to engage in any activity in connection with the purchase, lease or acquisition of agricultural and grazing lands and to improve or develop such land and to mortgage or otherwise encumber the same; (k) to contract with its members and with other cooperative organizations organized hereunder for the sale, purchase or lease of such lands with such provisions for periodical payments, reserves, reamortization, supervision of the use of the lands, crop programming, and other factors as shall be agreed upon by such contracting parties; (l) to make contracts with the United States or the state of Nebraska or any agency thereof for the purpose of effectuating any plan for rural rehabilitation or with any nonprofit corporation organized for such purpose; (m) to provide that continued membership in such cooperative farm land company shall be dependent upon the performance by members of contracts entered into between themselves and said cooperative farm land company; (n) to purchase, own, sell, mortgage, lease or otherwise acquire and convey real or personal property or any interest therein; (o) to borrow money necessary or convenient to the accomplishment of the purposes of this corporation and to secure the payment thereof by mortgage, pledge or conveyance in trust, of the whole or any part of the property of the corporation; and (p) to do each and everything necessary, suitable or proper for the accomplishment of any one of the purposes or the attainment of any one or more of the objects herein

enumerated and to contract accordingly and in addition to exercise and possess all powers, rights and privileges granted by the laws of this state or ordinary corporations and to corporations organized under Article 13 and Article 14 of Chapter 24, Compiled Statutes of Nebraska, 1929, and any amendments thereto."

b. Amend the bill, page 1, title by striking all of said title after the word "ACT" in line 2 therein and by inserting in lieu thereof the following: "to provide for the organization of cooperative farm land companies to facilitate the acquisition of agricultural and grazing lands; to prescribe the powers and functions of such companies; and to declare an emergency."

3. Amend the bill, page 4, section 6, line 3, by striking the word "state" and inserting in lieu thereof the words "public accounts".

4. Amend the bill, page 4, section 7, line 6, by striking the punctuation "," after the word "deemed" and before the word "within".

LEGISLATIVE BILL NO. 246. Placed on Select File with amendments.

E and R amendments to L. B. No. 246:

1. Amend the bill, page 3, section 10, line 5, by inserting the punctuation "," after the word "property"and before the preposition "of" therein.

2. Amend the bill, page 1, title, line 21, by striking the punctuation "," after the figures "1929" therein, and by inserting in lieu thereof the following: ";"; and in line 22 of said title insert after the conjunction "and" and before the adjective "all" therein, the words "to repeal".

3. Amend the standing committee amendment, amendment 1, line 3, by striking the punctuation "," after the word "herewith".

LEGISLATIVE BILL NO. 510. Placed on Select File with amendments.

E and R amendments to L. B. No. 510:

1. Amend the bill, page 2, section 1,lines 4 and 7 by striking the punctuation "quotation marks" in each of said lines respectively; and in line 6 of said section 1, insert the punctuation "," after the word "agreement" and before the conjunction "and".

2. Amend the bill, page 2, section 2, line 2 by inserting after the figures and punctuation "323," therein, and before the word "Nebraska", the following: "fifty-fifth session,".

3. Amend the bill, page 2, section 1, line 5,by inserting the punctuation "," after the word **"sale"** at the end of the line.

LEGISLATIVE BILL NO. 512. Placed on Select File.

(Signed) Crosby, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 25. Zoning Ordinance—Lincoln

Mr. Metzger moved that the resolution be adopted.

The motion was lost with 7 ayes, 17 nays, 19 not voting.

BILLS ON THIRD READING

LEGISLATIVE BILL NO. 192. Laid over.

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 470. With emergency clause.

A bill for an Act relating to motor vehicle fuels; to provide procedure for the payment of refunds of taxes imposed on motor vehicle fuels, with allocations to the state assistance fund deducted, if any, to persons who purchase motor vehicle fuels on which motor vehicle fuel tax is paid, either directly or indirectly, in the event that the taxed motor vehicle fuel is used solely for agricultural purposes; to define terms used in this act; to provide that the chief of the bureau of motor fuels in the department of agriculture and inspection shall administer the provisions thereof; to provide for the mixing of identifying chemicals in all **"tax refund"** motor vehicle fuels at the time of sale or purchase, which identifying chemicals shall be furnished without cost to distributors by the administrator; to provide for the distribution of motor vehicle fuel tax; to amend Sec. 66-411, C. S. Supp., 1939, as amended by section 2, legislative bill No. 70, fifty-fifth session, Nebraska state legislature, 1941; to repeal said original section, as amended; to repeal Secs. 66-431, 66-432, 66-433, 66-434 and 66-435, C. S. Supp., 1939; to provide penalties for the violation thereof; to state validity and saving clauses, and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

A call of the House was ordered.

The roll was called and 41 members were present.

Mr. Hanna moved to raise the call.

The motion was lost with 18 ayes, 16 nays, 9 not voting.

Mr. Kotouc voted nay and moved to raise the call.

The motion was lost with 16 ayes, 16 nays, 11 not voting.

J. Adams, Jr. changed his vote from aye to nay and moved to raise the call.

The motion was lost with 17 ayes, 15 nays, 11 not voting.

J. Adams, Jr. changed his vote from nay to aye.

Mr. Raecke moved to raise the call.

The motion was lost with 20 ayes, 15 nays, 8 not voting.

Mr. Hanna moved to raise the call.

The motion prevailed with 21 ayes, 12 nays, 10 not voting.

Mr. Neubauer changed his vote from aye to nay and moved a call of the House.

The motion prevailed with 18 ayes, 4 nays, 21 not voting.

Mr. Neubauer changed his vote from nay to aye.

Mr. Howard moved that the galleries and side lines be cleared.

The president so ordered.

Mr. Mekota moved that the galleries in front of the ropes only be cleared.

The motion prevailed.

Mr. Matzke moved to raise the call.

The motion was lost with 16 ayes, 7 nays, 20 not voting.

Mr. Price, who had been absent, entered the chamber.

Mr. Neubauer moved to raise the call.

The motion prevailed with 35 ayes, no nays, 8 not voting.

Mr. Price voted aye.

Mr. Lambert was excused before the vote was verified and Mr.

Peterson asked that unanimous consent be granted to record Mr. Lambert's vote.

No objection was offered and the president so ordered.

Voting in the affirmative, 31:

Adams, J. Jr.	Crosby	Matzke	Rakow
Asimus	Crossland	Mekota	Reed
Blome	Garber	Metzger	Sorrell
Bowman	Greenamyre	Mueller	Thomas, Ray
Brodahl	Howard	Neubauer	Thornton
Callan	Jeppesen	Peterson	Van Diest
Carlson	Knezacek	Price	Weborg
Carmody	Lambert	Raecke	

Voting in the negative, 10:

Adams, E. A.	Hanna	Mischke	Sullivan
Bevins	Johnson	Murphy	Tvrdik
Gantz	Kotouc		

Not voting, 2:

Norman	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Explanation of Vote

Mr. President: I vote "aye" on the bill for the reason that the only thing this measure accomplishes is to break down our tax structure and will necessitate some kind of replacement tax, and which I believe necessary. (Signed) Van Diest

Explanation of Vote

Mr. President: In my opinion the proper classification is between highway use and non highway use, rather than agricultural and non agricultural use. I vote for the bill notwithtsanding this defect, anticipating that proper modification will be made at a future session. (Signed) Peterson

SELECT FILE

LEGISLATIVE BILL NO. 250. E and R amendments, found in the Legislative Journal for the Eighty-seventh Day, were adopted.

Mr. Gantz offered the following amendment, which was adopted by unanimous consent:

Amend the bill, page 24, section 21, line 23, by inserting after the preposition "in" and before the adjective "this" therein, the following: " a legal newspaper of the county in".

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 427. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 300. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 220. E and R amendments, found in the Legislative Journal for the Eighty-seventh Day, were adopted.

Referred to E and R for engrossment.

Member Excused

Mr. Metzger was excused for the remainder of the day.

LEGISLATIVE BILL NO. 233. E and R amendments, found in the Legislative Journal for the Eighty-seventh Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 24. Mr. Gantz offered the following amendments, which were adopted by unanimous consent.

1. Amend the General File amendments, mimeographed, adopted May 2, 1941, Gantz, by striking amendments 2, 3 and 4 composing the same.

2. Amend the Standing Committee amendments, mimeographed, April 7, 1941, amendment 1, page 1, section 1, line 17 by inserting after the word **"conviction"** therein the following: **": Provided, that the director may, upon his own motion, summarily revoke any license for any of the reasons hereinbefore set forth, if such reason or reasons affirmatively appear on his official records".**

3. Amend the Standing Committee amendments, mimeographed, April 7, 1941, amendment 1, page 1, section 2, lines 14 and 15 by striking therefrom words as follows: **"anywhere within the jurisdiction of the court".**

4. Amend the Standing Committee amendments, mimeographed, April 7, 1941, amendment 1, page 2, section 2, line 33 by striking the words: **"within the jurisdiction of the court"** therein.

5. Amend the Standing Committee amendments, mimeographed, April 7, 1941, amendment 1, page 2, section 2, line 35, by striking the word **"cancel"** and by inserting in lieu thereof the following: **", as case is, revoke or suspend".**

6. Amend the Standing Committee amendments, mimeographed, April 7, 1941, amendment 1, page 2, section 2, line 36 by striking the word **"cancellation"** therein and by inserting in lieu thereof the words **"revocation or suspension".**

7. Amend the Standing Committee amendments, mimeographed, April 7, 1941, amendment 1, page 2, section 3, line 4 by striking the words "makes mandatory" therein and by inserting in lieu thereof the word **"authorizes".**

8. Amend the Standing Committee Amendments, mimeographed, April 7, 1941, amendment 1, page 2, section 3, line 4 by inserting after the word "revocation" and before the preposition "of" therein the words **"or suspension".**

9. Amend the Standing Committee amendments, mimeographed, April 7, 1941, amendment 1, page 2, section 3, lines 5 and 6 by striking therefrom the words "by the ~~Director~~ **trial magistrate or judge".**

10. Amend the Standing Committee amendments, mimeographed, April 7, 1941, amendment 1, page 2, section 3, line 12 by striking the word "act" therein and by inserting in lieu thereof the word **"law".**

11. Amend the Standing Committee amendments, mimeographed, April 7, 1941, amendment 1, page 3, section 3, line 19 by striking therefrom the words **"cancel of record in his office"** and by inserting in lieu thereof the words **"revoke or suspend, as case is,".**

12. Amend the Standing Committee amendments, mimeographed, April 7, 1941, amendment 1, page 3, section 4, line 24, by striking word "cancel" therein and by inserting in lieu thereof the word **"revoke".**

13. Amend the standing committee amendments, mimeographed, April 7, 1941, amendment 1, page 3, section 4, line 24, by striking the new matter therein and by restoring the stricken matter to the bill therein.

14. Amend the standing committee amendments, mimeographed, April 7, 1941, amendment 1, page 3, section 4, line 30, by striking the word **"cancel"** therein and by inserting in lieu thereof the word **"revoke"**.

15. Amend the standing committee amendments, mimeographed, April 7, 1941, amendment 1, page 4, section 4, line 41, by striking therefrom the words **"suspension or"**.

16. Amend the standing committee amendments, mimeographed, April 7, 1941, amendment 1, page 4, section 4, lines 41 and 42, by striking therefrom the words **"for cancellation"**.

17. Amend the standing committee amendments, mimeographed, April 7, 1941, amendment 1, page 4, section 4, line 53, by striking the word **"cancel"** therein and by inserting in lieu thereof the word **"revoke"**.

18. First strike the enrollment and review amendments, mimeographed, May 5, 1941, amendment 7; then amend the standing committee amendments, mimeographed, April 7, 1941, amendment 1, page 4, section 4, by striking that part of said section commencing with the word **"being"** in line 67 therein down to and including the word **"director"** in line 72 therein and by inserting in lieu thereof the following: **"has, as a nonresident, suffered revocation or suspension of his operator's license or of his driving privilege by the trial court and the director, and, who, during the period of the revocation or suspension, violates the terms of that revocation or suspension by exercising the driving privilege under a new operator's license fraudulently obtained or otherwise"**.

19. Amend the standing committee amendments, mimeographed, April 7, 1941, amendment 1, page 5, section 5, line 31, by striking the word "cancel" therein and by inserting in lieu thereof the words **"forthwith** revoke".

20. Amend the standing committee amendments, mimeographed, April 7, 1941, amendment 1, page 5, section 5, line 39, by inserting after the word "otherwise" and before the punctuation ";" therein the following: **": Provided, that any person committed to, or incarcerated in, any state institution for mental defectives, shall furnish a certificate of competence to operate a motor vehicle, to be issued by the superintendent or titular head of such institution, in his discretion, in addition to the examination heretofore provided"**.

21. Amend the standing committee amendments, mimeographed, April 7, 1941, amendment 1, page 8, section 9, line 24, by striking the word **"cancelling"** therein and by inserting in lieu thereof the following: **"the revocation or suspension of"**.

22. Amend the standing committee amendments, mimeographed, April 7, 1941, amendment 1, page 8, section 9, line 27, by striking the word **"cancel"** therein and by inserting in lieu thereof the words **"revoke or suspend"**.

23. Amend the standing committee amendments, mimeographed, April 7, 1941, amendment 1, page 8, section 9, line 31, by striking the word **"cancelling"** therein and by inserting in lieu thereof the words **"revoking or suspending"**.

24. Amend the standing committee amendments, mimeographed, April 7, 1941, amendment 1, page 8, section 9, line 33, by striking the word **"cancellation"** therein.

25. Amend the standing committee amendments, mimeographed, April 7, 1941, amendment 2, page 9, line 11, by striking the word "cancellation".

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 206. E and R amendments, **found in the Legislative Journal for the Eighty-seventh Day, were adopted.**

Referred to E and R for engrossment.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor for approval

Wednesday, May 8, 1941 at 10:30 a. m.

L. B. No. 372 L. B. No. 156

Correctly enrolled

L. B. No. 511 L. B. No. 441
L. B. No. 430 L. B. No. 501
L. B. No. 67

(Signed) Rakow, Vice Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 511
L. B. No. 430
L. B. No. 67
L. B. No. 441
L. B. No. 501

MOTION—Funeral of Mr. Cullen

Mr. President: I move that this Legislature express its sincere regrets at the death of J. Art Cullen of Omaha, who served Nebraska faithfully and efficiently as Secretary of the State Racing Commission; that the President appoint a committee of five members, who, together with the members of the Douglas County delegation, shall represent this Legislature at the funeral.

(Signed) Geo. T. Sullivan
Geo. W. Bevins
Ernest A. Adams
J. Adams, Jr.
W. J. Norman
Charles F. Tvrdik

The motion prevailed and the President appointed the following members to serve on said committee:

E. R. Blome
Richard N. Johnson
H. G. Greenamyre
Louis M. Jeppesen
R. M. Howard

MOTION—To Reconsider Action

Mr. President: I move that we reconsider our action of May 6, 1941 indefinitely postponing L. B. No. 402. (Signed) Raecke

No action was taken on the motion.

Adjournment

At 12:05 p. m. on motion by Mr. Howard the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

EIGHTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, May 9, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Price and Amos Thomas, who were excused.

The Journal for the Eighty-eighth Day was approved.

Communications

A letter was read from John P. Robertson, Secretary to Senator Norris, acknowledging receipt of L. R. No. 20.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor for approval

Thursday, May 8, 1941 at 3:50 p. m.

L. B. No. 441
L. B. No. 501
L. B. No. 67
L. B. No. 430
L. B. No. 511

Correctly engrossed

L. B. No. 494
L. B. No. 486
L. B. No. 126
L. B. No. 271
L. B. No. 331
L. B. No. 263
L. B. No. 294

Correctly enrolled

L. B. No. 81	L. B. No. 503
L. B. No. 223	L. B. No. 89

(Signed) Crosby, Chairman

At 9:15 a. m. the President declared the Legislature at ease until the return of the Special Committee.

At 9:25 a. m. the President called the Legislature to order.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 81	L. B. No. 503
L. B. No. 223	L. B. No. 89

MOTION—To Recommit to Select File

Mr. President: I move that Legislative Bill No. 192 be recommitted to Select File for the following Specific amendment:

1. Amend the bill, page 13, section 10, line 53, by inserting after the word "vehicle" therein the following:

": Provided, in the case of claims for mileage for any trip or trips made by personal automobile of claimants, when filed by the state engineer or any of his subordinates in connection with the performance of their duties relating to works of public improvement, such mileage claims as represent travel over a route or routes that do not form a part of the state or federal highway systems, shall be allowed at the rate of not more than five cents per mile for each mile actually and necessarily so travelled over such route or routes".

(Signed) Greenamyre

The motion was lost.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 192.

A bill for an Act to amend Secs. 26-1315, 72-221, 75-101, 77-2606, 81-106, 81-6504, 81-6512, 83-107, 84-306, 85-118, 85-125, 85-

301, 85-312, 53-314 and 28-1301, C. S. Supp., 1939, and to amend Sec. 8-192, C. S. Supp., 1939, as amended by section 1, legislative bill No. 75, fifty-fifth session, Nebraska state legislature, 1941, relating to mileage and expenses; to provide rules and regulations for the payment of claims for mileage and other traveling expenses; to prohibit the personal use by officers and employees of motor vehicles owned by the state of Nebraska; to provide penalties; to repeal said original sections; and to repeal said original section, as amended.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'shall the bill pass?' "

Voting in the affirmative, 34:

Adams, E. A.	Crosby	Kotouc	Raecke
Adams, J. Jr.	Crossland	Matzke	Rakow
Asimus	Garber	Mekota	Reed
Blome	Greenamyre	Metzger	Sorrell
Bowman	Hanna	Mischke	Thornton
Brodahl	Howard	Mueller	Tvrdik
Callan	Jeppesen	Neubauer	Weborg
Carlson	Johnson	Norman	
Carmody	Knezacek	Peterson	

Voting in the negative, 0.

Not voting, 9:

Bevins	Murphy	Thomas, Amos
Gantz	Price	Thomas, Ray
Lambert	Sullivan	Van Diest

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 418. With emergency clause.

A bill for an Act to amend Sec. 60-407, C. S. Supp., 1939, as amended by section 1, legislative bill No. 12, fifty-fifth session, Nebraska state legislature, 1941, relating to motor vehicles; to provide that a portion of the moneys inuring to **"motor vehicle operators' license fund"** may be reappropriated to the **"highway cash fund"**, and used for the supervision, construction and maintenance of state highways, if and when appropriated by the legislature for that purpose; to repeal said original section, as amended; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative

to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams, E. A.	Gantz	Matzke	Rakow
Adams, J. Jr.	Garber	Mekota	Reed
Asimus	Greenamyre	Metzger	Sorrell
Bevins	Hanna	Mischke	Sullivan
Blome	Howard	Mueller	Thomas, Ray
Bowman	Jeppesen	Murphy	Thornton
Brodahl	Johnson	Neubauer	Tvrdik
Carlson	Knezacek	Peterson	Van Diest
Crosby	Kotouc	Raecke	Weborg
Crossland			

Voting in the negative, 0.

Not voting, 6:

Callan	Lambert	Price
Carmody	Norman	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 301.

A bill for an Act to amend Section 32-206, Compiled Statutes of Nebraska, 1929, relating to elections; to amend Sec. 33-109, C. S. Supp., 1939; to provide procedure whereby counties having a population of less than eight thousand inhabitants may retain the office of clerk of the district court; to provide for the salary of said clerk; and to repeal said original sections.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'shall the bill pass?' "

Voting in the affirmative, 33:

Adams, J. Jr.	Crossland	Matzke	Reed
Asimus	Gantz	Mekota	Sorrell
Bevins	Greenamyre	Mueller	Sullivan
Blome	Hanna	Murphy	Thomas, Ray
Bowman	Howard	Neubauer	Thornton
Brodahl	Knezacek	Peterson	Tvrdik
Callan	Kotouc	Raecke	Van Diest
Carlson	Lambert	Rakow	Weborg
Crosby			

Voting in the negative, 5:

Garber	Johnson	Metzger	Mischke
Jeppesen			

Not voting, 5:

Adams, E. A.	Norman	Price	Thomas, Amos
Carmody			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 398. With emergency clause.

A bill for an Act to appropriate the sum of six thousand five hundred dollars for the benefit of Lela Brock; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams, E. A.	Carmody	Johnson	Neubauer
Adams, J. Jr.	Crosby	Knezacek	Norman
Asimus	Crossland	Kotouc	Raecke
Bevins	Gantz	Matzke	Rakow
Blome	Garber	Mekota	Sullivan
Bowman	Greenamyre	Metzger	Thomas, Ray
Brodahl	Hanna	Mischke	Thornton
Callan	Howard	Mueller	Tvrdik
Carlson	Jeppesen	Murphy	Van Diest
			Weborg

Voting in the negative, 0.

Not voting, 6:

Lambert	Price	Sorrell
Peterson	Reed	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Statement

Mr. President: Had I been present I would have voted "aye" on L. B. No. 398 on Third Reading. (Signed) Reed

LEGISLATIVE BILL NO. 499. With emergency clause.

A bill for an Act relating to agriculture; to accept on behalf of the state of Nebraska the conditions, purposes and terms of a joint resolution of the congress, known as public resolution No. 91, 75th congress, Chapter 192, 3d session, S. J. Res. 256, as approved May 9, 1938, by a joint resolution entitled "Joint Resolution making funds available for the control of incipient or emergency outbreaks of insect pests or plant diseases, including grasshoppers, Mormon crickets and chinch bugs"; to empower county boards of the several counties of the state of Nebraska to appropriate and to expend tax money for pest control; to amend Sec. 26-105, C. S. Supp., 1939, as amended by section 7, legislative bill No. 495, fifty-fifth session, Nebraska state legislature, 1941, as amended by section 5, legislative bill No. 375, fifty-fifth session, Nebraska state legislature, 1941; to repeal said original section, as amended; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams, E. A.	Crosby	Kotouc	Rakow
Adams, J. Jr.	Crossland	Matzke	Reed
Asimus	Gantz	Mekota	Sorrell
Bevins	Garber	Metzger	Sullivan
Blome	Greenamyre	Mischke	Thomas, Ray
Bowman	Hanna	Mueller	Thornton
Brodahl	Howard	Neubauer	Tvrdik
Callan	Jeppesen	Norman	Van Diest
Carlson	Johnson	Peterson	Weborg
Carmody	Knezacek	Raecke	

Voting in the negative, 0.

Not voting, 4:

Lambert	Murphy	Price	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION—To Recall from Committee

Mr. President: I move that L. B. No. 64 be recalled from the Committee on Enrollment and Review to Select File for the following Specific amendment:

Amend the bill, page 2, section 1, line 6 by striking the new matter and restoring the stricken matter. (Signed) Raecke

The motion prevailed.

SELECT FILE

LEGISLATIVE BILL NO. 64. Mr. Raecke asked that his Specific amendment, above set out, be adopted by unanimous consent.

No objection was offered and the President so declared.

Referred to E and R for engrossment.

Approved by the Governor

May 9, 1941

To the President, the Speaker and Members of the Legislature

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day signed the following bills, viz:

L. B. No. 372	L. B. No. 441	L. B. No. 67
L. B. No. 156	L. B. No. 511	L. B. No. 501

Respectfully submitted,

(Signed) Val Peterson
Secretary to the Governor.

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 26. Respecting the Memory of John Arthur Cullen

Introduced by Tvrdik, Norman, J. Adams, Jr., Ernest A. Adams, Bevins, Sullivan of Douglas; Gantz of Box Butte, Murphy of Scotts Bluff, Reed of Lancaster, Neubauer of Harlan, Callan of Gage, Greenamyre of Madison, Sorrell of Otoe

Preamble

WHEREAS, John Arthur Cullen, age fifty-seven, Omaha, Nebraska, a quiet, dignified, courteous, unassuming and efficient public

servant who, as secretary of the **Nebraska state racing commission** since its establishment in 1935, and as an official of the state racing commission for many years prior to 1935, suddenly departed this life at St. Catherine's Hospital, Omaha, Nebraska, May 8, 1941, and

WHEREAS, this legislature could justly be criticized if the event of the death of John Arthur Cullen is permitted to pass without recognition of his contribution to the welfare of the state of Nebraska, NOW THEREFORE

BE IT RESOLVED BY THE NEBRASKA STATE LEGISLATURE IN FIFTY-FIFTH REGULAR SESSION ASSEMBLED:

This legislature pause for a moment in its deliberations to pay tribute to the memory of John Arthur Cullen because of the long and splendid service he rendered in his official capacity as secretary of the **Nebraska state racing commission** and as an official of the state racing commission prior to 1935, whereby, under the rules and regulations of the commission horse races and race meetings in Nebraska have been conducted without scandal or reproach upon a high plane. That the clerk of this legislature be directed forthwith to forward a copy of this resolution, properly authenticated and suitably engrossed, to the relatives of John Arthur Cullen, deceased, so that they may always know the high esteem in which this legislature held their deceased brother by reason of his accomplishments and fidelity as a public servant.

Mr. Tvrdik moved that the rules be suspended and that the resolution be adopted.

The motion prevailed with 36 ayes, no nays, 7 not voting.

The members paused for a moment and paid silent tribute to the memory of Mr. Cullen.

LEGISLATIVE RESOLUTION NO. 27. Charles F. Tvrdik, Birthday Anniversary

Felicitating Charles F. Tvrdik upon the Thirty-eighth Anniversary of the Date of his Birth

Introduced by William J. Norman of Douglas

Preamble

WHEREAS, May 9, 1941, marks the thirty-eighth anniversary of the birth of Senator Chas. F. Tvrdik, representing the seventh legislative district of the state of Nebraska, a highly respected and valuable representative in this legislature, and

WHEREAS, our legislative associate enjoys a unique distinction for the reason that he is not only held in high esteem by the people who know him best in the Omaha community for the distinguished civic services which he has unselfishly rendered in all community activities without thought of any compensation or remuneration therefor, but also highly respected as a legislator for his keen insight and comprehensive understanding which he has contributed to the legislative work in the special session of the 1935 Nebraska state legislature, and the legislatures of 1937, 1939, 1940 and 1941, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA, IN FIFTY-FIFTH REGULAR SESSION ASSEMBLED:

1. That this legislature, through the avenue of this resolution, is happy that this opportunity presents itself to felicitate Senator Chas. F. Tvrdik upon his achievements both in the civic contributions he has made to the Omaha community and as a legislator, and sincerely hopes that his years of worthy service may be lengthened, and extend to him the good wishes of this legislature upon his thirty-eighth birthday.

Mr. Howard moved that the resolution be amended by adding the words "to the state of Nebraska" after the word "and" in the 5th line of paragraph numbered 1.

The motion prevailed.

Mr. Norman moved that the rules be suspended and Legislative Resolution No. 27 be adopted.

The motion prevailed with 31 ayes, no nays, 12 not voting.

President Johnson presiding

GENERAL FILE

Special Order—11:00 a. m.

LEGISLATIVE BILL NO. 482. Mr. Asimus offered the following amendments:

1. Amend the bill by striking all of the text of said bill after the enacting clause and by inserting in lieu thereof the following:

"Section 1. There is hereby levied and imposed an excise tax of five cents per gallon on all users of motor fuels not subject to the motor vehicle fuel tax laws of the state of Nebraska upon the use of such fuels by the owner of any motor vehicle, as defined by the laws

of this state, or the agent of such owner, hereinafter called the user, only when such fuels are used for the generation of power to propel such motor vehicles upon the public highways of the state: **Provided,** that no tax is hereby imposed upon any fuels that are used by the United States of America or its agencies.

Sec. 2. Motor fuels, subject to tax under the provisions of this act, shall not be subject to any tax levied under the provisions of Secs. 66-405, 66-411 and 66-416, C. S. Supp., 1939, as amended.

Sec. 3. It shall be unlawful for any user of fuels, not subject to the motor vehicle fuel tax laws of this state, to use or consume such fuels unless such user holds an uncancelled license issued by the chief of the division of motor fuels, department of agriculture and inspection, hereinafter called the "administrator". To procure such license, such user shall file with the administrator an application under oath and in such form as may be required by the administrator. Said application shall give the name and address of the applicant, the name and address of the owner, if application be made by an agent, the maker's name and description of the vehicle or vehicles in which such fuel is to be used, the nature of the operations in which such fuel is to be used and such other information as may be required by the administrator for the administration of this act. Concurrently, each applicant shall file with the administrator a bond: (1) In the amount of five hundred dollars on a form to be approved by the administrator, and (2) with a surety company approved by the administrator as surety thereon, and (3) upon which said owner, or his agent, shall be the principal obligor and the state of Nebraska shall be the obligee, and (4) conditioned upon the prompt filing of true reports and the payment by such owner, or his agent, of any and all taxes which are now or which hereafter may be levied or imposed by the state of Nebraska, together with any and all penalties and interest thereon, and generally upon faithful compliance with the provisions of this act.

Sec. 4. For the purpose of determining the amount of tax herein imposed, each user shall file a report with the administrator, not later than the fifteenth of each month. Said report shall be in a form prescribed by the administrator and shall be sworn to by the user, and shall include the total gallonage of fuels, not subject to the motor vehicle fuel tax laws of the state of Nebraska, used to propel motor vehicles upon the public highways of the state during the next preceding calendar month, and, shall pay to the administrator the full amount of the fuel tax as computed at the rate provided in section 1 of this act. If no such fuels were used, the report will so state.

Sec. 5. If any user shall submit a false report or shall fail refuse or neglect to file the monthly report required by this act or

to pay the full amount of the tax as required by this act, the administrator may forthwith cancel the license of said user. The administrator shall have the power to cancel any license upon the written request of the holder and the surrender of the license and upon assurance that all the requirements of this act have been met by the licensee. If there is no claim against the licensee at the end of sixty days after the license has been cancelled and surrendered, the bond likewise shall be cancelled and surrendered.

Sec. 6. Any person, partnership, corporation or association that shall hereafter engage in the retailing of motor vehicle fuel, not otherwise subject to the tax laws of the state of Nebraska, shall first make application to the administrator, conforming to the requirements of said administrator, for a dealer's permit to retail such motor vehicle fuel. Upon receipt of such application, the administrator shall issue a permit to the applicant authorizing the dealer to sell at retail motor vehicle fuel, not subject to the tax laws of the state of Nebraska, to any holder of user's license, as provided in this act, and to nonresident motor vehicle operators holding temporary users' licenses as authorized by this act: **Provided,** the provisions of this act shall not be held to apply to the retailing of such fuel by such dealer for use other than the propulsion of motor vehicles over the public highways of this state. All such dealers shall file a report with the administrator, not later than the fifteenth day of each month. The report shall be on a form prescribed by the administrator and shall be sworn to by the dealer and shall include the total gallonage of fuels, not subject to the tax laws of this state, sold by said dealer for use in the propulsion of motor vehicles on the public highways of this state during the next preceding calendar month. If no such fuel is sold by said dealer, the report shall so state.

Sec. 7. All persons operating a motor vehicle on the public highways propelled by a fuel, not subject to the tax laws of this state and from states other than Nebraska, and not holding a user's license as herein provided, and entering Nebraska shall secure from the port of entry where entrance into Nebraska is made, a temporary user's license and duplicate receipts to be supplied by the administrator. Whenever such person shall purchase or acquire any motor vehicle fuel, not subject to the tax laws of this state, he shall execute and deliver to the dealer of such fuel one of the receipts furnished him, retaining the duplicate thereof. The dealer shall include all such receipts in his monthly report to the administrator. Upon leaving this state, the nonresident operator shall account to the port of entry of his departure for all motor vehicle fuel, not subject to the tax laws of the state of Nebraska, purchased or acquired by him while within this state and shall surrender his receipts and shall pay the amount of the tax due on such motor vehicle fuel so purchased or acquired

in this state: **Provided,** any nonresident operator, as herein defined, may secure a user's license by complying with the provisions of this act.

Sec. 8. Any person, who violates the provisions of this act, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not less than five dollars nor more than one hundred dollars.

Sec. 9. Any user who shall fail, refuse or neglect to file monthly reports on or before the time fixed in this act for the filing thereof, or who shall fail, refuse or neglect to submit the data outlined in section 5 of this act in such monthly report, or who shall fail, refuse or neglect to pay the amount of tax due at the time stipulated by this act, shall be assessed and required to pay a penalty of fifty per cent of the amount of the delinquent tax and such penalty shall accrue immediately, and such tax and penalty shall bear interest at the rate of one per cent per month until paid: **Provided,** that a minimum penalty of twenty-five dollars may be assessed for the violation of any of the provisions of this act regardless of the amount of taxes, if any, due the state.

Sec. 10. Whenever user shall fail, refuse or neglect to make and file any report for any calendar month as required by this act, or shall file an incorrect or fraudulent report, the administrator shall determine after investigation the number of gallons of fuel with respect to which the user has incurred liability under this act for any particular month or months, and fix the amounts of taxes and penalties payable by the user under this act. In any action or proceeding for the collection of the fuel tax and penalties or interest thereon imposed in connection therewith, the assessment, by the administrator, of the amount of tax due and the interest or penalties, or both, due to the state of Nebraska shall constitute **prima facie** evidence of the claim of the state and the burden of proof shall be upon the user to show the assessment to be incorrect and contrary to law.

Section 11. Each user shall maintain and keep, for a period of two years, such records of fuels bought or used within this state by such user, together with invoices, bills of lading and other pertinent records and papers as may be required by the administrator for the administration of this act.

Sec. 12. All sums received by the administrator under this act shall be remitted by him to the state treasurer who shall allocate and distribute such moneys in the same manner and in the same proportions that the revenues arising from the motor vehicle fuel tax imposed by the laws of this state are allocated and distributed, except that no part thereof shall be allocated to or used for any purpose

other than the construction, repair and maintenance of the public highways of this state.

Sec. 13. That Article 11, Chapter 60, C. S. Supp., 1939, is hereby repealed.

Sec. 14. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.".

2. Amend the bill, page 1, title, by striking all of said title after the word "ACT" in line 2 therein and by inserting in lieu thereof the following:

"relating to motor vehicles; to levy an excise tax upon the use, within the state of Nebraska, of any motor fuel not subject to the motor vehicle fuel tax laws of this state; to prescribe the manner and time of paying such tax and the duties of officials and other respecting such payments and collection; to provide for the licensing of users; to provide for the allocation of moneys received in payment of the tax; to provide a penalty for the violation thereof; to repeal Article 11, Chapter 60, C. S. Supp., 1939 and to declare an emergency."

Mr. Asimus asked that the consideration of L. B. No. 482 be made Special Order for Monday, May 12, 1941 at 11:00 a. m.

No objection was offered and the President so ordered.

MESSAGE FROM THE GOVERNOR

Legislative Bill No. 389

May 9, 1941

To the President, the Speaker and Members of the Legislature

Gentlemen:

The Department of Banking has called my attention to serious defects in our statutes relating to installment investment companies. Under recent date, I challenged the attention of your Committee on Banking and Insurance to this subject. The Department of Banking deems the problem so important that your specific attention is called to its existence even though it is late in the session.

Some time ago, you decided that Legislative Bill No. 282 should be considered and it appears that through it, you will cure many of the defects in our present "small loan" law. Legislative Bill No. 389 covering the similar subject of installment investment companies should have been "raised" at the same time and I suggest that this

now be done. I do this in spite of the fact that in general it appears inadvisable to start now to consider additional bills.

I am informed that appropriate legislation has been prepared which has the approval of the Department of Banking. Its enactment at this session would in my judgment be definitely in the public's interest. I submit herewith a copy of the proposed amendments. It is my understanding there is no controversy over this matter and the enactment of Legislative Bill No. 389 in this amended form should consume but little time.

Respectfully submitted,

(Signed) Dwight Griswold
Governor.

MOTION—To Reconsider Action

Mr. President: I move that the Legislature reconsider its action by which L. B. No. 389 was indefinitely postponed. (Signed) Howard

The motion prevailed with 32 ayes, no nays, 11 not voting.

Mr. Murphy moved that L. B. No. 389 be placed at the head of General File.

The motion prevailed with 34 ayes, no nays, 9 not voting.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 389. Mr. Peterson offered the following amendments:

1. Strike all of the bill after the enacting clause and substitute in lieu thereof the following:

"Section 1. (a) The term **department,** as used herein, shall mean the department of banking, state of Nebraska. (b) The term **industrial loan and investment company** shall mean any corporation organized under this act and any corporation which shall have been incorporated under the laws of this state and which, at the effective date of this act, holds a certificate of approval from the department of banking as an installment investment company, as defined in Article 51, Chapter 81, Compiled Statutes of Nebraska, 1929, and in Article 51, Chapter 81, C. S. Supp., 1939. (c) Whenever the term, or its plural, **installment investment company** appears in Secs. 8-701, 8-702 and 81-5440, C. S. Supp., 1939, as now existing or as hereafter amended, it shall be construed to mean **industrial loan and investment company,** or its plural.

Sec. 2. Any number of persons, not less than five, the majority of whom are bona fide residents of this state, may be associated and incorporated as an industrial loan and investment company, subject to the conditions and limitations of this act, by filing articles of incorporation and complying with the provisions hereof.

Sec. 3. **Subdivision 1.** Every industrial loan and investment company, hereafter organized, prior to the commencement of any business except its own organization, shall: (a) File its articles of incorporation in the office of the secretary of state and in the office of the county clerk in the county of its principal place of business and pay the filing fees therefor in the amount required of other corporations; (b) pay to the department a fee for investigation of the application in the sum of fifty dollars. If the department deems it necessary to conduct an examination to determine the financial condition of the applicant, the applicant shall also pay the actual cost of said examination; (c) file an application with the department in writing under oath and in the form prescribed by the department, which application shall show, (1) the name and address of the applicant and the name and place of residence of each of the incorporators and of each director, (2) the amount of applicant's capital and surplus which shall be not less than that required for a bank organized under the laws of Nebraska in the same community, or one hundred thousand dollars whichever is the lesser, (3) the par value of the stock, (4) the applicant's place of transacting business, (5) copy of articles of incorporation and by-laws of the applicant, (6) a complete and detailed statement of the proposed plan of business, (7) such other information as the department may require. **Subdivision 2.** Any corporation, which, on the effective date of this act, holds a certificate of approval from the department as an installment investment company shall be issued a license to conduct its business in accordance with this act as an industrial loan and investment company, notwithstanding the fact that its capital stock is less than required by this act: **Provided,** any such company whose stock is less than required by this act shall not borrow money or issue certificates of indebtedness therefor in excess of ten times the amount of the paid up capital stock and surplus of such company.

Sec. 4. The department shall investigate the facts set forth in application, shall set a date for hearing said application, not less than four weeks nor more than six weeks from the date of filing of said application and shall publish a notice in a legal newspaper published in or of general circulation in the county where said applicant intends to transact its business once each week for three consecutive weeks. The notice shall set forth the filing of the application and the date and place of hearing thereon, at which time and place any interested party or its representatives may appear and be heard in favor of or in opposition to the approval of the applica-

tion. Within ten days from the conclusion of such hearing, the department, if it shall find: (a) That not less than two-thirds of the capital stock is owned by bona fide residents of this state; (b) that the proposed board of directors and management possesses financial responsibility, experience, character and general fitness for successful management of the institution; (c) that the convenience and advantage of the community in which the business of the applicant is to be conducted will be served thereby; (d) that the applicant has capital and surplus in the amounts required by this act, either in cash or in securities of a value equal to cash; and (e) that all conditions of this act have been complied with; —shall issue and deliver to the applicant a license to conduct its business at the place indicated as an industrial loan and investment company.

Sec. 5. No commission or fee shall be paid to any person, association or corporation for selling the capital stock of an industrial loan and investment company and the department shall refuse to issue a license where it finds that commissions or fees have been paid or have been contracted to be paid by it, or by anyone in its behalf for securing subscriptions to or for selling stock therein. If the department, after issuing a license, shall find that the applicant or anyone on its behalf has paid any commission or fee for selling the capital stock, or any part thereof, it shall cancel the license formerly issued to the applicant.

Sec. 6. Corporations organized or licensed under this act shall have all of the powers conferred by the laws of this state upon general corporations, except as by this act specifically limited and in addition the powers by this act specifically conferred upon industrial loan and investment companies.

Sec. 7. Every licensee under this act shall keep and use in its business such books, records and accounts as will enable the department to determine whether the licenee is complying with the laws of the state and with the lawful rules and regulations of the department. Every licensee shall preserve such books, accounts and records, including the cards used in any card system, for at least two years after making the final entry on any loan recorded therein. Each licensee shall annually on or before the fifteenth day of March file with the department a report of its earnings and operations for the preceding calendar year and its assets and liabilities at the end of said year and giving such other relevant information as the department may reasonably require. Such report shall be made under oath and shall be in the form prescribed by the department.

Sec. 8. No industrial loan and investment company shall accept deposits or in anywise obligate itself to maintain checking accounts or otherwise engage in the business of banking. No industrial loan

and investment company shall accept any trusts or act as guardian, administrator or executor in any other fiduciary capacity. No industrial loan and investment company shall make any loan to any one person or corporation primarily in excess of ten percent of its combined capital and surplus.

Sec. 9. Corporations organized under this act may borrow money and issue therefor certificates of indebtedness repayable at fixed future dates and pay interest on such certificates of indebtedness but not exceeding four per cent per annum. Such certificates of indebtedness shall not be prepaid before maturity thereof except as may be specifically authorized by the department or permitted under specific rules and regulations promulgated by the department to meet special contingencies. Certificates of indebtedness shall be in such form as the department by general rule shall prescribe not inconsistent with the provisions of this act and no other or different form shall be used. If upon presentation of a certificate of indebtedness for payment on or after the maturity date the issuor without just cause fails to make payment thereof, the department may take possession of its business and affairs and may liquidate the same.

Sec. 10. No industrial loan and investment company licensed under this act shall at any time permit its indebtedness to exceed in the aggregate ten times the amount of its paid up capital and surplus.

Sec. 11. The department shall have general supervision and control of industrial loan and investment companies and of the enforcement of this act. The department is hereby authorized and empowered to make, promulgate, and enforce rules and regulations pertaining thereto.

Sec. 12. If the application is approved and a license is issued to the applicant, the licensee shall procure and keep in force such surety bonds for the faithful performance of their duties by such officers and employees as shall have control or custody of cash or securities in such sum and with such conditions as the department shall direct.

Sec. 13. The department shall examine each industrial loan and investment company licensed under this act at least annually and may make such special examinations as the department may from time to time deem necessary. The department and its duly designated representatives shall have free access to the offices and places of business, books, accounts, papers, records, files, safes and vaults used in conducting or in connection with the business of the licensee. The department and all persons duly designated by it shall have authority to require the attendance of witnesses and to

examine under oath any and all persons whose testimony it may require relative to the business of the licensee, or relative to the subject matter of any examination, investigation, or hearing.

Sec. 14. Any industrial loan and investment company licensed under this act may semiannually declare a dividend on its stock out of net profits, after all bad debts required by the directors and the department, or either, have been charged off and the amount of the surplus on hand at the beginning of the dividend period is kept intact, but shall before the declaration of such dividend carry an amount equal to five per cent of its gross income during the dividend period to its surplus fund until or unless such surplus fund shall equal the paid up capital stock.

Sec. 15. Whenever it shall appear to the department from any examination or report provided for by the laws of this state that the capital stock of any industrial loan and investment company is impaired or that such industrial loan and investment company is conducting its business in an unsafe or unauthorized manner or is endangering the interests of the holders of its certificates of indebtedness or upon failure of such industrial loan and investment company to make any of the reports required by the laws of this state or if the officers or employees of any industrial loan and investment company shall refuse to submit its books, papers and affairs to the inspection of any examiner or if any officer thereof shall refuse to be examined under oath touching the affairs of any such industrial loan and investment company or if from any examination or report provided for by law the department shall have reason to conclude that such industrial loan and investment company shall neglect or refuse to observe any lawful order of the department, the department may forthwith take possession of the property and business of such industrial loan and investment company and shall thereafter conduct the affairs of such industrial loan and investment company and shall retain possession of all moneys, rights, credits, assets and property of every description belonging to such industrial loan and investment company and may retain such possession for a sufficient time to make an examination of its affairs and disposition thereof as provided by law. The department shall retain possession of the property and business of such industrial loan and investment company until it is found entitled to resume business or until its affairs be liquidated as provided by law.

Sec. 16. That Article 51, Chapter 81, Compiled Statutes of Nebraska, 1929, is hereby repealed; and that Article 51, Chapter 81, C. S. Supp., 1939, is hereby repealed.

Sec. 17. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.".

2. Amend the bill, page 1, title, by striking all of said title after the word "ACT" in line 2 therein and by inserting in lieu thereof the following:

"relating to banks and banking; to provide for the organization, licensing and control of industrial loan and investment companies; to define the term **installment investment company** or its plural when it appears in Secs. 8-701, 8-702 and 81-5440, C. S. Supp., 1939, as now existing or as hereafter amended; to prescribe procedure therefor; to prescribe powers and limitations thereof; to provide for their supervision by the department of banking; to provide methods for conversion of corporations organized and existing under the statutory provisions herein repealed into industrial loan and investment companies; to fix the maximum rate of interest that industrial loan and investment companies may pay; to repeal Article 51, Chapter 81, Compiled Statutes of Nebraska, 1929; to repeal Article 51, Chapter 81, C. S. Supp., 1939; and to declare an emergency.".

No action was taken thereon. Laid over.

MOTION—To Reconsider Action

Mr. President: I move that the Legislature reconsider its action on L. B. No. 434. Sorrell

A call of the House was ordered.

Mr. Mischke moved to raise the call.

The motion prevailed with 28 ayes, 3 nays, 12 not voting.

Mr. Sorrell's motion was lost with 20 ayes, 2 nays, 21 not voting.

Recess

At 12:18 p. m. on motion by Mr. Reed the Legislature recessed until 2:00 p. m.

After Recess

The Legislature reconvened at 2:00 p. m. President Johnson presiding.

The roll was called and all members were present except Messrs. Kotouc, Price and Amos Thomas, who were excused.

SELECT FILE

LEGISLATIVE BILL NO. 214. E and R amendments, found in the Legislative Journal for the Eighty-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 351. Mr. Greenamyre's Specific amendments, found in the Legislative Journal for the Eighty-seventh Day, were adopted by unanimous consent.

Mr. Raecke offered the following amendments, which were adopted by unanimous consent:

1. Amend the bill, page 6, section 14, line 2, by inserting immediately after the word "repealed" therein the following: ": **Provided,** that this repeal shall in no wise affect any contract, right, claim, interest, title, action or liability which may have accrued, or in any order, judgment, decree, recognizance, instrument or proceeding made, entered or had to any of the provisions of the chapter repealed, nor shall this repeal in any wise affect any criminal prosecution or quasi-criminal prosecution heretofore commenced, or any fine, penalty, forfeiture or punishment for crimes, misdemeanors or offenses committed before the taking effect of this act, prosecution for which shall be carried on and continued in the manner now provided by law, the same as if this repeal was not made".

2. Amend the bill, page 1, title, line 8, by striking the conjunction "and" therein; and in line 9 of said title after the figures "1929" therein insert the following: "to state validity and saving clauses".

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 17. E and R amendments, found in the Legislative Journal for the Eighty-eighth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 154. E and R amendments, found in the Legislative Journal for the Eighty-eighth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 246. E and R amendment No. 1 was withdrawn by unanimous consent.

E and R amendments Nos. 2 and 3, found in the Legislative Journal for the Eighty-eighth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 510. E and R amendments, found in the Legislative Journal for the Eighty-eighth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 512. Referred to E and R for engrossment.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 202. Mr. Van Diest's amendments, found in the Legislative Journal for the Eighty-fourth Day, were adopted.

Mr. Asimus offered the following amendment, which was adopted:

Strike the word "permanently" in the Crosby amendment (found in the Legislative Journal for the Eighty-fourth Day).

The Crosby amendment, as amended, was adopted.

Referred to E and R for review.

Approved by the Governor

May 9, 1941

To the President, the Speaker and Members of the Legislature

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day signed Legislative Bill No. 430.

Respectfully submitted,
(Signed) Val Peterson
Secretary to the Governor.

SPECIAL COMMITTEE REPORT

(Members of Former Sifting Committee)

LEGISLATIVE BILL NO. 513. Placed on General File with amendments.

Committee amendments to L. B. No. 513:

1. Amend the bill, page 2, section 1, line 6, by striking the word **"operative"** therein.

2. Amend the bill, page 2, section 1, line 8, by inserting after the word "Association" therein the following:

": Provided, any such person, hereafter desiring to practice operative surgery, shall pass an examination before a board of examiners consisting of the dean of the medical school of the university of Nebraska, the dean of the medical school of Creighton university and one osteopath to be appointed by the governor of the state of Nebraska".

(Signed) Murphy, Chairman

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 389. Unanimous consent was granted to read and consider the Peterson amendments, found in this Day's Journal.

The Peterson amendments were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 282. Unanimous consent was granted to Mr. Metzger to withdraw his amendment, found in the Legislative Journal for the Eighty-sixth Day. (Page 1260)

Mr. Blome offered the following amendments:

1. Amend the bill, pages 2, 3 and 4, by striking all of section 1 thereon and by inserting in lieu thereof the following:

"Section 1. That Section 45-112, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

45-112. **Subdivision 1.** It shall be unlawful for any person, firm, partnership, association or corporation to engage or continue in the business of making loans or **to** make a loan on plain, endorsed or guaranteed notes or due bills, or otherwise, or upon the mortgage or pledge of chattels or **on** real or personal property of any kind, or of purchasing or making loans on salaries or wage earnings or of furnishing ~~guarantee~~ **guaranty** or security in connection with any loan or purchase as aforesaid at a greater rate of interest than ten **nine per centum per annum: Provided,** that any person, firm, partnership, association or corporation may, after procuring a license from the ~~secretary of state~~ **director of banking for the department of banking,** engage or continue in such **the** business and charge **interest and a service charge as provided for in Section 45-119, Compiled Statutes of Nebraska, 1929, as amended by section 2, legislative bill No. 282, fifty-fifth session, Nebraska state legislature, 1941** an ~~examination fee and a brokerage fee.~~ **: Provided,** further, that the interest and **service charge** ~~examination fee and brokerage fee~~ contracted for or required to be made by such licensed money lenders, though the same may aggregate a greater amount, taking into account all the terms and conditions of such transactions, that is, or may be allowed by the laws of this state to be taken or collected as interest on the ordinary contracts for the payment of money, shall not make such payment, or contract therefor, usurious, but all such contracts may be enforced, and such interest and **service charge** ~~examination fee and brokerage fee~~ collected in the same manner as other debts on contracts not usurious: ~~Provided,~~**: and provided further,** that no person, firm, partnership, association or corporation within this state shall be exempt from the operation of the usury law of this state except such as hold a such license as provided in this act. **Subdivision 2. The payment in money, credit, goods, or things in action, as consideration for any sale or assignment of, or order for, the payment of wages, salary, commissions or other compensation for services, whether earned or to be earned, shall, for the purposes of regulation under this act, be deemed a loan secured by such assignment, and the amount by which the assigned compensation exceeds the amount of the consideration actually paid, shall, for the purposes of regulation under this act, be deemed interest or charges upon the loan from the date of payment to the date the compensation is payable. Such transaction shall be governed by and be subject to the provisions of this act. Subdivision 3.** Any person, firm or individual members thereof, partnership or individual members thereof, association or individual members thereof, or corporation or officers thereof who shall engage in or continue any of the kinds of business or enterprise mentioned in this section without having obtained the license herein required **or who shall make or collect a single transaction in violation of this section** shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not less than one hundred

($100) dollars or more than one thousand ($1,000) dollars and or shall be imprisoned in the county jail **for not less than ninety days and not more than one year, or both. Violation of this section in connection with any indebtedness, however acquired, shall render such indebtedness void and uncollectible** until such fine and the costs of prosecution shall be paid, secured or otherwise discharged according to law.

Amend Section 3 of L. B. No. 282 by striking all of Section 3 after the "." (period) in line 36.

4. Amend Sec. 4 of L. B. No. 282 by striking in lines 7 and 8 the words, "in the amount or of the value of five hundred dollars or less".

Amend L. B. No. 282 by striking Sec. 5 and Sec. 8.

Mr. Peterson called for a division of the question.

No action was taken thereon. Laid over.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 462. Correctly enrolled.

Correctly engrossed

L. B. No. 139
L. B. No. 250
L. B. No. 300
L. B. No. 427
L. B. No. 506

Adjournment

At 5:12 p. m. Mr. Lambert moved to adjourn.

A call of the House was ordered.

Mr. Thornton moved to raise the call.

The motion prevailed with 22 ayes, 10 nays, 11 not voting.

Mr. Lambert's motion was lost with 17 ayes, 19 nays, 7 not voting.

Members Excused

Messrs. Bowman, Lambert, Norman, Murphy, Carmody and John Adams, Jr. were excused for the evening session.

Recess

At 5:17 p. m. Mr. Gantz moved to recess until 7:00 p. m.

The motion prevailed with 21 ayes, 11 nays, 11 not voting.

After Recess

The Legislature reconvened at 7:07 p. m. Speaker Howard presiding.

The roll was called and all members were present except Messrs. John Adams, Jr., Bowman, Carmody, Kotouc, Lambert, Metzger, Murphy, Norman, Price and Amos Thomas, who were excused.

President Johnson presiding

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 28. National Defense Projects

Memorializing the Congress of the United States to Locate National Defense Program Projects in Nebraska

Introduced by Howard of McPherson, Gantz of Box Butte, Tvrdik of Douglas, Callan of Gage, Murphy or Scotts Bluff

Preamble

WHEREAS, the United States of America is now engaged in a program of preparation for national defense, which program requires the construction of cantonments for the training of men, the construction of factories for the manufacture of munitions, equipment and supplies, and for the storage and distribution thereof, and

WHEREAS, by far the greater number of the cantonments, factories, and other defense projects have been located along the seaboard and in the southern portion of the United States, and

WHEREAS, many thousands of men have left Nebraska to work in such factories and many thousands more have been taken from the state for military service, and

WHEREAS, this drain of men from the state is bringing about adverse economic conditions, particularly in the smaller towns and cities and in the rural areas, and

WHEREAS, Nebraska is traversed by transcontinental trunk line railroads, and by transcontinental federal highways, and by pipe lines for oil and gas, and has a large supply of electric power, and

WHEREAS, Nebraska has a fine, healthful climate, and an inexhaustible supply of pure water, and

WHEREAS, Nebraska is located in the center of the United States, and military projects located in Nebraska would be less vulnerable to military attack than those located on or near the seaboard, and

WHEREAS, by reason of the foregoing facts, Nebraska is ideally situated for the location of cantonments, factories, and other military projects, and

WHEREAS, the location of such projects in the agricultural section of the state will enable Nebraska men and boys to stay in the state and will relieve the adverse economic condition being brought about in such areas by the migration from the state to areas where such projects are now being established, and will further relieve the deplorable condition brought about by the seven years' drought through which this portion of the state has just passed, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-FIFTH REGULAR SESSION ASSEMBLED:

1. That the President of the United States be and hereby is requested to locate in Nebraska such projects forming a part of the defense program as shall be determined most suitable for this region and will stop the migration from the state that is now taking place.

2. That a copy of this resolution be spread at large upon the Journal of the legislature; and that the clerk of the legislature be directed forthwith to forward a copy of this resolution, properly authenticated and suitably engrossed, to the President of the United States, to the Vice President of the United States, to each congressman and senator from the state of Nebraska, to the Secretary of War, to the Secretary of the Navy, and to the Council of National Defense to the end that the state of Nebraska may be fairly and justly treated in the location of national defense program projects.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 282. Passed over.

LEGISLATIVE BILL NO. 339. Passed over.

LEGISLATIVE BILL NO. 332. Passed over.

LEGISLATIVE BILL NO 329. Mr. Mekota offered the following amendments, which were adopted:

1. Amend the standing committee amendments, mimeographed, dated March 31, 1941, page 1, amendment 2, line 7 by inserting after the word "county" therein the following: **"for the ensuing term. If the resolution is adopted, then the county board at the general election in the year 1944, shall order the submission of the question of retaining the office of register of deeds to the qualified voters of the county. The form of submission upon the ballot shall be as follows: 'FOR retaining the office of register of deeds', and 'AGAINST retaining the office of register of deeds'. If a majority of the votes cast on the question shall be against retaining the office of register of deeds in the county, the office shall cease therein with the expiration of the term of the incumbent. If a majority of the votes cast on the question be for retaining the office of register of deeds in the county, the office shall continue."**

2. Amend the standing committee amendments, mimeographed, dated March 31, 1941, amendment 3, section 2, line 28 by inserting the punctuation "," after the word "resolution" therein; and in lines 21 and 28 of said section 2, amendment 3, insert after the word "resolution" in each of said lines respectively, the following: **"and if the office of register of deeds is continued by the election as provided in Sec. 32-209, C. S. Supp., 1939, as amended by section 1, legislative bill No. 329, fifty-fifth session, Nebraska state legislature, 1941".**

3. Amend the standing committee amendments, mimeographed, dated March 31, 1941, page 2, amendment 4, line 5 by striking therefrom the punctuation and words ", that, in" therein and by inserting in lieu thereof the words "procedure whereby"; and in lines 7 and 8 of said amendment 4 strike that part of said amendment commencing with the punctuation and word ", the" in line 7, down to and including the figures and punctuation "1942," in line 8 and by inserting in lieu thereof the following: ", may".

Referred to E and R for review.

LEGISLATIVE BILL NO. 504. Passed over.

LEGISLATIVE BILL NO. 183. Unanimous consent granted to omit reading the bill. Considered.

Standing Committee amendments, found in the Legislative Journal for the Sixty-fifth Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 90. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Fifty-seventh Day, were adopted.

Mr. Sorrell moved to refer to E and R for review.

Mr. Van Diest moved to indefinitely postpone.

The motion was lost with 4 ayes, 15 nays, 24 not voting.

Mr. Sorrell's motion prevailed.

Referred to E and R for review.

LEGISLATIVE BILL NO. 42. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Fifty-seventh Day, were adopted.

Mr. Raecke offered the following amendment, which was adopted.

That Section 4 of L. B. No. 42 be stricken and the title amended accordingly.

Mr. Van Diest moved that the consideration of L. B. No. 42 be made Special Order for Monday, May 12, 1941 at 10:00 a. m.

The motion prevailed.

LEGISLATIVE BILL NO. 255. Read and considered.

Unanimous consent was granted to add the following names as co-introducers: Charles F. Tvrdik, Ernest A. Adams, George W. Bevins, Don Hanna, John Adams, Jr., George T. Sullivan, A. C. Van Diest and William J. Norman.

Mr. Tvrdik offered the following amendments, which were adopted:

1. Amend the bill, page 2, by striking all of sections 1 and 2 thereon and by inserting in lieu thereof the following:

"Section 1. That Sec. 12-124, C. S. Supp., 1939, be amended to read as follows:

12-124. **Subdivision 1.** When any county treasurer, **county attorney, clerk of district court, county clerk, county judge, county assessor, register of deeds, county sheriff, county superintendent of public instruction, county commissioner or supervisor,** in giving the

bond required of him by law, shall furnish a bond executed by a surety company, authorized by the laws of this state to execute such bond, and such bond shall be approved by the county board, then in each and every case the county may pay the premium for such bond, not in any instance to exceed one per cent per annum of the penalty in the bond so executed and approved: **Provided,** that any surety bond so executed and approved shall contain a covenant to the effect that when said bond shall have been surrendered by the obligee and delivered to the obligor, or its resident agent, the obligor shall refund to the county the unearned portion of the premium so paid for the term of said bond. **Subdivision 2. Whenever any deputy or employee of any county treasurer, county attorney, clerk of district court, county clerk, county judge, county assessor, register of deeds, county sheriff, county superintendent of public instruction, county commissioner or supervisor, shall be required by law, or by order of the county board of any county, to supply bond, and when such deputy or employee shall furnish a bond by a surety company, and such bond shall be approved by the county board, then in such case the county may pay the premium for such bond, not in any instance to exceed one per cent per annum of the penalty in the bond so executed and approved.**

Sec. 2. That Section 12-125, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

12-125. Upon the execution and approval of any such bond **the bonds upon which the county pays premiums,** the county board shall direct the county clerk to draw a warrant **warrants** upon the county treasurer in payment of such premium **premiums** against the general fund of the county, such warrant **warrants** to be signed by the chairman of the county board, countersigned by the county clerk and sealed with the county seal.

Sec. 3. That said original Sec. 12-124, C. S. Supp., 1939, is hereby repealed; and that said original Section 12-125, Compiled Statutes of Nebraska, 1929, is hereby repealed.".

2. Amend the bill, page 1, title, by striking all of said title after the word "ACT" in line 2 therein and by inserting in lieu thereof the following:

"to amend Sec. 12-124, C. S. Supp., 1939; to amend Section 12-125, Compiled Statutes of Nebraska, 1929, relating to official bonds; to prescribe the bonds of county officers upon which county boards may pay the premium; to provide that the premiums on such bonds upon which the county pays premiums shall be paid from the general fund of the county; and to repeal said original sections.".

Referred to E and R for review.

LEGISLATIVE BILL NO. 23. Read and considered.

Mr. Peterson offered the following amendments, which were adopted:

Amend Section 10, subdivision 1, as follows: Strike out all of said section beginning with the words: "provided, any" in line 5 of said subdivision down to and including the words: "books and lists", in line 22 thereof. Amend the sentence following said words to read as follows: "provided that no absent voter in the military or naval service of the United States of America or of the state of Nebraska need register while in such military or naval forces if such voter, shall, at the time he makes application for absent voters' ballot, furnish in lieu of a certificate of registration, an affidavit, upon blanks to be supplied by the Supervisor of Registration, setting forth his name, address and all other facts and information required for the registration of voters where the voter presents himself personally for registration.

Strike subdivision i. of Sec. 10, page 9 of committee amendments (mimeographed).

Standing Committee amendments, found in the Legislative Journal for the Fifty-seventh Day, were adopted as amended.

Referred to E and R for review.

LEGISLATIVE BILL NO. 84. Unanimous consent granted to omit reading the bill. Considered.

Standing Committee amendments, found in the Legislative Journal for the Forty-sixth Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 289. Read and considered.

Standing Committee amendments were read.

Mr. Garber moved to indefinitely postpone.

A call of the House was ordered.

Mr. Van Diest moved to raise the call.

The motion prevailed with 18 ayes, 9 nays, 16 not voting.

Mr. Garber's motion prevailed with 16 ayes, 11 nays, 16 not voting.

Indefinitely postponed.

MOTION—List of Lobbyists

Mr. President: I move that the Clerk be directed to procure from the Secretary of State the registration list of all lobbyists and furnish a copy thereof to each member of this Legislature.

(Signed) Mekota

The motion prevailed.

Adjournment

At 9:29 p. m. Mr. Mueller moved that the Legislature adjourn.

The motion prevailed with 20 ayes, 5 nays, 18 not voting.

Hugo F. Srb,
Clerk of the Legislature.

NINETIETH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, May 12, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Price and Amos Thomas, who were excused.

The Journal for Eighty-ninth Day was approved as corrected.

STANDING COMMITTEE REPORTS

Enrollment and Review

Correctly enrolled

L. B. No. 418	L. B. No. 398
L. B. No. 499	L. B. No. 301

LEGISLATIVE BILL NO. 154. Replaced on Select File with amendments.

E and R amendments to L. B. No. 154:

1. Amend the standing committee amendments, March 21, 1941, section 3, as amended by Enrollment and Review amendment No. 2, section 3, line 49, by striking the word "or" and inserting in lieu thereof the word "to".

LEGISLATIVE BILL NO. 214. Replaced on Select File with amendments.

E and R amendments to L. B. No. 214:

1. Amend the bill, page 2, section 1, line 3 by inserting after the section symbol and punctuation "53-329." the following: **"Subdivision 1.**

2. Amend the bill, page 2, section 1, line 23 by inserting immediately after the word and punctuation "licensee." therein the following:

"Subdivision 2. If any recipient of a license to sell intoxicating liquors at retail or wholesale shall violate any of the provisions of subdivision 1 of this section, his license shall be suspended or revoked by the Nebraska liquor control commission in the manner provided by law for revocation or suspension for other violations of the laws of the state."

3. Amend the bill, page 2, by striking all of section 3 thereon.

LEGISLATIVE BILL NO. 222. Placed on Select File with amendments.

E and R amendments to L. B. No. 222:

1. Strike the general file amendment, Raecke, adopted 5-1-41 and restate the same as follows: Amend the bill, page 3, section 6, by adding after line 5 therein the following:

"Binding enrolled bills, purchasing new records books....350.00".

2. Amend the standing committee amendments, page 24, amendment 91 by striking all of said amendment after the puctuation ";" at the end of line 5 therein.

3. Strike the general file amendments, Hanna and Mischke, adopted 4-29-41, and restate same as follows: Amend the bill, page 5, section 11, line 13, by striking therefrom the words "Bang's disease,"; in line 17 of said section, as amended, strike the figures "125,000.00" and insert in lieu thereof the figures "90,000.00"; and after line 17 in said section and before line 18, insert the following:

"Eradication, Bang's disease, first reappropriate unexpended balance arising out of legislative bill No. 451, then for the purpose of administering legislative bill No. 336, fifty-fifth session, Nebraska state legislature, 1941, appropriate .....35,000.00".

4. Amend the bill, page 7, section 13, line 11, by striking the abbreviation and punctuation "No." and by inserting in lieu thereof the following: "Nos.".

5. Amend the bill, page 7, section 13, line 13, by inserting after the word "balance" therein the words ", as of"; and also in said line 13 insert the punctuation "," after the figures "1941" therein.

6. Amend the bill, page 7, section 14, line 6, by inserting the punctuation "," after the figures "1941".

7. Amend the general file amendments, Callan, c, adopted April 29, 1941, line 4, by striking the punctuation ";" therein and by inserting in lieu thereof the punctuation ",".

8. Amend the standing committee amendments, page 7, amendment 28, line 3, by inserting the punctuation "," after the word "board" therein, and also after the word "general' 'in line 2 thereof.

9. Amend the standing committee amendments, page 8, amendment 33, line 6 by inserting the punctuation "," after the figure "148" therein.

10. Amend the bill, page 10, section 21, line 1, by inserting the punctuation "." after the word "PAROLES".

11. Amend the bill, page 10, section 22, line 1, by inserting the punctuation"." after the word "COMMISSION".

12. Amend the bill, page 11, section 29, line 11, by inserting before the word "balance" therein the word "unexpended".

13. Amend the bill, page 11, section 30, line 2, by inserting the punctuation "," after the word "appropriation".

14. Strike the four general file amendments, Gantz and Tvrdik, adopted 4-29-41, and restate same as follows: Amend the bill, page 12, section 31, by inserting between lines 9 and 10 thereof, the following:

"**Chadron state normal,** bituminous driveway, removal and re-laying 3,200.00
Chadron state normal, repair of large north boiler, not now in use, including installation of cinder conveyor and hoist 2,000.00

15. Amend the standing committee amendments, page 13, amendment 59, line 3, by striking the punctuation "," before the symbol and figures "$4,500.00".

16. Amend the bill, page 12, section 32, line 6, by inserting after the word "balance" therein the following: ", as of June 30, 1941,".

17. Amend the general file amendments, Callan, April 29, 1941, page 1, amendment e, line 5, by inserting the punctuation "," after the word "balance" and before the word "as" therein.

18. Amend the bill, page 15, section 36, line 38, by inserting

the punctuation "," after the word "balance" and before the word "as" therein.

19. Amend the standing committee amendments, page 25, amendment No. 94, line 7, by inserting the punctuation "," after the figures "1943" and before the conjunction "and".

20. Amend the standing committee amendments, page 16, amendment 67, line 6, by inserting the punctuation "," after the word "balance" and before the word "as" therein.

21. Amend the bill, page 18, section 39, line 29, by inserting the punctuation "," after the word "balance" therein; and also in line 33 of said section 39 insert the definite article "the" after the word "during" therein.

22. Amend the bill, page 20, section 40, line 68, by inserting the punctuation "," after the word "balances" therein.

23. Amend the bill, page 23, section 44, line 19, by inserting the punctuation "," after the figures "1941" and before the preposition "in" therein.

24. Amend the bill, page 24, section 44, line 24, by inserting after the section symbol and punctuation "75-238," therein the word and punctuation "inclusive,".

25. Amend the bill, page 27, section 48, line 30, by striking the parentheses therein; and also after the figures and punctuation "1941," in said line 30, insert the preposition "in".

26. Amend the standing committee amendments, page 21, amendment No. 81, line 5, by inserting the punctuation "," after the figures "1929" therein.

27. Amend the bill, page 28, section 49, lines 5 and 6, by striking the parentheses therein; also insert the preposition "in" after the figures and punctuation "1941," therein; and also insert the punctuation "," in line 6, after the word "inclusive" therein.

28. Amend the bill, page 31, section 53, line 12, by striking the conjunction "and" therein; and in lines 13 and 15 in said section 53, strike the punctuation "." in each of said lines respectively wherever the same immediately precedes a subsection designation and insert in lieu thereof the punctuation ";"; and also in line 16 of said section 53, strike the Roman numeral "II" and insert in lieu thereof the Arabic numeral "11".

29. Amend the bill, page 33, section 59, line 5, by striking the punctuation and words "; and the" therein; then amend the general file amendments, Callan, adopted May 1, 1941, line 2, by inserting

the punctuation and word ": **Provided,**" before the word "vouchers"; and in line 4 of said amendment, strike the punctuation ";" after the word "incurred" therein and insert in lieu thereof the following: ". The".

30. Amend the standing committee amendments, page 5, amendment No. 18, line 9, by inserting the punctuation "," after the word "health" and before the word "not" therein.

31. Amend the standing committee amendments, page 14, amendment No. 62, line 3, by inserting the words **"state hospital"** after the word "at" and before the word "Norfolk" therein.

32. Amend the standing committee amendments, page 15, amendment 64, line 5, by inserting the punctuation "." after the figures "15,000.00"

33. Amend the bill, page 16, section 36, line 50, by inserting the punctuation "." after the syllable "timate" and also in line 50, strike ".....$"; and in line 46 in said section 36, insert the punctuation "," after the word "inspection" therein.

34. Amend the bill, page 19, section 40, line 29, by inserting after the figures and punctuation "1939," therein the following: "as amended by legislative bills Nos. 70 and 470, fifty-fifth session, Nebraska state legislature, 1941, as now existing or as hereafter amended,".

35. Amend the standing committee amendments, page 19, amendment 72, line 9, by inserting after the figures "1939" therein the following: ", as amended by legislative bill No. 432, fifty-fifth session, Nebraska state legislature, 1941,".

36. Amend the standing committee amendments, page 19½, amendment 73, section 45, line 6, by inserting after the figures and punctuation "1929," therein the following:

"as amended by legislative bill No. 108, fifty-fifth session, Nebraska state legislature, 1941, as now existing or as hereafter amended,".

37. Amend the bill, page 31, section 53, by striking that part of said section beginning with the word "assistance" in line 14, and ending with the figures "1939" in line 15, and insert in lieu thereof the following:

"surplus agricultural revolving fund established by legislative bill No. 221, fifty-fifth session, Nebraska state legislature, 1941".

38. Amend the standing committee amendments, page 24, amend-

ment 93, line 2, by striking therefrom the words, figures and punctuation "line 11,".

39. Amend the bill, page 1, title, line 5, by inserting the definite article "the" after the word "of" and before the word "state".

40. Amend the Callan amendment to standing committee amendment, 4-28-41, amendment 1, line 3, by striking the figure "3" and inserting in lieu thereof the figure "4".

41. Amend the bill, page 5, section 10, line 9, by inserting the punctuation "," after the first word "inspection" in said line.

42. Amend the standing committee amendments, page 4, amendment No. 14, line 5, by inserting after the word and punctuation "any," the words "as of"; and in line 6 of said amendment, insert the punctuation "." after the figures "151".

43. Amend the standing committee amendments, page 6, amendment 25, line 5, by inserting the punctuation "." after the word "Committee".

44. Amend the bill, page 9, section 20, line 1, by inserting the punctuation "." after the word "EDUCATION".

45. Amend the general file amendments, Matzke, 5-1-41, line 4, by inserting the punctuation "," after the word "machinery", and before the word "equipment".

46. Amend the standing committee amendments, page 13 amendment 59, line 3, by striking therefrom the quotation marks after the figures "$4,500.00"; and insert after the word "plumbing" in line 4, the punctuation ",".

47. Amend the standing committee amendments, page 24, amendment 93, line 4, by inserting the punctuation "." after the word "PURPOSES".

48. Amend the bill, page 14, section 36, line 1, by inserting the punctuation "." after the word "INSPECTION".

49. Amend the bill, page 15, section 36, lines 36 and 41, by inserting the punctuation "," after the word "inspection" in each of said lines.

50. Amend the bill, page 16, section 37, line 1, by inserting the punctuation "." after the word "LABOR".

51. Amend the standing committee amendments, page 15, amendment 66, line 8, by striking the punctuation "," after the word "exceed".

52. Amend the standing committee amendments, page 16, amendment 67, line 8, by inserting the punctuation "," after the word and punctuation **'fund" '.**

53. Amend the general file amendments, Callan, amendment i., line 8, by inserting the punctuation "," after the word and punctuation "health)"; also in line 13 of said amendment, strike the word "is" and insert the word "are"; and, in line 15 thereof insert the punctuation "." after the word "activities".

54. Amend the standing committee amendments, page 19, amendment 72, lines 6 and 12, by inserting the punctuation "," after the figures "1941" in each instance; and in line 16, insert the punctuation "," after the figures "1943," and insert the punctuation "." after the figures "$80,000.00".

55. Amend the general file amendments, Carmody, 5-1-41, line 3, by inserting the symbol "$" before the figures "10,000.00" in both instances where said figures appear.

56. Amend the general file amendments, Callan, amendment m., line 5, by inserting the punctuation "," after the word "reappropriated".

57. Amend the general file amendments, Callan, amendment k., 4-29-41, line 13, by inserting the punctuation "," after the figures "1941".

58. Amend the standing committee amendments, page 19, amendment 72½, lines 7 and 12, by inserting the punctuation "," after the figures "1941", in each instance.

59. Amend the standing committee amendments, page 20, by striking therefrom amendment number 77.

60. Amend the bill, page 32, section 53, line 17, by striking the punctuation "." after the figures "1939" and insert the punctuation and word "; and".

61. Amend the bill, page 14, section 35, line 11, by inserting after the figures and punctuation "1939," the following: "as amended by legislative bill No. 174, fifty-fifth session, Nebraska state legislature, 1941,".

62. Amend the bill, page 26, section 48, line 9, by inserting after the punctuation "," in said line and before the word "appropriate" the following: "and credited to the state assistance fund under Sec. 66-411, C. S. Supp., 1939, as amended by legislative bill No. 70, fifty-fifth session, Nebraska state legislature, 1941, as amended by legislative bill No. 470, fifty-fifth session, Nebraska state legislature, 1941,".

63. Amend the bill, page 26, section 48, line 11, by inserting after the word "as" and before the word "amended" the words "now existing or as hereafter".

64. Amend the standing committee amendments, page 23, amendment 90, lines 8 and 9, by striking the following: "Sec. 83-115, C. S. Supp., 1939", and insert in lieu thereof the following: "Section 83-115, Compiled Statutes of Nebraska, 1929".

65. Amend the bill, page 31, section 53, line 16, by striking therefrom the word "To".

LEGISLATIVE BILL NO. 351. Replaced on Select File with amendments.

E and R amendments to L. B. No. 351:

1. Amend the select file amendments, adopted May 9, 1941, mimeographed, page 1, amendment 2, line 4, by inserting before the words "to state" therein, the following:

"; and".

2. Amend the select file amendments, Greenamyre, adopted May 9, 1941, page 1, amendment 1, section 12, line 9, by striking therefrom the punctuation and word ", the" therein, and by inserting in lieu thereof the following:

". The"

3. Amend the Select File amendments, Greenamyre, adopted May 9, 1941, page 1, amendment 1, section 12, line 17, by striking the word "bonds" therein and by inserting in lieu thereof the word "bond".

4. Amend the bill, page 5, section 13, line 3, by inserting the punctuation "," after the word "desertion" therein.

5. Amend the bill, page 2, section 1, line 8, by inserting after the word "child" and before the word "born" the following: "under the age of eighteen"; and in line 9 of said section strike the words "under the age of eighteen".

6. Amend the select file amendments, mimeographed, Raecke, 5-9-41, amendment 1, line 5, by striking therefrom the preposition "in" after the word "or" and before the word "any"; and in line 7 of said amendment, strike the preposition "to" after the word "had" and before the word "any" and insert in lieu thereof the word "under".

LEGISLATIVE BILL NO. 507. Placed on Select File with amendments.

E and R amendments to L. B. No. 507:

1. Amend the bill, page 2, section 1, line 5 by striking the word "Congress" therein and by inserting in lieu thereof the word "**congress**".

2. Strike the General File amendment, adopted May 7, 1941, Raecke, and insert in lieu thereof the following:

Amend the bill, page 2, section 1, line 8 by striking all of said section after the word and punctuation "provided:" therein and by inserting in lieu thereof the following:

"The counties of Cass, Otoe, **Richardson,** Nemaha, Richardson, Pawnee, Johnson, **Pawnee, Gage,** Lancaster, Seward, Butler Saunders, and Gage **Saline, Jefferson, Thayer, Fillmore, Clay, Nuckolls, Webster, Adams, Kearney, Franklin, Phelps, Harlan, Furnas, Gosper, Frontier, Red Willow, Hitchcock, Hayes, Chase and Dundy** shall constitute the first district. The counties of **Douglas,** Sarpy, Douglas, **Cass, Otoe,** and Washington shall constitute the second district. The counties of Burt, Thurston, Dakota, Dixon, Cuming, Dodge, **Saunders, Seward, Butler,** Colfax, Stanton, Wayne, Cedar, Knox, Pierce, Madison, Platte, **Polk, York, Hamilton, Merrick,** Nance, Boone, Antelope, Boyd, Holt, Wheeler, Greeley and Merrick **and Antelope** shall constitute the third district. The counties of **Boyd, Holt, Wheeler, Greeley, Howard,** Hall, Adams, Webster, Franklin, Kearney, Phelps, Harlan, Gosper, Furnas, Red Willow, Frontier, Hitchcock, Hayes, Perkins, Chase, Dundy, Nuckolls, Saline, Jefferson, Polk, York, Fillmore, Thayer, Hamilton, and Clay **Buffalo, Sherman, Valley, Garfield, Keya Paha, Rock, Brown, Blaine, Loup, Custer, Dawson, Lincoln, Logan, Thomas, Cherry, Hooker, McPherson, Grant, Arthur, Keith, Perkins, Deuel, Garden, Sheridan, Dawes, Box Butte, Morrill, Cheyenne, Kimball, Banner, Scotts Bluff and Sioux** shall constitute the fourth district. The counties of Sioux, Scotts Bluff, Banner, Kimball, Dawes, Box Butte, Cheyenne, Sheridan, Deuel, Cherry, Grant, Arthur, Keith, Lincoln, McPherson, Hooker, Thomas, Logan, Dawson, Custer, Blaine, Brown, Keya Paha, Rock, Loup, Garfield, Valley, Sherman, Buffalo, Howard, Garden and Morrill shall constitute the fifth district.".

Correctly engrossed

L. B. No. 17	L. B. No. 512	L. B. No. 220
L. B. No. 33	L. B. No. 424	L. B. No. 233
L. B. No. 246	L. B. No. 206	L. B. No. 64
L. B. No. 510		

Presented to Governor for approval

Monday, May 12, 1941 at 9:25 a. m.

L. B. No. 89 L. B. No. 503 L. B. No. 223
L. B. No. 81

(Signed) Crosby, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 418 L. B. No. 301
L. B. No. 499 L. B. No. 462
L. B. No. 398

Legislative Resolution No. 26

REQUEST—To Pass Over Third Reading

Mr. Mueller requested that bills on Third Reading File be passed over until Tuesday evening.

No objection was offered and the President so ordered.

MOTION—To Limit Debate

Mr. President: I move that a time limit be placed on all debates. That the mover of a motion be allowed fifteen minutes, ten for opening and five to close, and any other member wishing to speak on the motion, speak only once, not to exceed five minutes.

(Signed) Mueller

The motion was lost with 6 ayes, 22 nays, 15 not voting.

MOTION—To Reconsider Action

Mr. President: I move that we reconsider action on L. B. No. 470. (Signed) Callan

The motion prevailed with 27 ayes, no nays, 16 not voting.

L. B. No. 470 placed on Third Reading File.

MOTION—To Recommit to Select File

Mr. President: I move that L. B. No. 470 be recommitted to Select File for the following Specific amendments:

1. Strike the general file amendments, mimeographed, Mekota, April 19, 1941, page 9, section 10, commencing with line 3 down to and including the word and punctuation "year." in line 23 therein together with all amendments adopted to that part of said section stricken subsequent to April 19, 1941 and insert in lieu thereof the following:

"66-411. All sums of money received under this act by the state treasurer shall be placed by him in a fund to be known as the gasoline tax fund. From and after the effective date of this act to and including June 30, 1941, the end of the current biennium, and commencing July 1, 1941, and until June 30, 1943, twenty per cent of said fund, **less such amount thereof as shall be necessary to provide the identifying chemicals required in section 2 of this act,** shall **first** be credited and shall inure to the state assistance fund;. **From and after the the effective date of legislative bill No. 470, fifty-fifth session, Nebraska state legislature, 1941, the state treasurer shall then pay out of the gasoline tax fund, after the twenty per cent thereof allocated for the state assistance fund is first deducted, all warrants drawn by the auditor of public accounts for motor vehicle fuel tax refunds.** thirty **Thirty-three and three-fourths** per cent of **the balance of** said **gasoline tax** fund shall be, by the state treasurer, upon the first day of each month transferred to the various county treasurers of the state in the proportion that the total motor vehicle registration of the county bears to the total motor vehicle registration of the state, computed on the basis of the motor vehicle registration for the previous calendar year.".

2. Amend the general file amendments, mimeographed, April 19, 1941, Mekota, page 9, section 10, line 50, as amended by Enrollment & Review amendment number 30, adopted 4-30-41, by striking the word **"Fifty-three"** therein and by inserting in lieu thereof the words **"Sixty-six and one-fourth"**; and in line 50 of said section 10 insert before the word **"gasoline"** therein the words **"balance of the"**; and in line 53, on page 10, section 10 strike the word **"fifty-three"** therein and insert in lieu thereof the word **"sixty-six and one-fourth"**; and in said line 53 insert after the preposition "of" and before the word "said" the words **"the balance of"**.

(Signed) Callan

The motion prevailed.

MOTION—To Recommit to General File

Mr. Crosby called up his motion, found in the Legislative Journal for the Eighty-seventh Day, to recommit L. B .No. 399 to General File for Specific Amendments.

Vote was taken thereon and the motion prevailed with 18 ayes, 2 nays, 23 not voting.

Placed on General File.

SELECT FILE

LEGISLATIVE BILL NO. 470. Mr. Neubauer moved that Mr. Callan's amendments, found in this Days' Journal be adopted.

The motion prevailed.

Mr. Callan moved to refer to E and R for engrossment.

The motion prevailed with 21 ayes, no nays, 22 not voting.

LEGISLATIVE BILL NO. 207. Mr. Greenamyre renewed his motion, found in the Legislative Journal for the Eighty-seventh Day, to Refer to General File for Specific amendment.

The motion prevailed with 12 ayes, 8 nays, 23 not voting.

Placed on General File.

GENERAL FILE

Special Order—10:00 a. m.

LEGISLATIVE BILL NO. 42. Mr. Van Diest offered the following amendments, which were adopted with 12 ayes, 1 nay, 30 not voting:

1. Strike the standing committee amendments, mimeographed, amendments 1 to 3 inclusive dated March 27, 1941.

2. Amend the bill, page 2, section 1, lines 6 and 7 by striking the words **"other manner as the court by order approves"** and by inserting in lieu thereof the following: **"real estate, life insurance, endowment insurance or annuities, as the county court may authorize".**

3. Amend the bill, page 2, section 2, line 13 by inserting after the word "estate" therein the following: **", life insurance, endowment insurance or annuities, as the county court may authorize".**

4. Amend the bill, page 1, title, line 6 by striking the words "subject to the approval of the county judge" therein and by inserting in lieu thereof the words "life insurance, endowment insurance or annuities, when authorized by the county court".

Mr. Raecke offered the following amendments, which were adopted:

1. Amend the title to L. B. No. 42, line 3 by striking the word and punctuation "trustees,".

2. Amend the title to said bill, line 4 by striking the words and punctuation ", executors and administrators".

Mr. Peterson offered the following amendment, which was adopted:

That the title to L. B. No. 42 be amended to conform to the Van Diest amendment.

Referred to E and R for review.

LEGISLATIVE BILL NO. 207. Mr. Greenamyre's Specific amendment found in the Legislative Journal for the Eighty-seventh Day, was adopted.

Referred to E and R for review.

MOTION—To Recommit to General File

Mr. Crosby moved the adoption of his motion of the Eighty-seventh Day to recommit L. B. No. 399 to General File for Specific amendments.

The motion prevailed.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 399. Mr. Mueller offered the following amendment, which was adopted:

Amend the Crosby amendments by inserting after the word "duties" in line 21 the following: "Provided, members of the Nebraska

Legislature, all state and county officials of this state shall have free access at all times to all records and information in connection with such assistance in such manner and for such purposes as shall be consistent with the laws of the United States.".

The Crosby amendments were adopted as amended.

Mr. Crosby moved to refer to E and R for review.

The motion prevailed.

Special Order—11:00 a. m.

LEGISLATIVE BILL NO. 482. Mr. Asimus moved the adoption of his amendments, found in the Legislative Journal for the Eighty-ninth Day.

A call of the House was ordered.

Mr. Sullivan moved to raise the call.

The motion prevailed with 22 ayes, no nays, 21 not voting.

Vote was taken on Mr. Asimus' amendments.

The Chair announced 9 ayes, 9 nays, 25 not voting.

The President voted aye and the amendments were adopted.

Mr. Asimus asked that the bill be laid over and made Special Order for Tuesday, May 13, 1941 at 11:00 a. m.

No objection was offered and the President so declared.

Approved by the Governor

May 12, 1941

To the President, the Speaker, and Members of the Legislature

Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day signed the following bills, viz:

L. B. No. 81
L. B. No. 89
L. B. No. 223
L. B. No. 503

Respectfully submitted,

(Signed) Val Peterson
Secretary to the Governor

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 282. Passed over. Retains place on File.

LEGISLATIVE BILL NO. 339. Mr. Kotouc offered the following amendments, which were adopted:

1. Amend the general file amendments, mimeographed, dated May 5, 1941, Kotouc, page 1, amendment 1, section 1, line 23, by inserting after the word and punctuation "banking." therein the following:

"Every person who has a license under Sections 45-112 to 45-123, both inclusive, Compiled Statutes of Nebraska, 1929, and under Secs. 45-124 to 45-127, both inclusive, C. S. Supp., 1939, in force when this act becomes effective, shall be considered to have a license under this act until March 1, 1942 unless sooner revoked. Every such licensee shall, however, pay to the director of banking within thirty days after the effective date of this act, the sum of one hundred dollars as an initial investigation fee. The director of banking shall before March 1, 1942 investigate all licensees under said prior act and shall renew upon that date only the licenses of those applicants who meet the qualifications set forth elsewhere in this act. Not more than one place of business shall be maintained under the same license, but more than one license may be issued to the same licensee upon compliance with all of the provisions of the law governing the issuance of an original license, for each such new license."

2. Amend the general fiile amendments, mimeographed, dated May 5, 1941, Kotouc, page 2, amendment 1, section 1, by inserting after the word and punctuation "so." in line 61 therein the following:

"The director of banking shall revoke no license issued here under unless he shall first serve upon the licensee a written notice which states in general the ground therefor, together with the time and place of hearing which shall not be less than ten days from the giving of such notice to licensee by registered mail. If the director of banking shall revoke or suspend a license issued pursuant to this act, after notice and hearing, he shall forthwith enter an order to that effect and prepare a written record which shall include a transcript of the evidence, the findings with respect thereto, the order, and the reasons supporting the revocation or suspenion, and shall forthwith serve upon the licensee a copy thereof. Subdivision 6. In addition to any other remedy he may have, any licensee and any person considering himself aggrieved by any action of the director of banking hereunder may, within thirty days from the entry of the order complained of, or within sixty days of the action complained of, if there is no order, take an appeal to the district court of Lancaster

county, Nebraska, by serving upon the director of banking a written notice of such appeal, a demand in writing for a certified transcript of all the papers on file in his office affecting or relating to such order or action and the payment of the fee therefor, which said appeal shall be prosecuted and perfected in the same manner as appeals are now taken from the action of the auditor of public accounts in the disallowance of claims. The court shall hear the appeal de novo as in equity and without a jury and shall render judgment and apportion costs as may be equitable. The decision of the director of banking shall remain in full force until reversed by final judgment of the court unless the operation of said order shall be suspended pending said appeal upon proper order of the court. In such appeal, the record, transcript, evidence, findings and order of the director of banking shall be admissible as evidence, and the burden of proof as to the findings of the director of banking shall be upon the party bringing the action. Subdivision 7. The director of banking shall, upon ten days' notice to the licensee stating the contemplated action and in general the grounds therefor, and upon reasonable opportunity to be heard, order any licensee to desist from any practice which he shall find does not conform to the requirements set forth in this act or in legislative bill No. 282, fifty-fifth session, Nebraska state legislature, 1941, or the lawful rules and regulations of the director of banking thereunder."

3. Amend the general file amendments, mimeographed, dated May 5, 1941, Kotouc, page 2, amendment 1, section 1, line 55, by inserting after the word "act" therein the following:

"or of the provisions of legislative bill No. 282, fifty-fifth session, Nebraska state legilature, 1941, or any rule or regulation lawfully made by the director of banking under and within the authority of this act; or if the licensee has failed to pay the original license fee, or the annual renewal license fee, or to maintain in effect the required bond; or if any fact or condition exists which, if it had existed at the time of the original application for such license, clearly would have warranted the director of banking in refusing originally to issue such license".

4. Amend the general file amendments, mimeographed, Kotouc, May 5, 1941, page 3, amendment 1, section 3, line 7 by inserting after the stricken word, and new punctuation "and." therein, the following:

"The director of banking, through his agents in the department of banking, is hereby empowered to inspect and investigate the business, record and accounts of all persons in the public business of lending money contrary to the provisions of this act, and who fail or neglect to obtain a license to engage in the business of lending money as required by this act."

5. Amend the general file amendments, mimeographed, dated May 5, 1941, Kotouc, page 2, amendment 1, Section 2, line 17, by inserting after the word "any" therein the following: "written" and page 4, Section 3, line 32 strike "my" and insert "any" in lieu thereof.

The Kotouc General File amendments, found in the Legislative Journal for the Eighty-fifth Day, were adopted as amended.

Laid over. Retains place on File.

Member Excused

Ernest A. Adams was excused for several days.

Recess

At 11:49 a. m. on motion by Mr. Reed the Legilature recessed until 2:30 p. m.

After Recess

The Legislature reconvened at 2:30 p. m. President Johnson presiding.

The roll was called and all members were present except Ernest A. Adams, Mr. Price and Amos Thomas, who were excused.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 332. Mr. Norman offered the following amendment, which was adopted:

Amend the bill, page 1, title, line 2 by striking the word "establish" therein and by inserting in lieu thereof the following: "provide that there may be established".

Referred to E and R for review.

LEGISLATIVE BILL NO. 504. Read and considered.

John Adams, Jr. offered the following amendments:

1. Strike all of the bill after the enacting clause and substitute in lieu thereof the following:

"Section 1. No labor organization of any kind, agency or representative committee or plan, in which employees participate and which exist for the purpose, in whole or in part, of dealing with

employers concerning grievances, labor disputes, wages, rates of pay, hours of employment or any other conditions of work, shall be the representative unit for the purpose of collective bargaining in the state of Nebraska in any of the trades, crafts, skilled and unskilled, work, labor or employment of any kind or capacity, if such labor organization in any manner discriminates against, or bars or excludes from its membership any person because of his race or color: **Provided,** that the provisions of this act shall not apply to labor organizations within the provisions of 48 U. S. Statutes 1186 and 49 U. S. Statutes 1189, title 45, section 151 to 188, both inclusive.".

2. Strike all of the title to the bill after the word "ACT" on page 1, line 2 thereof and substitute in lieu thereof the following: "relating to labor; to prohibit any labor organization from being the representative unit of employees for the purpose of collective bargaining with any employer, if such labor organization discriminates against or excludes from its membership any person because of his race or color.".

No action was taken thereon. Laid over. Retains place on File.

LEGISLATIVE BILL NO. 478. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Forty-eighth Day, were adopted.

Mr. Greenamyre offered the following amendment, which was adopted with 12 ayes, 10 nays, 21 not voting:

Amend the Standing Committee amendments to L. B. No. 478, line 1, strike the word "and" after the word "schools" and insert in lieu thereof the following: "including not to exceed one and one-half mills".

Mr. Hanna moved to indefinitely postpone.

A call of the House was ordered.

Mr. Garber changed his vote from aye to nay and moved to raise the call.

The motion prevailed with 24 ayes, no nays, 19 not voting.

Mr. Hanna's motion was lost with 13 ayes, 15 nays, 15 not voting.

Mr. Callan moved to refer to E and R for review.

The motion prevailed with 15 ayes, 7 nays, 21 not voting.

Referred to E and R for review.

LEGISLATIVE BILL NO. 265. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Forty-sixth Day, were adopted.

Mr. Mueller offered the following amendment, which was adopted:

Amend Sec. 4, page 3, line 5, after the word "bank" insert "or invested in Postal Savings in name of the ward".

Mr. Sullivan moved to indefinitely postpone.

The motion was lost with 15 ayes, 19 nays, 9 not voting.

Mr. Raecke offered the following amendments, which were adopted:

1. Amend the bill, page 2, section 1, line 3 by striking the word "five" after the word "than" and inserting in lieu thereof the word "one".

2. Amend the bill, page 3, section 4, line 2 by striking the word "five" after the word "than" and inserting in lieu thereof the word "one".

3. Amend the standing committee amendment No. 1, March 12, line 4, by striking the words "two hundred fifty" and inserting in lieu thereof the words "one hundred".

4. Amend the standing committee amendment No. 3, March 12, line 3, by striking the words "two hundred fifty" and inserting in lieu thereof the words "one hundred".

5. Amend the bill, page 3, section 5, line 3 by striking the word "five" at the beginning of the line and inserting in lieu thereof the word "one".

6. Amend the bill, page 1, title, line 9 by striking the word "five" after the word "than" and inserting in lieu thereof the word "one".

Mr. Crosby offered the following amendment, which was adopted:

Amend L. B. No. 265 by striking Sections 1, 2 and 3.

Referred to E and R for review.

Member Excused

Mr. Gantz was excused for the remainder of the afternoon and for Tuesday, May 13, 1941.

LEGISLATIVE BILL NO. 349. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Sixty-seventh Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 340. Read and considered.

Referred to E and R for review.

Speaker Howard presiding

LEGISLATIVE BILL NO. 353. Read and considered.

Referred to E and R for review.

Communication—Secretary of State

Investigation and Audit

May 12, 1941

Members of the Legislature
Senator R. M. Howard
Nebraska State Legislature

Dear Senator Howard:

It is my desire, as the present Secretary of State that the Legislature make available an appropriation to make an investigation and audit of the books and records of the Secretary of State's office from May 31, 1938 to January 9, 1941.

The reason for this request is that it appears that the Legislature should make a special effort to have a complete audit made of the books and records from May 31, 1938 to January 1941.

The present State Auditor was requested to make an audit of this office prior to January ninth and while an audit has been in the process for the last four months, I am satisfied that the present auditor does not have sufficient funds or time to make a detailed audit, as is necessary to meet the requirements. Of recent date information has reached this office to the effect that there are those who wish the filing of an audit of this office to be withheld until a later date.

To carry out the intention of the law and to make a complete detailed audit of the books and records of this office, I request that

the Legislature appoint a committee to investigate and make such an audit.

Very truly yours,

(Signed) Frank Marsh
Secretary of State

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 192. Correctly enrolled.

LEGISLATIVE BILL NO. 470. Correctly re-engrossed.

(Signed) Crosby, Chairman

Speaker Signs

While the Legislature was in session and capable of transacting business, the Speaker signed:

Legislative Bill No. 192

Adjournment

At 4:40 p. m. on motion by Mr. Reed the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

NINETY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, May 13, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Ernest A. Adams, Gantz and Amos Thomas, who were excused, and except Mr. Price, who was excused until 11:00 a. m.

The Journal for the Ninetieth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions:

Mr. Thornton, one, favoring a tax exemption for gasoline used in farm motors; all members, one, regarding interest rates; all members, one, regarding L. B. No. 504.

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 28. National Defense Projects

Mr. Howard moved that the resolution be adopted.

The motion prevailed with 31 ayes, no nays, 12 not voting.

BILLS ON THIRD READING

LEGISLATIVE BILL NO. 426. Passed over.

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 500. With emergency clause.

A bill for an Act relating to vital statistics; to provide for the issuance of birth certificates for adopted children upon the petition of an adoptive parent or of the adopted child; to define the duties of county judges and the director of health for the department of health in connection therewith; to establish procedure therefor; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Adams, J. Jr.	Crossland	Metzger	Reed
Asimus	Greenamyre	Mischke	Sorrell
Bevins	Howard	Mueller	Sullivan
Blome	Jeppesen	Murphy	Thomas, Ray
Bowman	Johnson	Neubauer	Thornton
Brodahl	Knezacek	Norman	Tvrdik
Callan	Kotouc	Peterson	Van Diest
Carmody	Lambert	Raecke	Weborg
Crosby	Matzke		

Voting in the negative, 0.

Not voting, 9:

Adams, E. A	Garber	Price
Carlson	Hanna	Rakow
Gantz	Mekota	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 509. With emergency clause.

A bill for an Act to make appropriations for the payment of claims filed against the state of Nebraska in the office of the auditor of public accounts, not heretofore paid, and for which no appropriation has been made; to make appropriations for the payment of miscellaneous claims presented to the legislature for which no appropriations have been made; to provide the manner in which certain moneys so appropriated shall be paid and expended; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Asimus	Crossland	Mischke	Reed
Bevins	Greenamyre	Mueller	Sorrell
Blome	Hanna	Murphy	Sullivan
Bowman	Jeppesen	Neubauer	Thomas, Ray
Brodahl	Johnson	Norman	Thornton
Callan	Knezacek	Peterson	Tvrdik
Carlson	Lambert	Raecke	Van Diest
Carmody	Mekota	Rakow	Weborg
Crosby	Metzger		

Voting in the negative, 0.

Not voting, 9:

Adams, E. A	Gantz	Howard	Matzke
Adams, J. Jr.	Garber	Kotouc	Price
			Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 464. Mr. Crosby asked that the bill be laid over.

Objection was raised by Mr. Mischke.

Mr. Crosby moved to recommit to Select File for the following Specific amendments:

1. Amend the bill, page 3, section 2, line 3 by inserting after the section symbol and punctuation "3-216." the following: **Subdivision 1.".**

2. Amend the bill, page 4, section 2, line 50 by inserting immediately after the word and punctuation "**provided.**" therein the following:

"Subdivision 2. Motor vehicle fuel used by the United States of America in connection with the construction of a federal fort, airport, manufacturing plant or assembly plant for the construction or assembly of military equipment for the manufacture of explosives, arms or munitions is hereby classified as "aircraft fuel", and the proper agency of the United States of America is hereby declared to be entitled to reimbursement for motor vehicle fuel tax paid in the same manner as claimants to reimbursement for "aircraft fuel" are reimbursed as authorized in subdivision 1 of this section: Provided, the United States of America shall be reimbursed in the amount of

four cents per gallon of the tax so paid, and one cent per gallon of the tax imposed shall be credited to the state assistance fund.".

3. Amend the bill, page 4, by inserting immediately after line 2, section 3 thereon a new section as follows:

"Sec. 4. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.".

4. Amend the bill, page 1, title, line 6 by inserting immediately after the word and punctuation "moneys;" therein the following:

"to provide that the United States of America when it uses motor vehicle fuel in connection with the construction of a federal fort, airport, manufacturing plant or assembly plant for the construction or assembly of military equipment for the manufacture of explosives, arms or munitions shall be entitled to reimbursement to the amount of four cents so paid;".

5. Amend the bill, page 1, title, line 8 by striking the conjunction "and" therein and by inserting after the word "sections" in said line 8 the following:

"; and to declare an emergency".

Mr. Mekota presiding

The motion prevailed with 19 ayes, 9 nays, 15 not voting.

SELECT FILE

LEGISLATIVE BILL NO. 464. Mr. Mischke asked unanimous consent to introduce a new bill.

Objection was raised by Mr. Callan.

Mr. Crosby asked to have L. B. No. 464 laid over.

Mr. Mischke objected.

Mr. Crosby moved to reconsider action on recommitting the bill to Select File.

The motion prevailed with 29 ayes, no nays, 14 not voting.

Mr. Crosby asked unanimous consent to withdraw his Specific amendments, found in this Day's Journal.

No objection was offered and the President so declared.

Placed on Third Reading File.

BILLS ON THIRD READING (Continued)

LEGISLATIVE BILL NO. 464. Unanimous consent was granted to lay the bill over.

LEGISLATIVE BILL NO. 426. Mr. Van Diest moved to refer the bill to Select File for the following Specific amendment:

Strike the 4th and 5th paragraphs of the preamble.

The motion prevailed.

Placed on Select File.

GENERAL FILE

Special Order—11:00 a. m.

LEGISLATIVE BILL NO. 482. Messrs. Mischke and Rakow offered the following amendments and moved their adoption:

1. Amend the bill, by striking amendment 1, general file amendments, mimeographed, Asimus, dated May 6, 1941, pages 1 to 4 inclusive, then strike all of the text of said bill after the enacting clause and insert in lieu thereof the following:

"Section 1. The owner of any commercial motor vehicle, as defined by the laws of the state of Nebraska, registered in Nebraska, and the owner of any commercial motor vehicle not registered in Nebraska which, if registered in this state, would be required to be registered as a commercial motor vehicle, in addition to all other fees imposed by the statutes of Nebraska, if said owner is not paying gasoline tax or motor equalization fees on fuel used in said commercial motor vehicle, shall pay to the state of Nebraska a compensating fee for the use of the highways of this state in the following amount: one mill per ton-mile for each vehicle operated on the highways of this state, computed as follows: viz., for commercial motor vehicles registered in the state of Nebraska, sixty percent of the licensed capacity of such vehicle, plus the net weight of such vehicle, times the number of miles operated on the highways of the state of Nebraska; for trucks not registered in the state of Nebraska which, if registered under the laws of this state, would be required to be registered as a commercial motor vehicle, as defined by the laws of this state, the compensating fee shall be determined by the actual weight of the vehicle, plus the weight of the load hauled by such vehicle, times the mileage operated in the state of Nebraska.

Sec. 2. The department of roads and irrigation shall have charge of and be responsible for the enforcement of this act, and the employees of the department of agriculture and inspection at the ports of entry in the state of Nebraska and the highway safety patrol are hereby required to cooperate with such department of roads and irrigation, under its supervision, in the enforcement of this act and collection of the fees provided herein. Such fees, when collected, shall be remitted by the department of roads and irrigation to the state treasurer as required by him and, when so received by him, said moneys shall be allocated and distributed in the same manner and in the same proportions that the revenues, arising from the motor vehicle fuel tax imposed by the laws of this state, are allocated and distributed, except that no portion thereof shall be allocated to or used for any purpose other than the construction, repair and maintenance of the public highways of this state. The department of roads and irrigation is authorized and directed to make and promulgate all necessary rules and regulations for the enforcement of this act and collection of said fees, including the forms of receipts and identification markers showing payment thereof and including the times when such fees shall be paid, and may require their payment in advance.

Sec. 3. In addition to such rules, regulations and reports required by the department of roads and irrigation, the department may, when, in its judgment, it is necessary for proper collection of such fees, require the owner of any commercial motor vehicle to file such bonds in advance as will, in its judgment, protect the collection of the fees imposed upon such owner as provided herein.

Sec. 4. Any person, firm or corporation owning or operating a motor vehicle within the provisions of this act, on highways of this state without payment of such ton-mile tax upon said vehicle or complying with the rules and regulations promulgated by the department of roads and irrigation for the collection, reporting or payment thereof shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not less than ten dollars nor more than one hundred dollars for each offense; and if the offender so violating be an individual he may be punished by imprisonment in the county jail not exceeding thirty days or by both such fine and imprisonment.".

2. Amend the bill, by striking amendment 2, general file amendments, mimeographed, Asimus, dated May 6, 1941, page 5, then strike all of the title of said bill after the word "ACT" in line 2 therein and insert in lieu thereof the following: "to impose compensating fees in the form of a ton-mile tax for the use of the highways of the state of Nebraska by commercial motor vehicles, as defined by the laws of this state, in addition to all other fees now imposed upon

such vehicles if the owner of any commercial motor vehicle is not paying gasoline tax or equalization fees on fuel used in such vehicle; to provide that the department of roads and irrigation shall collect such fees and shall make rules, regulations, require bonds or security for the payment thereof; and to provide for the allocation of the revenues arising therefrom; and to provide penalties for the violation thereof.".

Mr. Blome moved to strike the enacting clause.

The motion was lost with 9 ayes, 16 nays, 18 not voting.

A call of the House was ordered on the adoption of the Mischke-Rakow amendments.

Mr. Lambert moved to raise the call.

The motion prevailed with 22 ayes, 2 nays, 19 not voting.

Vote was taken thereon and the Mischke-Rakow amendments were adopted with 17 ayes, 16 nays, 10 not voting.

Mr. Mueller moved to indefinitely postpone.

The motion was lost with 15 ayes, 21 nays, 7 not voting.

Mr. Asimus requested unanimous consent to withdraw his name as an introducer.

Mr. Mischke objected thereto.

Mr. Mischke moved to refer to E and R for review.

A call of the House was ordered.

Mr. Neubauer moved to raise the call.

The motion was lost with 20 ayes, 5 nays, 18 not voting.

Mr. Mischke changed his vote from aye to nay and moved to raise the call.

The motion prevailed with 25 ayes, 1 nay, 17 not voting.

Mr. Mischke change his vote from nay to aye.

The Chair announced 18 ayes, 18 nays, 7 not voting on motion to refer to E and R.

The President voted aye and the bill was referred to E and R for review.

Recess

At 12:00 m. on motion by Mr. Mueller the Legislature recessed until 2:00 p. m.

After Recess

The Legislature reconvened at 2:00 p. m. President Johnson presiding.

The roll was called and all members were present except Messrs. Ernest A. Adams, Gantz, Price and Amos Thomas, who were excused.

President Signs

While the Legislature was in session and capable of transacting business, the President signed

Legislative Resolution No. 27.

SELECT FILE (Continued)

LEGISLATIVE BILL NO. 426. Mr. Van Diest's amendment, found in this Day's Journal, was adopted.

Referred to E and R for engrossment.

REQUEST—To Consider Bills on General File

Mr. Blome asked that bills on General File be taken up for consideration.

Objection was offered by Mr. Johnson.

SELECT FILE (Continued)

LEGISLATIVE BILL NO. 214. E and R amendments, found in the Legislative Journal for the Ninetieth Day, were adopted.

Referred to E and R for engrossment.

REQUEST—To Consider Bills on General File

Mr. Johnson asked unanimous consent to consider bills on General File.

No objection was offered and the President so ordered.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 282. Mr. Blome's amendments, found in the Legislative Journal for the Eighty-ninth Day, were withdrawn by unanimous consent.

No further action was taken thereon.

LEGISLATIVE BILL NO. 339. Passed over.

LEGISLATIVE BILL NO. 504. The amendments of John Adams, Jr., found in the Legislative Journal for the Ninetieth Day, were adopted.

Unanimous consent was granted to add the name of John Adams, Jr., as an introducer.

Mr. Garber moved to refer the bill to Committee on Labor and Public Welfare for further consideration.

The motion was lost.

Referred to E and R for review.

Speaker Howard presiding

LEGISLATIVE BILL NO. 282. Mr. Mekota offered the following amendments:

1. Strike all of legislative bill No. 282, with all amendments adopted thereto, after the enacting clause and substitute in lieu thereof the following:

"Section 1. The word **"person"**, when used in this act, means individuals, copartnerships, associations, banks, trust companies, trusts, corporations and all other legal entities. The word **"department"**, when used in this act, means the department of banking of the state of Nebraska. The word **"license"**, when used in this act, means permit. It is not the intention of the legislature that any revenue arising hereunder shall inure to any school fund of the state of Nebraska or any of its governmental subdivisions.

Sec. 2. That Section 45-101, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

45-101. Any rate of interest which may be agreed upon, not exceeding ten **nine** dollars per year upon one hundred dollars, shall be valid upon any loan or forbearance of money, goods, or things in

action; which rate of interest so agreed upon may be taken yearly, or for any shorter period, or in advance, if so expressly agreed: **Provided, the limitation on the rate of interest herein fixed, shall not apply to loans made by licensed moneylenders that operate under the provisions of legislative bill No. 282, fifty-fifth session, Nebraska state legislature, 1941.**

Sec. 3. That Sec. 45-102, C. S. Supp., 1939, be amended to read as follows:

45-102. Interest upon the loan or forbearance of money, goods, or things in action shall be at the rate of six dollars per year upon one hundred dollars, unless a greater rate, not exceeding nine per cent per annum, be contracted for by the parties: **Provided, the limitations on the rate of interest herein fixed, shall not apply to loans made by licensed moneylenders that operate under the provisions of legislative bill No. 282, fifty-fifth session Nebraska state legislature, 1941.**

Sec. 4. It shall be unlawful for any person to engage or continue in the business of making loans or to make a loan on plain, endorsed or guaranteed notes or due bills, or otherwise, or upon the mortgage or pledge of chattels or real or personal property of any kind, or of purchasing or making loans on salaries or wage earnings or of furnishing guaranty or security in connection with any loan or purchase at a greater rate of interest, discount or consideration than nine per centum per year: **Provided,** that any person may after procuring a license from the department engage or continue in the business of making loans of money and charge, contract for and receive the maximum for interest and other charges in accordance with the authorization and requirements of this act; **and provided further,** that no person, firm, partnership, association or corporation within this state shall be exempt from the operation of the usury law of this state except such as hold a license as provided in this act, and make loans of money strictly in accordance with all of the provisions of this act.

Sec. 5. **Subdivision 1.** Any person, who desires to obtain an original license to engage in the business of lending money under the terms and conditions of this act, shall apply therefor under oath, on forms prescribed by the department, to the department and shall pay an original license fee in the sum of one hundred dollars, and, if the application is approved, a license as herein provided shall be issued. **Subdivision 2.** Every person who has a license under Section 45-112 to 45-123, both inclusive, Compiled Statutes of Nebraska, 1929, and under Secs. 45-124 to 45-127, both inclusive, C. S. Supp., 1939, in force when this act becomes effective, shall be considered to have a license under this act until March 1, 1942 unless sooner revoked. Every such licensee shall, however, pay to the department,

within thirty days after the effective date of this act, the sum of one hundred dollars as an initial investigation fee. **Subdivision 3.** The department shall before March 1, 1942 investigate all licensees under said prior act and shall renew as of that date only the licenses of those applicants who meet the qualifications set forth in this act. Not more than one place of business shall be maintained under the same license, but more than one license may be issued to the same licensee upon compliance with all of the provisions of the law governing the issuance of an original license, for each such new license.

Sec. 6. For the annual renewal of an original license to lend money under the provisions of this act, the fee shall be fifty dollars: **Provided,** no publication of the notice of filing application for the annual renewal license shall be required as in the case of filing an application for an original license. The money paid under the terms of this act to the department for original licenses, for renewal licenses, for investigation fees, for examination fees or from any other source shall be credited to and kept in the **"loan act fund"**, established under section 27 of this act.

Sec. 7. No license shall be granted to any person unless and until such applicant therefor shall file with the department a designation in writing that appoints the county clerk of the county where the business of applicant is to be conducted, to act as applicant's agent, upon whom all judicial and other process or legal notices directed to such applicant may be served; and service upon the agent, so designated, shall be equivalent to personal service on the applicant or licensee.

Sec. 8. The department may revoke any license so issued, if the licensee shall knowingly violate any of the provisions of this act or any rule or regulation lawfully made by the department under and within the authority of this act; or if the licensee has failed to pay the original license fee, or the annual renewal license fee, or to maintain in effect the required bond; or if any fact or condition exists which, if it had existed at the time of the original application for such license, clearly would have warranted the department in refusing originally to issue such license. Whenever, for any cause, such license is revoked, the department shall not issue another license to the licensee, unless the department is otherwise ordered by a court of competent jurisdiction to do so. The department shall revoke no license issued hereunder unless it shall first serve upon the licensee a written notice which states in general the grounds therefor, together with the time and place of hearing which shall not be less than ten days from the giving of such notice to licensee by registered mail. If the department shall revoke or suspend a license issued pursuant to this act, after such notice and hearing, or deny an ap-

plication for license, it shall forthwith enter an order to that effect. At the request of the party aggrieved, the department shall prepare a written record which shall include a transcript of the evidence, the findings with respect thereto, the order, and the reasons supporting the revocation or suspension, or denial of license and shall deliver to the licensee a copy thereof in person or by registered mail.

Sec. 9. In addition to any other remedy he may have, any licensee and any person considering himself aggrieved by any action of the department hereunder may, within thirty days from the entry of the order complained of, take an appeal to the district court of Lancaster county, Nebraska, by serving upon the director of banking a written notice of such appeal and a demand in wrtiing for a certified transcript of all the papers on file in his office affecting or relating to such order and the payment of the fee therefor; and said appeal shall be prosecuted and perfected in the same manner as appeals are now taken from the action of the auditor of public accounts in the disallowance of claims. The court shall hear the appeal de novo as in equtiy and without a jury and shall render judgment and apportion costs as may be equitable. The decision of the department shall remain in full force until reversed by final judgment of the court unless the operation of said order shall be suspended pending said appeal upon proper order of the court. In such appeal, the record, transcript, evidence, findings and order of the director of banking shall be admissible as evidence, and the burden of proof to reverse the findings of the department shall be upon the party taking the appeal.

Sec. 10. The department shall, upon ten days' notice to the licensee stating the contemplated action and in general the grounds therefor, and upon reasonable opportunity to be heard, order any licensee to desist from any practice which it shall find does not conform to the requirements set forth in this act, or the lawful rules and regulations of the department thereunder.

Sec. 11. Every application for an original license under this act, shall be filed not less than thirty days prior to the date of hearing thereon. Notice of the filing of the application shall be published by the department three successive weeks in a legal newspaper published in or of general circulation in the county where the applicant proposes to operate the business of lending money. The expense of the publication shall be paid by the applicant. Written protest against the issuance of the license may be filed with the department by any person not less than five days before the date set for hearing. The department in its discretion may grant a continuance. The director of banking shall have the power to reject any application for license after hearing. The director of banking shall, within his discretion, make examination and inspection concerning the propriety of the is-

suance of a license to any applicant. The cost of such examination and inspection shall be borne by the applicant.

Sec. 12. Upon the filing of such application, the payment of the licensee fee and the approval of the required bond, the director of banking shall investigate the facts, and, if he shall find (a) that the experience, character and general fitness of the applicant, and of the members thereof if the applicant be a copartnership or association, and of the officers and directors thereof if the applicant be a corporation, are such as to warrant belief that the business will be operated honestly, fairly, and efficiently within the purposes of this act, and (b) that allowing such applicant to engage in business will promote the convenience and advantage of the community in which the business of the applicant is to be conducted, the department shall issue and deliver an original license to the applicant to make loans at the location specified in said application, in accordance with the provisions of this act, which license shall remain in full force and effect until March first next thereafter and from year to year thereafter, if and when renewed, under the provisions of this act, until it is surrendered by the licensee or revoked as hereinafter provided. The department shall approve or deny every application for license hereunder within sixty days from the filing thereof, if such filing is accompanied by the required fees and the approved bond.

Sec. 13. The payment in money, credit, goods, or things in action, as consideration for any sale or assignment of, or order for, the payment of wages, salary, commission or other compensation for services, whether earned or to be earned, shall, for the purposes of regulation under this act, be deemed a loan secured by such assignment, and the amount by which the assigned compensation exceeds the amount of the consideration actually paid, shall, for the purposes of regulation under this act, be deemed interest or charges upon the loan from the date of payment to the date the compensation is payable. Such transaction shall be governed by and be subject to the provisions of this act.

Sec. 14. Any person, firm or individual members thereof, partnership or individual members thereof, association or individual members thereof, or corporation or officers thereof who by any devise, subterfuge or pretense whatsoever shall engage in or continue any of the kinds of business or enterprise mentioned in this section without having obtained the license herein required with intent to evade the provisions of this act shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in any sum not less than one hundred dollars or not more than one thousand dollars, or shall be imprisoned in the county jail for not less than ninety days or not more than one year, or both. Violation of this section in connection with any indebtedness, however acquired, shall render such indebtedness void and uncollectible.

Sec. 15. Any licensee hereunder may contract for, collect, or receive interest or charges, upon any loan, which loan may be repayable in installments as may be agreed upon between the parties, not in excess of the following: (a) Interest at the rate of ten per cent per annum, computed on unpaid balances of the loan: Provided, such interest shall not be paid, deducted, or received in advance. (b) A service charge of one-tenth of the amount received and retained by the borrower, which service charge shall not be paid, received or deducted in advance, but may be made payable in pro rata installments together with the regular payments on the loan, and which service charge shall be deemed to have been earned in full at the expiration of twelve months from the date of such loan, and which shall be pro rated if the loan is paid or renewed within said twelve month period. Said service charge shall be deemed to be earned one-twelfth each month: **Provided,** a service charge shall not be contracted for, charged, collected or received more than once in any twelve month period on any renewal, extension or transfer of any loan unless the service charge of said loan which is being renewed, extended or transferred, is pro rated according to the period of the loan and the charge for any unexpired period is credited to the borrower; **and provided further,** that where loans are made for a period of less than twelve months, the service charge shall be pro rated according to the period for which said loan is made. In the event that a loan is made for a longer period than twelve months, an additional service charge may be made at the end of twelve months on the unpaid balance, in the same manner and at the same rate as though a new loan was being made.

Sec. 16. It shall not be lawful for any lender to divide or split up applications for loans or to divide or split up loans under any pretext whatsoever, so as to require or exact any other or greater charges than prescribed herein. A licensee hereunder shall not be entitled to any charge whatsoever unless a loan is actualy made. If interest or charges for any loan in excess of those hereinbefore prescribed shall be contracted for, collected or received by any licensee, the said licensee shall thereupon lose all of his right to collect or receive any sum whatsoever on said indebtedness.

Sec. 17. Notwithstanding the provisions of section 16, legislative bill No. 282, fifty-fifth session, Nebraska state legislature, 1941, a licensee may require a borrower to insure tangible personal property of a kind usually requiring insurance protection when offered as security for a loan under this act against any substantial risk of loss, damage, or destruction, for an amount and term and upon conditions which are reasonable and appropriate considering the nature of the property and the amount, maturity and other circumstances of the loan, and the licensee may be protected by a mortgage clause as the licensee's interest may appear. No other insurance shall be re-

quired as a condition precedent to the making of a loan. The premium on the personal property insurance shall not exceed the premium fixed pursuant to law or by current applicable manual of a recognized standard insurance rating bureau. The licensee shall not require the purchasing of insurance from the licensee as a condition precedent to the making of the loan and shall not decline existing insurance where such existing insurance is provided by an insurance company duly licensed by this state. The licensee shall, at the time the loan is made, give to the borrower, or if more than one, to one of them a statement concerning any insurance procured by or through the licensee, which shall include the amount of any premium which the borrower has paid or is obligated to pay, the amount, the expiration date of the policy, and a concise description of the risks insured If a borrower procures insurance by or through a licensee, the licensee shall deliver to the borrower within fifteen days after the making of the loan an executed copy of the insurance policy or certificate of insurance.

Sec. 18. No such person, firm, partnership, corporation or association so licensed shall receive any chattel mortgage or assignment of salary or wages signed in blank but all blank spaces shall be filled in with ink or typewritten or printed with the proper names and amounts showing the name of the person, firm, partnership, corporation or association by whom the person making the conveyance or assignment is employed. No assignment or order for wages shall be valid which contains an amount in excess of the sum borrowed together with the interest and charges as provided herein. No licensee shall take a power of attorney or any instrument signed by an attorney-in-fact and not personally, or any instrument signed in which blanks are left to be filled after execution. No assignment of or order for wages to secure a loan or advancement shall be valid when made by a married man or woman unless the written consent of the wife or husband to the making of said loan is attached thereto. Every person, firm, partnership, corporation or association licensed as herein provided shall, at the time any loan is made, give to the borrower, or if there are two or more borrowers to one of them a copy of the note or other evidence of indebtedness. The licensee shall give to the borrower a receipt for each payment on principal or charges, and such receipt shall specify the amount applied to each principal, interest and service charge.

Sec. 19. Every licensee shall permit payment to be made in advance in any amount on any contract of loan at any time, but the licensee may apply such payment first to all charges in full at the agreed rate up to the date of such payment. No licensee shall enter into any contract of loan under this act under which the borrower agrees to make any payment of principal more than twenty-one months from the date of making such contract on loans of three hundred dollars

or less, or more than twenty-five months from the date of making such contract on loans in excess of three hundred dollars, and every such contract shall provide for repayment of the amount lent in substantially equal installments, either of principal or of principal and charges in the aggregate, at approximately equal periodic intervals of time: **Provided,** that charges may be received at the rate contracted for in the loan contract until the loan is fully paid.

Sec. 20. No licensee shall use or take any form of note or other evidence of indebtedness which has not been filed with and approved by the department. Every such form shall contain a legend as follows:

'The amount received and retained by the borrower is $..... The total charges hereon, if the note is paid according to its terms, are: Interest $..... computed at ..... per cent per annum on unpaid balances. Service charge $....., computed at..... per cent of the amount received and retained by the borrower.

Total of all charges $..... This note may be paid at any time before maturity by payment of the unpaid principal, interest to date of payment and service charge pro rated to date of payment.'

The note shall contain such other provisions, not inconsistent with this act, as may be required by the rules and regulations of the department.

Sec. 21. No licensee or other person, firm, partnership, association or corporation subject to this act shall advertise, print, display, publish, distribute or broadcast or cause or permit to be advertised, printed, displayed, published, distributed or broadcast, in any manner whatsoever any statement or representation with regard to the rates, terms, or conditions for the lending of money, credit, goods or things in action which is false, misleading or deceptive. The department may order any licensee to desist from any conduct which he shall find to be a violation of the foregoing provisions. The department may require that rates of charge, if stated by a licensee, be stated fully and clearly in such manner as he may deem necessary to prevent misunderstanding thereof by prospective borrowers.

Sec. 22. No licensee shall take a lien upon real estate as security for any loan made under this act, except such lien as is created by law upon the recording of a judgment.

Sec. 23. No license shall conduct the business of making loans under this act within any office, room or place of business in which any other business is solicited or engaged in, or in association or conjunction therewith, except as may be authorized in writing by the

director of banking for the department upon his finding that the character of such other business is such that the granting of such authority would not facilitate evasions of this act or of the rules and regulations lawfully made hereunder: **Provided,** that banks, trust companies, savings banks and building and loan associations may become licensees hereunder and make loans upon the terms and security prescribed in this act, from their usual places of business.

Sec. 24. The department is hereby authorized and empowered to make such general rules and regulations and specific rulings, demands and findings as may be necessary for the proper conduct of the business licensed under this act and the enforcement of this act in addition hereto and not inconsistent herewith.

Sec. 25. Immediately upon the taking effect of this act, all records, accounts, books, documents, proceeds and assets in the possession of or under the control of the secretary of state used or useful in the administration or enforcement of the provisions of the statutes repealed by this act shall be delivered to and taken possession of by the director of banking for the department of banking for his uses and purposes in administering and enforcing the act. All duties heretofore enjoined upon or exercised by the secretary of state with respect to the statutes relating to interest and chattel loans, not specifically terminated by this act shall be performed by the director of banking; and all title, contracts, agreements, actions or causes of action owned or held by the secretary of state arising out of the sections of the statutes hereby repealed or pertaining to interest or chattel loans, are hereby transferred to and invested in the director of banking for the department of banking, state of Nebraska, which is hereby made and constituted successor to said secretary of state with reference to the administration of the laws pertaining to interest and chattel loans. All such actions pending in the name of or against the secretary of state shall be continued in the name of the director of banking, department of banking, state of Nebraska.

Sec. 26. **Subdivision 1.** The department is hereby charged with the duty of inspecting the business, records and accounts of all persons that lend money subject to the provisions of this act. The department is hereby empowered to inspect and investigate the business, records and accounts of all persons in the public business of lending money contrary to the provisions of this act, and who do not have a license under this act. The director of banking is hereby empowered to appoint examiners who shall, under his direction, investigate the loans and business and examine the books and records of licensees semiannually, and more often when the director of banking shall so determine. The expenses of the department of banking, incurred in the examination of the books and records of licensees under this act

and fully to administer the provisions of the law during each calendar year, shall be charged semiannually to each licensee by the department as soon as reasonably possible after June thirtieth and December thirty-first of each year, in proportion to the number of days required to examine and supervise the books and records of the respective licensees. **Subdivision 2.** Each licensee shall annually on or before the fifteenth day of February of each year file with the department a report of its earnings and operations for the preceding calendar year and its assets and liabilities at the end of said year and giving such other relevant information as the department may reasonbly require. Such report shall be made under oath and shall be in the form prescribed by the department.

Sec. 27. All original license fees and annual renewal fees shall be collected by the department and deposited with the state treasurer in and shall be credited to the **"loan act fund"**, department of banking, state of Nebraska, which, during any biennium, shall be used exclusively for the administration and enforcement of this act, if and when specifically appropriated by the legislature for that purpose. All investigation and examination fees, collected by or paid to the department of banking under any of the provisions of this act, shall likewise be deposited and credited to the **"loan act fund"** and shall be available for the uses and purposes of said fund.

Sec. 28. Any person, firm, partnership, corporation or association or officer or employee thereof violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than one hundred dollars nor more than one thousand dollars or shall be imprisoned in the county jail for not less than thirty days nor more than six months, or both. Any contract of loan, in the making or collection of which any act is done which constitutes a misdemeanor under this section, shall be void and the lender shall have no right to collect or receive any principal, interest, or charges whatsoever.

Sec. 29. Any person convicted of making a false statement to secure a loan shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall pay a fine of not more than twenty-five dollars or shall be imprisoned in the county jail not exceeding ten days: **Provided,** such punishment shall not be exacted where such a loan is made after the money lender is aware of the falsity of the statement.

Sec. 30. That Sec. 45-124, C. S. Supp., 1939, be amended to read as follows:

45-124. Any person, firm, partnership, corporation, or association licensed to make chattel or other loans in this state, shall, in addition to the record required to be kept by them, as provided in

Section 45-118, Compiled Statutes of Nebraska, 1929 **legislative bill No. 282, fifty-fifth session, Nebraska state legislature, 1941,** if any secondhand **secondhand** goods, wares or merchandise or any personal property of any kind, is purchased by them, keep a book in which shall be legibly written in ink at the time of any such purchase, an accurate description in the English language of all goods, articles or personal property purchased, the amount paid therefor, and the name, residence and description of the person selling the same, which book, as well as the personal property purchased, shall be at all reasonable times, open to the inspection of any peace officer in the state of Nebraska.

Sec. 31. Such license shall not be issued until the licensee gives to the director of banking for the department of banking a bond in the penal sum of two thousand dollars to be executed by the licensee and a surety company approved by the director of banking for the department of banking, conditioned for the faithful performance by the licensee of the duties and obligations pertaining to the business of moneylending so licensed and the prompt payment of any judgment recovered against him, the licensee, or for which any one of the licensees may be liable under the provisions of this act. The required bond shall be renewed and refiled annually on or before March first of each year or the licensed person, firm, association or corporation shall, within thirty days thereafter, cease doing business, and his, their or its license shall be revoked by the director of banking: **Provided,** said bond, until renewed and refiled, shall remain in full force and effect.

Sec. 32. If any clause, sentence, paragraph or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this act but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Sec. 33. That said original Section 45-101, Compiled Statutes of Nebraska, 1929, is hereby repealed; that said original Secs. 45-102 and 45-124, C. S. Supp., 1939, are hereby repealed; and that Sections 45-112, 45-113, 45-114, 45-115, 45-116, 45-117, 45-118, 45-119, 45-120, 45-121, 45-122 and 45-123, Compiled Statutes of Nebraska, 1929, are hereby repealed: **Provided,** that this repeal shall in nowise affect any contract, right, claim, interest, title, action or liability which may have accrued, or in any order, judgment, decree, recognizance, instrument or proceeding made, entered or had to any of the provisions of the chapter repealed, nor shall this repeal in anywise affect any criminal prosecution or quasi-criminal prosecution heretofore commenced, or any fine, penalty, forfeiture or punishment for crimes, misdemeanors or offenses committed before the taking effect of this act, prosecution for which shall be carried on and continued in the

manner now provided by law, the same as if this repeal was not made.

Sec. 34. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.".

2. Amend the bill, page 1, title, by striking all of said title after the word "ACT" in line 2 therein and by inserting in lieu thereof the following:

"relating to the lending of money; to amend Section 45-101, Compiled Statutes of Nebraska, 1929; to amend Secs. 45-102 and 45-124, C. S. Supp., 1939; to define and regulate the business of making installment loans; to permit the licensing of persons engaged in such business; to authorize such licensees to make charges at a greater rate than lenders not licensed hereunder; to prescribe maximum rates of charge which licensees are permitted to make; to regulate assignment of wages or salaries, earned or to be earned, when given as security for any such loan or as consideration therefor; to provide for the administration of this act and for the issuance of regulations therefor; to require the making of annual reports by licensees to the director of banking; to authorize the making of examinations and investigations and the publication of reports thereof; to provide for a review of orders and other actions of the department of banking under this act; to prescribe penalties for the violation thereof; to repeal said original sections; to repeal Sections 45-112, 45-113, 45-114, 45-115, 45-116, 45-117, 45-118, 45-119, 45-120, 45-121- 45-122 and 45-123, Compiled Statutes of Nebraska, 1929; to state validity and saving clauses; and to declare an emergency.".

Mr. Lambert presiding

The above amendments were read, considered and adopted.

Mr. Neubauer offered the following amendments, which were adopted with 21 ayes, 9 nays, 13 not voting.

1. Amend the general file amendments, mimeographed, amendment 1, page 8, section 15, line 8 by inserting after the word "amount" and before the word "received" therein the following: "under one thousand dollars".

2. Amend the general file amendments, mimeographed, amendment 1, page 9, section 15, line 9 by striking the word "which" therein and by inserting in lieu thereof the following: "but no brokerage or service charge shall be made on any such amount in excess of one thousand dollars and such".

Member excused

Mr. Norman was excused for the remainder of the afternoon.

Mr. Rakow offered the following amendments, which were adopted:

Amend the Mekota amendment to L. B. No. 282, Section 23, page 13, line 9, by adding at the end of said line the following: "co-operative credit associations,".

And line 10, at the end of said line by adding the following: "as to members on the mutual plan".

Mr. Tvrdik offered the following amendment, which was adopted:

"To strike Sec. 22".

Mr. Carmody offered the following amendment:

Amend the General File amendments to L. B. No. 282 as mimeographed, page 8, section 15, line 5, strike the word "ten" and insert the word "nine".

Record vote was requested.

Voting in the affirmative, 17:

Bowman	Hanna	Matzke	Peterson
Carlson	Jeppesen	Metzger	Raecke
Carmody	Johnson	Mischke	Thomas, Ray
Crosby	Kotouc	Murphy	Thornton
			Weborg

Voting in the negative, 12:

Adams, J. Jr.	Brodahl	Neubauer	Sorrell
Bevins	Callan	Rakow	Sullivan
Blome	Mekota	Reed	Tvrdik

Not voting, 14:

Adams, E. A.	Gartz	Howard	Norman
Asimus	Garber	Knezacek	Price
Crossland	Greenamyre	Lambert	Thomas, Amos
		Mueller	Van Diest

The Carmody amendment was adopted.

Mr. Metzger offered the following amendment, which was adopted:

Page 4, Sec. 7, after the word licensee add the following: "No license shall be granted to any person, if such person, partner or associate, or if any officer, director or employee of such corporation has been found guilty of usury by a court of competent jurisdiction of the State of Nebraska, or of any other state of the United States of America or of the United States."

Mr. Raecke offered the following amendment, which was adopted:

Amend the General File amendments by striking the emergency clause, page 18.

Referred to E and R for review.

MOTION—To Recess

Mr. Neubauer moved to recess until 7:30 p. m.

The motion was lost.

MOTION—To Introduce a Bill

Mr. President: I move that the rules be suspended to allow the introduction of a bill, to dispense with committee reference and hearing, to have the bill read the first and second time, and to place said bill at the top of General File. (Signed) Crosby

The motion was lost with 11 ayes, 8 nays, 24 not voting.

The bill referred to was a bill to provide for repayment to the United States of America for taxes paid on motor vehicle fuels.

Adjournment

At 5:42 p. m. on motion by Mr. Reed the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

NINETY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, May 14, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Ernest A. Adams, John Adams, Jr., Price and Amos Thomas, who were excused.

The Journal for the Ninety-first Day was approved as corrected.

MOTION—To Return to Select File

Mr. Kotouc moved that L. B. No. 464 be recommitted to Select File for the following Specific amendment:

To strike the enacting clause.

A record vote was requested.

Voting in the affirmative, 16:

Bowman	Johnson	Mekota	Rakow
Carlson	Knezacek	Metzger	Sorrell
Garber	Kotouc	Mischke	Thomas, Ray
Howard	Lambert	Murphy	Van Diest

Voting in the negative, 16:

Bevins	Crossland	Neubauer	Reed
Brodahl	Gantz	Norman	Sullivan
Carmody	Greenamyre	Peterson	Tvrdik
Crosby	Matzke	Raecke	Weborg

Not voting, 11:

Adams, E. A	Blome	Jeppesen	Thomas, Amos
Adams, J. Jr.	Callan	Mueller	Thornton
Asimus	Hanna	Price	

The motion was lost.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 464:

A bill for an Act to amend Secs. 3-215 and 3-216, C. S. Supp., 1939, relating to aircraft and airmen; to establish a tax upon fuels purchased and used for aircraft; to provide for collection, allocation and disbursement of such tax moneys; to provide for refunds and to establish procedure therefor; and to repeal said original sections.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'shall the bill pass?' "

A call of the House was ordered.

Mr. Mischke moved to raise the call.

The motion was lost with 19 ayes, 12 nays, 12 not voting.

Mr. Lambert moved to raise the call.

The motion prevailed with 20 ayes, 10 nays, 13 not voting.

Voting in the affirmative, 14:

Bevins	Crossland	Norman	Sullivan
Brodahl	Gantz	Raecke	Tvrdik
Carmody	Greenamyre	Reed	Weborg
Crosby	Neubauer		

Voting in the negative, 15:

Bowman	Lambert	Mueller	Thomas, Ray
Howard	Mekota	Murphy	Thornton
Johnson	Metzger	Rakow	Van Diest
Kotouc	Mischke	Sorrell	

Not voting, 14:

Adams, E. A	Callan	Jeppesen	Peterson
Adams, J. Jr.	Carlson	Knezacek	Price
Asimus	Garber	Matzke	Thomas, Amos
Blome	Hanna		

A constitutional majority having failed to vote in the affirmative, the bill failed of passage.

Statement

Mr. President: I wish to state that had I been present at the time L. B. No. 464 came up for a vote on third reading, I would have voted for the same. (Signed) John Adams, Jr.

SELECT FILE

Mr. Murphy moved to pass over Select File and take up General File.

The motion prevailed.

GENERAL FILE

LEGISLATIVE BILL NO. 339. Referred to E and R for review.

Speaker Howard presiding

LEGISLATIVE BILL NO. 513. Read and considered.

Ray Thomas offered the following amendments:

Amend the Committee Amendments to L. B. No. 513, Amendment No. 2, by striking everything after the word and punctuation "Provided,", in Line 3 of the said amendment, and by inserting in lieu thereof, the following: "that all persons who have been licensed to practice osteopathy for a period of less than five years prior to the effective date of this act, and all persons hereafter becoming licensed, shall not be permitted to practice major surgery unless they shall secure a license therefor by passing an examination before a Board of Examiners in surgery consisting of three members of the Board of Examiners in medicine and two members of the Board of Examiners in osteopathy to be appointed by the Governor of the state of Nebraska. Such board and the applicants and licensees hereunder shall be governed by all of the provisions of Chapter 71, Articles 2 to 9 inclusive, Compiled Statutes of Nebraska, 1929, as amended, so far as the same is not in conflict with this act."

And moved its adoption.

No action was taken. Laid over.

SELECT FILE (Continued)

LEGISLATIVE BILL NO 351. E and R amendments, found in the Legislative Journal for the Ninetieth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 154. E and R amendment, found in the Legislative Journal for the Ninetieth Day, was adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 222. E and R amendments, found in the Legislative Journal for the Ninetieth Day, were adopted.

No further action taken.

Recess

At 11:57 a. m. on motion by Mr. Mischke the Legislature recessed until 2:00 p. m.

After Recess

The Legislature reconvened at 2:00 p. m. Speaker Howard presiding.

The roll was called and all members were present except Messrs. Ernest Adams, Price and Amos Thomas, who were excused.

GENERAL FILE

LEGISLATIVE BILL NO 513. Mr. Thomas' amendment, found in this Day's Journal, was withdrawn by unanimous consent.

Mr. Peterson offered the following amendment, which was adopted:

Amend L. B. 513 by substituting for the Committee amendment the following:

"No person licensed to practice osteopathy shall, after November 1st, 1941, practice operative surgery until and unless such person shall have obtained a certificate of qualification from a Board of Examiners in surgery consisting of three members of the Board of Examiners in medicine and two members of the Board of Examiners in osteopathy to be appointed by the Governor of the State of Nebraska. Such Board shall, by rules promulgated and adopted by it, define the various fields of surgery and the qualifications required of those desiring to engage in the practice thereof. Persons holding a license to practice osteopathy seeking permission to practice operative sur-

gery in any such field shall make application to the Board and if upon written examination the applicant meets the qualifications prescribed by the rules the Board shall so certify and issue its certificate to the applicant authorizing the applicant to engage in the practice of surgery in the designated field or fields. Such examination shall cover only the field in which the applicant seeks to be certified.

Such Board and the applicants and licensees thereunder shall be governed by all of the provisions of Chapter 71, Articles 1 to 9 inclusive, Compiled Statutes of Nebraska, 1929, as amended, so far as the same is not in conflict with this act."

Mr. Peterson offered the following amendment, which was adopted:

Amend the Peterson amendment (above) by adding at the end of the first paragraph thereof the following: "The Board in its discretion may waive examination if it finds that by education, training and experience the applicant is qualified".

Mr. Mueller moved to refer to E and R for review.

Mr. Sullivan moved to indefinitely postpone.

Record vote was requested:

Voting in the affirmative, 10:

Adams, J. Jr.	Gantz	Rakow	Sullivan
Bevins	Jeppesen	Reed	Tvrdik
Crossland	Matzke		

Voting in the negative, 18:

Asimus	Garber	Norman	Thomas, Ray
Brodahl	Knezacek	Peterson	Thornton
Callan	Metzger	Raecke	Van Diest
Carlson	Mueller	Sorrell	Weborg
Crosby	Neubauer		

Not voting, 15:

Adams, E. A.	Greenamyre	Kotouc	Murphy
Blome	Hanna	Lambert	Price
Bowman	Howard	Mekota	Thomas, Amos
Carmody	Johnson	Mischke	

The motion was lost.

Mr. Mueller's motion prevailed.

Referred to E and R for review.

MOTION—To Print Letters in Journal

Mr. President: I move that the following letters be made a part of the Journal of today, to show that in the opinion of the Attorney General and State Auditor it is not necessary that the General Appropriation L. B. No. 222 contain specific appropriations contained in other bills passed at this session. (Signed) Gantz

The motion prevailed.

LETTER—Auditor of Public Accounts

April 22, 1941

Hon. John Callan,

State House.

Dear John:

When I came back to town this morning I found your notation on my desk with reference to money appropriated by specific bills and whether or not the money should be included in the Appropriation Bill. As this money has already been appropriated and set up on our books. I would say that this should not be included in the Appropriation Bill.

Very respectfully,

(Signed) Ray C. Johnson
State Auditor

RCJ:PF

LETTER—Attorney General

May 1, 1941

Senator Harry Gantz

Senator William A. Metzger

Lincoln, Nebraska

Gentlemen:

Legislative Bill No. 168

You state that Legislative Bill No. 168, passed by the legislature, appropriates $20,000.00 for tuition for children of enlisted army and navy men, and inquire as to whether it is now necessary to include this $20,000.00 in the general appropriation bill, Legislative Bill No. 222, to insure use of the money appropriated.

It appears that Legislative Bill No. 168 is complete in itself and is sufficient to appropriate the sum of $20,000.00 for the purposes referred to. There is no provision in the constitution, statutes, nor rules of the legislature, which require anything further to be done by the legislature in order to make the money available. If the legislature desires to again refer to this appropriation in Legislative Bill No. 222, there is no legal reason why the proposed amendment, attached to your letter of inquiry, may not be adopted.

Respectfully submitted,

Walter R. Johnson, Attorney General

(Signed) H. Emerson Kokjer
Assistant Attorney General

HEK:MEG

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor for approval

Wednesday, May 14, 1941 at 9:15 a. m.

L. B. No. 192	L. B. No. 398	L. B. No. 462
L. B. No. 301	L. B. No. 418	L. B. No. 499

LEGISLATIVE BILL NO. 426. Correctly re-engrossed.

LEGISLATIVE BILL NO. 214. Correctly engrossed.

LEGISLATIVE BILL NO. 183. Placed on Select File with amendments.

E and R amendments to L. B. No. 183:

1. Amend the standing committee amendments, adopted May 9, 1941, page 5, amendment 2, line 21 by inserting the punctuation "," after the word "inclusive" and before the word "of" therein.

2. Amend the standing committee amendments, amendment 1, section 3, line 4 by inserting "that" after the word "and" and before the word "the".

LEGISLATIVE BILL NO. 24. Placed on Select File with amendments.

E and R amendments to L. B. No. 24:

1. Amend the standing committee amendments, mimeographed, April 7, 1941, page 9, amendment 2, by inserting after the preposition "to" and before the word "suspend" the words "revoke or".

2. Amend the general file amendments, mimeographed, May 2, 1941, page 2, amendment 4, line 5 by striking the conjunction "and" therein and by inserting in lieu thereof the conjunction "or".

3. Amend the unanimous consent amendments, mimeographed, May 8, 1941, Gantz, page 1, amendment 1, line 2 by striking "2, 3 and 4" after the word "amendments" therein and by inserting in lieu thereof the following: "1 and 2".

4. Amend the general file amendments, mimeographed, adopted May 2, 1941, page 2, amendment 3, line 5 by inserting after the word **"provided"** therein and before the preposition **"in"** the following: **"in Sec. 60-410, C. S. Supp., 1939, as amended by section 1, legislative bill No. 24, fifty-fifth session, Nebraska state legislature, 1941, and".**

5. Amend the standing committee amendments, amendment 1, page 6, sec. 7, line 9 by striking therefrom the conjunction **"and"** after the word and punctuation "provided," and before the word "every".

LEGISLATIVE BILL NO. 90. Placed on Select File with amendments.

E and R amendments to L. B. No. 90:

1. Amend the bill, page 2, section 1, line 15 by striking the punctuation ";" after the word "well", and insert in lieu thereof the punctuation ","; and in said line, strike the words "upon which" and insert in lieu thereof the word "when"; and in line 16, strike the word "shall" and insert in lieu thereof the word "will".

2. Amend the bill, page 2, section 1, line 18 by striking therefrom the words "That within" and insert in lieu thereof the word "Within".

3. Amend the bill, page 2, section 1, lines 21 and 22 by striking therefrom the words "That thereafter", and insert in lieu thereof the word "Thereafter".

4. Amend the bill, page 2, section 2, line 3, by striking therefrom the words "it and in its behalf" and insert in lieu thereof the word "him".

5. Amend the bill, page 2, section 3, line 3 by striking therefrom the word "said" and insert in lieu thereof the word "such".

6. Amend the bill, page 3, section 4 by inserting the punctuation "," after the word "herein" in line 3, after the word "act" in line 4,

and after the word "expenses" in line 6; and in line 8, strike the pronoun "it" and insert in lieu thereof the pronoun "he".

7. Amend the bill, page 3, section 5, by striking all of lines 2 to 6 inclusive and by inserting in lieu thereof the following:

"any of the provisions of this act, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not to exceed five hundred dollars or shall be imprisoned in the county jail for a period of not more than six months, or shall be subject to both such fine and such imprisonment.".

LEGISLATIVE BILL NO. 202. Placed on Select File with amendments.

E and R amendments to L. B. No. 202:

1. Amend the bill, page 2, section 1, line 6 by striking that part of said line commencing with the word "this" therein down to and including the punctuation ")" therein and by inserting in lieu thereof the following: **"Article 7, Chapter 70, C. S. Supp., 1939, as amended by section 1, legislative bill No. 133, fifty-fifth session, Nebraska state legislature, 1941, as now existing or as hereafter amended".**

2. Amend the bill, page 2, section 1, line 17 by striking therefrom the word "water-diversion" and by inserting in lieu thereof the words **"water diversion".**

3. Amend the bill, page 2, section 1, line 22 by striking therefrom the word "insofar" and by inserting in lieu thereof the words **"in so far".**

4. Amend the general file amendments, adopted May 3, 1941, amendment 4, line 5 by inserting the punctuation "," after the word **"purposes"** therein.

5. Amend the general file amendments, adopted May 3, 1941, amendment 3, line 2 by striking the same, inasmuch as it was designed to correct an error appearing only in the printed bill.

6. Amend the bill, page 6, section 4, line 23 by striking the word "condemnation" therein and by inserting in lieu thereof the words "water claims".

7. Amend the general file amendments, adopted May 9, 1941, amendment 19, line 2 by inserting the section designation "Sec. 5." before the word "If" therein.

8. Amend the general file amendments, adopted May 9, 1941, amendment 18, line 6 by inserting after the word and punctuation

"used;" and before the conjunction "and" therein the following: "to state a validity clause;".

9. Amend the bill, page 6, section 4, line 22 by inserting the following before the word "upon" : "seeking to acquire such water,"; and in lines 24 and 25 strike the words "then the irrigation district".

10. Amend the bill, page 3, section 1, line 56 by striking the punctuation "," after the section symbol "46-608" and insert in lieu thereof the conjunction **"and"**.

11. Amend the general file amendments, adopted May 3, 1941, amendment 8, line 3, by inserting the punctuation "," after the word "thereof" and before the quotation marks.

12. Amend the bill, page 4, section 2, line 23 by striking the word "of" after the word "parties" and before the article "the" and insert in lieu thereof the word "to".

13. Amend the bill, page 4, section 2, line 22 by striking the word "as" after "persons" and before "the" and insert in lieu thereof "which"; and in line 25, strike the words "a party" and insert in lieu thereof the word "parties".

14. Amend the bill, page 4, section 2, line 31 by striking the word "party" and insert in lieu thereof the word "parties"; strike the word "person" and insert in lieu thereof the word "persons"; and in line 32 strike the word "party" and insert in lieu thereof the words "parties".

15. Amend the bill, page 4, section 2, line 35 by striking the word "such" and insert in lieu thereof the words "the same"; and in line 36 strike the words "the services of a" and insert in lieu thereof the words "required for service of".

16. Amend the general file amendments, adopted May 3, 1941, amendment 18, line 3, by inserting after the word "districts" therein, the following: ", persons, firms, associations, organizations or corporations,".

17. Strike the general file amendment No. 1, adopted May 9, 1941, inasmuch as the same purports to correct an error appearing only in the printed bill.

LEGISLATIVE BILL NO. 255. Placed on Select File with amendments.

E and R amendments to L. B. No. 255:

1. Amend the General File amendments, Tvrdik, adopted May 9, 1941, page 2, amendment 2, by striking that part of said amend-

ment commencing with the words "to prescribe" in line 6 therein down to and including the word "premium" in line 7 therein and by inserting in lieu thereof the following: "to enumerate the county officers, deputy county officers or county employees whose bond premiums may be paid by the county".

LEGISLATIVE BILL NO. 329. Placed on Select File with amendments.

E and R amendments to L .B. No. 329:

1. Amend the bill, page 2, section 1, by striking all of said section 1 thereon together with all amendments adopted thereto, and, for the sole purpose of correlating the provisions of said stricken section with legislative bills Nos. 32 and 110, fifty-fifth session, Nebraska state legislature, 1941, insert in lieu thereof the following:

"Section 1. That Section 32-209, C. S. Supp., 1939, as amended by section 1, legislative bill No. 32, fifty-fifth session, Nebraska state legislature, 1941, as amended by section 1, legislative bill No. 110, fifty-fifth session, Nebraska state legislature, 1941, be amended to read as follows:

32-209. In each county there shall be elected in the year 1928 and every fourth year thereafter one county judge; in the year 1926 and every fourth year thereafter, one sheriff, one county treasurer, one county clerk, one county surveyor, one county attorney, and one county superintendent of public instruction, for the term of four years: **Provided,** in each county having a population of one hundred fifty thousand or more, the county clerk shall be elected at the times hereinafter specifically provided. At the general election in the year ~~1936~~ **1944** and every four years thereafter a register of deeds and a county clerk shall be elected in each county in the state having a population of one hundred fifty thousand or more, and at the general election in the year ~~1934~~ **1942** and every four years thereafter a register of deeds shall be elected in and for each county of the state having a population of sixteen thousand and less than one hundred fifty thousand inhabitants, to be ascertained by the census of ~~1930~~ **1940,** and each state and national census thereafter, who shall give bond, with sufficient sureties thereon, to be approved by the county board, in the following penal sums respectively: Each register of deeds in counties having a population of not less than sixteen thousand inhabitants and not more than one hundred thousand inhabitants, two thousand dollars; and in counties having a population of more than one hundred thousand inhabitants, ten thousand dollars conditioned for the faithful performance of his duties; and such register of deeds shall have all powers and perform all the duties relative to all papers, writings and instruments pertaining to real estate heretofore enjoined by law

upon county clerks and shall receive the compensation allowed by law therefor: **Provided, that in any county which now has a population of less than sixteen thousand inhabitants and which now has a register of deeds, the county board may, by resolution, if adopted prior to January 1, 1942, retain the office of register of deeds in said county for the ensuing term. If the resolution is adopted, then the county board at the general election in the year 1944, shall order the submission of the question of retaining the office of register of deeds to the qualified voters of the county. The form of submission upon the ballot shall be as follows: 'FOR retaining the office of register of deeds,' and 'AGAINST retaining the office of register of deeds'. If a majority of the votes cast on the question shall be against retaining the office of register of deeds in the county, the office shall cease therein with the expiration of the term of the incumbent. If a majority of the votes cast on the question be for retaining the office of register of deeds in the county, the office shall continue."**

2. Amend the standing committee amendments, mimeographed, page 1, amendment 3, lines 22 and 29 by striking the punctuation "," after the word "deeds" in each of said lines.

3. Amend the standing committee amendments, adopted May 3. 1941, page 3, amendment 3, by striking section 3 thereon and by inserting in lieu thereof the following:

"Sec. 3. That said original Sec. 32-209, C. S. Supp., 1939, as amended by section 1, legislative bill No. 32, fifty-fifth session, Nebraska state legislature, 1941, as amended by section 1, legislative bill No. 110, fifty-fifth session, Nebraska state legislature, 1941, is hereby repealed; and that said original Sec. 33-112, C. S. Supp., 1939, is hereby repealed.".

4. Strike the standing committee amendment, adopted May 3, 1941, page 3, amendment 4 and also strike the general file amendment, mimeographed, Mekota, adopted May 9, 1941, page 1, amendment 3 and insert in lieu thereof the following:

'Amend the bill, page 1, title, by striking all of said title after the word "ACT" in line 2 therein and by inserting in lieu thereof the following:

"to amend Sec. 32-209, C. S. Supp., 1939, as amended by section 1, legislative bill No. 32, fifty-fifth session, Nebraska state legislature, 1941, as amended by section 1, legislative bill No. 110, fifty-fifth session, Nebraska state legislature, 1941; to amend Sec. 33-112, C. S. Supp., 1939, relating to the office of register of deeds; to provide procedure whereby counties that now have a population of less than sixteen thousand inhabitants and that now have a register of deeds, may retain the office of register of deeds; to provide for the compensation to be paid to said register of deeds, to his deputies and

assistants ;to repeal said original section, as amended; and to repeal said original section.".'

5. Amend the standing committee amendments, page 1, amendment 3, Sec. 2, line 31, by striking therefrom the word "nor" and insert in lieu thereof the word "no".

LEGISLATIVE BILL NO. 399. Replaced on Select File with amendments.

E and R amendments to L. B. No. 399:

1. Amend the general file amendments, approved May 12, 1941, page 1, amendment 1, section 3, line 21 by striking the punctuation "." after the word "duties".

2. Amend the general file amendments, adopted May 12, 1941, Mueller, line 3 by inserting the punctuation ":" before the word "Provided" therein; and in line 4 of said amendment strike the punctuation "," after the word "legislature" and before the word "all" and insert in lieu thereof the conjunction "and".

LEGISLATIVE BILL NO. 389. Placed on Select File with amendments.

E and R amendments to L. B. No. 389:

1. Amend the general file amendments, mimeographed, adopted May 8, 1941, page 5, amendment 1, line 31, by striking the word "be" therein, and by inserting in lieu thereof the word "are".

2. Amend the general file amendments, adopted May 8, 1941, amendment 1, section 1, line 10 by striking therefrom the punctuation and words ", or its plural,", and in line 11, insert after the word "company" and before the word "appears" the following: ", or its plural,".

3. Amend the general file amendments, page 2, section 3, line 20 by inserting "," after the word "dollars" and before the word "whichever".

4. Amend the general file amendments, page 2, section 3, line 24 by inserting conjunction "and" after syllable and punctuation "ness,".

5. Amend the general file amendments, page 2, section 3, line 27 by inserting punctuation "," after the word "company" and before the word "shall".

6. Amend the general file amendments, page 2, section 4, line 4 by inserting "," after the word "application" and before the conjunction "and".

(Signed) Crosby, Chairman

MOTION—To Reconsider Action

Mr. Raecke renewed his motion of May 8, found in the Legislative Journal for the Eighty-eighth Day, to reconsider action in indefinitely postponing L. B. No. 402.

The motion was lost with 6 ayes, 20 nays, 17 not voting.

SELECT FILE (Continued)

LEGISLATIVE BILL NO. 222. Mr. Greenamyre moved to refer the bill to General File for the following Specific amendments:

Amend the bill, page 13, Section 33, now Section 32 as re-numbered, by striking all of lines 24, 25, 26, 27, 28 and 29, and insert in lieu thereof the following: Real Estate Commission, salaries and wages of department manager and one stenographer not to exceed $7,200.00

Legal Counsel, to be expended for salaries of assistants and office help in the office of the Attorney General, not to exceed.....$900.00

Maintenance (to be used for telephone, telegraph, postage, stationery, envelopes, and printing of roster, copies of real estate laws, annual reports, and traveling expenses of commissioner, board members, attorney, department manager and for hearings and investigation) $8,000.00

The motion prevailed with 26 ayes, 1 nay, 16 not voting.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 222. Mr. Greenamyre's Specific amendments, above set out, were adopted.

Mr. Greenamyre offered the following amendments, which were adopted:

Amend the bill, page 19, section 40, now Section 39 as renumbered, line 27, by striking the figures "$10,000.00," and inserting the figures "$15,000.00".

Amend the bill, page 12, Section 32, line 5, by inserting after "$24,800.00," and before the word "first" the following: "Education and maintenance of deaf blind persons and salaries and maintenance of their teachers not to exceed.....$5,000.00."

Amend page 12, Section 32, line 7, by striking the figures 3,498,-480.00, and inserting in lieu thereof the figures "3,533,480.00".

Mr. Mischke offered the following amendment:

Amend printed bill, page 8, Section 16, by adding after line 3 the following: "For the purpose of administration of revenue laws of the state and review of assessments and tax schedules as required by section 77-301, C. S. 1929 and Section 28, Art. 4, Constitution .....$10,000.00",

Record voted was requested.

A call of the House was ordered.

Mr. Sullivan moved to raise the call.

The motion prevailed with 19 ayes, 6 nays, 18 not voting.

Mr. Mischke changed his vote from aye to nay and moved to reimpose the call.

The motion was lost with 14 ayes, 17 nays, 12 not voting.

Mr. Mischke changed his vote from nay to aye.

Voting in the affirmative, 18: (on the Mischke amendment)

Carmody	Howard	Mekota	Rakow
Crosby	Johnson	Mischke	Sorrell
Crossland	Kotouc	Murphy	Thomas, Ray
Greenamyre	Lambert	Peterson	Thornton
Hanna	Matzke		

Voting in the negative, 18:

Adams, J. Jr.	Callan	Neubauer	Sullivan
Asimus	Carlson	Norman	Tvrdik
Bevins	Gantz	Raecke	Van Diest
Blome	Knezacek	Reed	Weborg
Brodahl	Mueller		

Not voting, 7:

Adams, E. A.	Garber	Metzger	Thomas, Amos
Bowman	Jeppesen	Price	

The Mischke amendment was not adopted.

Mr. Neubauer offered the following amendment, which was adopted:

Amend the bill, page 11, section 30, by inserting immediately after line 4 therein the following: **"Conservation and survey division,** well digging machine for making surveys of underground water .....5,000.00"

Mr. Callan offered the following amendments, which were adopted:

Amend Sec. 49, line 13, after the word "aid" insert "and improvement". Line 14, strike "not to exceed" and insert "estimate" and line 14, strike "75,000.00" and insert "135,000.00".

Laid over.

Speaker Signs

While the Legislature was in session and capable of transacting business, the Speaker signed

Legislative Resolution No. 28

Adjournment

At 4:55 p. m. on motion by Mr. Kotouc the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

NINETY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, May 15, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Ernest A. Adams, Price and Amos Thomas, who were excused, and except Mr. Lambert, who was excused until 10:15 a. m.

The Journal for the Ninety-second Day was approved as corrected.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 500. Correctly enrolled.

LEGISLATIVE BILL NO. 509. Correctly enrolled.

(Signed) Crosby, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 500 L. B. No. 509

SELECT COMMITTEE REPORT

Supplementary Report of Special Committee For Investigating the Permanent School Funds of the State of Nebraska

Lincoln, Nebraska

May 10th, 1941

TO THE FIFTY-FIFTH SESSION OF THE
NEBRASKA LEGISLATURE:

On May 7th, 1941, your Committee submitted a report of its findings (Legislative Journal, Eighty-seventh Day). In that report, brief reference was made to a misappropriation of trust funds which occurred in the latter part of the nineteenth century. This incident is commonly referred to as the Joseph S. Bartley defalcation, and because of interest expressed therein, the Committee submits herewith, as a supplement to its original report, a summary of its findings in the Bartley case.

Bartley Defalcation

Joseph S. Bartley was State Treasurer of Nebraska from January 13th, 1893 to January 7th, 1897. When he left office, he was charged with being short in his accounts, which resulted in nearly ten years of litigation of one kind or another. Bartley was arrested, tried, convicted, and sentenced to prison for twenty years. His conviction was affirmed by the State Supreme Court, and later reaffirmed, but he was pardoned after having served something over four years.

On February 17th, 1897, Governor Silas. A. Holcomb sent a message to the State Legislature, in which he stated that the newly inaugurated State Treasurer, J. B. Meserve, had reported to him, under date of January 30th, 1897, that Bartley's shortage totaled $691,571.26, of which $489,687.21 belonged to the several educational trust funds, and the remainder of $201,884.05 to the State's General Fund. 1) The shortages in the educational funds were itemized as follows:

Permanent School Fund	$389,956.01
Permanent University Fund	19,775.93
Agricultural College Endowment	61,955.15
Normal School Endowment	18,000.12
Total	$489,687.21

In the same message, the Governor stated that Mr. Bartley had, subsequent to the Treasurer's report, paid into the State Treasury a total of $153,809.13, thereby reducing the total shortage to $537,-762.13, and that in the educational trust funds to $335,878.08.1) Apparently, all of the money recovered had been applied to the shortage in the trust funds.

1): Journal of House of Representatives, 1897, p. 460.

The State, through its Attorney General, immediately began an attempt to recover these funds and others, from Mr. Bartley and his bondsmen, and from banks which had been designated as depositories by Bartley, but these efforts seem to have met with little success.

On August 1st, 1903, some six and a half years after Bartley's arrest, the Nebraska State Journal carried an account of the efforts being made by the State to collect from the bondsmen. The total amount of the State's claim, at this time, was given as $650,000.00, which apparently included claims against unsound banks in which money had been deposited, as well as the direct shortages which had been originally attributed to Bartley. This account also indicated that an unsuccessful effort had been made in the Legislature during its 1903 session to secure the adoption of a resolution directing the Attorney General to drop the suits, that the bondsmen had made an offer to compromise the suits, but the offer had been rejected as unsatisfactory, and some of the original bondsmen had been relieved of responsibility by death or incapacity, by court decision, or by agreement with the State.

It is possible that some small sums were recovered after the message of Governor Holcomb, referred to above. At any rate, on January 3rd, 1907, ten years after the opening of the case, Governor John H. Mickey, in his outgoing address to the Legislature, fixed the total of the shortage in the educational funds at a figure slightly lower than that indicated by Governor Holcomb.[2] Governor Mickey referred to a recent decision of the Nebraska Supreme Court which had apparently barred further action against the bondsmen, and hence made further recovery impossible. Then, after calling attention to the constitutional provision that all losses in the permanent trust funds shall be supplied by the State, the Governor called upon the Legislature to make a special appropriation, or to provide for a special levy, to reimburse the educational funds.[1] The shortages in these funds, at this time, were itemized by the Governor as follows:

Permanent School Fund	$259,842.87
Permanent University Fund	9,775.93
Agricultural College Endowment	43,368.61
Normal Endowment Fund	12,600.09
Total	$325,578.50

No mention is made, anywhere, of inclusion of interest in arriving at the amount due, hence it may be assumed that the figures

1): Ibid.

2): Message, in **Senate Journal**, 1907, pp. 87-88

given above represented the losses in principal of the several funds, as nearly as they could be determined at that time.

In accordance with Governor Mickey's message, a bill was introduced into the State Senate, on January 15th, 1907, providing for the restoration of the losses sustained by the educational trust funds.2) This measure passed the Senate, and in the House was placed on General File by the Committee on Revenue and Taxation, but was then indefinitely postponed.3)

Within the limits of the time available, search has been made of the statutes, of court decisions, the records of the State Auditor and State Treasurer, of newspaper files, and of the publications and records of the State Historical Society. As yet, such research has not discovered any evidence that the State has ever restored any part of these losses, or that Mr. Bartley or his bondsmen made any payments subsequent to the message of Governor Mickey fixing the total of the shortages in the educational funds at $325,578.50.

On January 7th, 1903, the State Supreme Court held that the bank through which a warrant for $201,884.05 had been collected, and on which Bartley was convicted, was not liable for this loss. This finding rested on the ground that the bank was an innocent intermediary, acting at the direction of a state agent, and without guilty intent.4)

The State's suit against the Bartley bondsmen was tried in the District Court for Douglas County, and was decided against the State.

On June 3rd, 1904, appeal was taken to the State Supreme Court. The case was continued several times, but on December 6th, 1905, the Court decided against the State by quashing the bill of exceptions, on the ground that it had not been filed in the manner provided by statute. On January 6th, 1906, the State filed a motion for a rehearing, and on June 20th, 1906, the Court sustained its previous decision, holding that the bill of exceptions had not been properly identified and certified.1)

In closing the report upon this case, the testimony of Dr. Addison E. Sheldon may be cited. Dr. Sheldon was a member of the Nebraska House of Representatives in 1897, when the Bartley shortages were first exposed, is now Superintendent of the Nebraska State Historical Society, and has written widely on the history of the State. In 1931, Dr. Sheldon says: "After his pardon, Mr. Bartley was for many years active in the management of silver mines in Colorado, from which it

1) : Ibid.
2) : Ibid., p. 175
3) : Ibid., 1448. House Journal, 1907, p. 1556
4) : 66 Nebraska, 857 (1903)

was reported he hoped to realize enough money to pay off his shortage. As none of this shortage was ever paid, the presumption was that his hopes of a fortune in silver mines, like those of many others, were unrealized."2) In 1936, Dr. Sheldon says in another work, "The story of the pursuit of the stolen school money and prosecution of the defaulting State Treasurer forms a drama in itself. It covers six years of litigation against bondsmen and the final failure to recover anything upon the bond."3)

Respectfully submitted,

(Signed) Daniel Garber, Chairman
Harry E. Gantz
H. G. Greenamyre
R. M. Howard
Richard N. Johnson
Martin J. Mischke
George T. Sullivan

rvs
mp

MOTION—To Reconsider Action

Mr. President: I move the Legislature reconsider the action in indefinitely postponing L. B. No. 212. (Signed) Howard

The motion prevailed with 38 ayes, no nays, 5 not voting.

Mr. Murphy withdrew his motion of the Eighty-sixth Day, so far as it pertained to L. B. No. 212, to indefinitely postpone bills on General File.

L. B. No. 212 placed on General File.

Speaker Howard presiding

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 494.

A bill for an Act to amend Section 81-6327, Compiled Statutes of Nebraska, 1929, relating to water conservation; to provide that permits must be obtained from the department of roads and irrigation to build certain dams; to provide exceptions; and to repeal said original section.

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1): Summarized from **Nebraska State Journal**, August 3, 1907; see also, State vs. Paxton, Nebraska, 75-215.
2): **Nebraska, the Land and the People**, V. I., p. 792, footnote.
3): **Land Systems and Land Policies in Nebraska**, pp. 256-257.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'shall the bill pass?' "

Voting in the affirmative, 34:

Adams, J. Jr.	Garber	Mekota	Reed
Asimus	Greenamyre	Mischke	Sorrell
Bevins	Hanna	Mueller	Sullivan
Bowman	Howard	Murphy	Thomas, Ray
Callan	Johnson	Neubauer	Thornton
Carmody	Knezacek	Peterson	Tvrdik
Crosby	Kotouc	Raecke	Van Diest
Crossland	Lambert	Rakow	Weborg
Gantz	Matzke		

Voting in the negative, 0.

Not voting, 9:

Adams, E. A.	Brodahl	Jeppesen	Norman
Blome	Carlson	Metzger	Price
			Thomas, Amos

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 486.

A bill for an Act to amend Sec. 48-205, C. S. Supp., 1939, relating to labor; to regulate the hours of employment and working conditions of females in cities of the metropolitan class and in cities of the first class; to except employees of public service corporations from the provisions of this act; to provide for the investigation of working conditions and the issuance of permits by the commissioner of labor; to establish fees; to create and establish the **"labor fund"**; to provide that moneys in said fund shall be paid out only on proper vouchers approved by the labor commissioner; to provide for the revocation of such permits; to provide penalties; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 38:

Adams, J. Jr.	Gantz	Matzke	Rakow
Asimus	Garber	Mekota	Reed
Bevins	Greenamyre	Mischke	Sorrell
Blome	Hanna	Murphy	Sullivan

Bowman	Howard	Mueller	Thomas, Ray
Callan	Jeppesen	Neubauer	Thornton
Carlson	Johnson	Norman	Tvrdik
Carmody	Knezacek	Peterson	Van Diest
Crosby	Kotouc	Raecke	Weborg
Crossland	Lambert		

Voting in the negative, 0.

Not voting, 5:

Adams, E. A.	Metzger	Thomas, Amos
Brodahl	Price	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 126. With emergency clause.

A bill for an Act to amend Sections 44-602 and 44-603, Compiled Statutes of Nebraska, 1929, relating to insurance; to prescribe provisions of life or endowment insurance policies that concern exceptions to their incontestability for violation of conditions limiting coverage while insured is in the military, naval or air forces of any country at war, declared or undeclared, or for violation of conditions limiting coverage for an express condition in the policy relating to aviation; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams, J. Jr.	Gantz	Lambert	Raecke
Asimus	Garber	Matzke	Rakow
Blome	Greenamyre	Metzger	Reed
Bowman	Hanna	Mischke	Sorrell
Brodahl	Howard	Mueller	Thomas, Ray
Callan	Jeppesen	Murphy	Thornton
Carlson	Johnson	Neubauer	Tvrdik
Carmody	Knezacek	Norman	Van Diest
Crosby	Kotouc	Peterson	Weborg
Crossland			

Voting in the negative, 0.

Not voting, 6:

Adams, E. A.	Mekota	Sullivan
Bevins	Price	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 271. With emergency clause.

A bill for an Act to amend Sections 8-304 and 8-312, Compiled Statutes of Nebraska, 1929, relating to banks and banking; to determine and fix the rights of a shareholder in a building and loan association to withdraw all or part of his or her stock payments; to determine and fix the rights of a building and loan association to repurchase and retire its outstanding shares; to determine and fix the method and authorize and direct the distribution of the residue of earnings of a building and loan association after the payment of expenses and the setting aside of a sum for the reserve funds; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

A call of the House was ordered.

Mr. Crossland moved to raise the call.

The motion prevailed with 31 ayes, 1 nay, 11 not voting.

Mr. Crosby moved to reimpose the call.

The motion prevailed with 21 ayes, 6 nays, 16 not voting.

Mr. Raecke moved to raise the call.

The motion prevailed with 35 ayes, no nays, 8 not voting.

Mr. Peterson moved to refer the bill to Select File for the following Specific amendment:

Amend the bill, page 4, section 1, line 66, by inserting after the word "shares" the words and punctuation ", selected by lot,".

The motion prevailed with 36 ayes, no nays, 7 not voting.

Placed on Select File.

LEGISLATIVE BILL NO. 331.

A bill for an Act to amend Sec. 53-398, C. S. Supp., 1939, relating to liquors; to provide that local governing bodies of municipalities may recommend the issuance of licenses to sell beer at retail within their corporate limits unless objected to by a sufficient petition signed

by the qualified electors of the city or village of such number as shall equal fifty-one per cent of the votes cast at the last general election held therein; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 33:

Adams, J. Jr.	Garber	Lambert	Rakow
Asimus	Greenamyre	Matzke	Reed
Bevins	Hanna	Metzger	Sorrell
Brodahl	Howard	Mischke	Sullivan
Callan	Jeppesen	Mueller	Thornton
Carlson	Johnson	Neubauer	Tvrdik
Crosby	Knezacek	Norman	Van Diest
Crossland	Kotouc	Peterson	Weborg
Gantz			

Voting in the negative, 0.

Not voting, 10:

Adams, E. A.	Carmody	Price	Thomas, Ray
Blome	Mekota	Raecke	
Bowman	Murphy	Thomas, Amos	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 263.

A bill for an Act relating to crimes and punishments; to provide that the making, drawing, uttering or delivering of checks, drafts or orders for the payment of money upon any bank or other depository, in which the maker or drawer has no account or deposit, with intent to defraud, shall constitute a felony; and to provide penalties.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 37:

Adams, J. Jr.	Crossland	Lambert	Raecke
Asimus	Gantz	Mekota	Rakow
Bevins	Garber	Metzger	Reed
Blome	Greenamyre	Mischke	Sorreli
Bowman	Hanna	Mueller	Thomas, Ray
Brodahl	Howard	Murphy	Thornton

Callan	Jeppesen	Neubauer	Tvrdik
Carlson	Johnson	Norman	Weborg
Carmody	Knezacek	Peterson	
Crosby	Kotouc		

Voting in the negative, 0.

Not voting, 6:

Adams, E. A.	Price	Thomas, Amos
Matzke	Sullivan	Van Diest

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Mr. Murphy moved that the hour of adjournment be extended beyond 1:00 p. m. and that no recess be taken.

The motion prevailed and the President so ordered.

Mr. Gantz presiding

LEGISLATIVE BILL NO. 250.

A bill for an Act relating to corporations; to enact a general corporation law for Nebraska relating to corporations, foreign and domestic, organized for pecuniary profit; to provide for their incorporation, operation, management, control, regulation, merger, consolidation, dissolution and for the renewal, extension or restoration of their corporate existence; to provide for the domestication of foreign corporations; to repeal Article 1, Chapter 24, Compiled Statutes of Nebraska, 1929, and Sec. 24-113, C. S. Supp., 1939; to repeal Article 2, Chapter 24, Compiled Statutes of Nebraska, 1929, and Sec. 24-208, C. S. Supp., 1939; and to repeal Sections 24-301, 24-302 and 24-303, Compiled Statutes of Nebraska, 1929.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 35:

Adams, J. Jr.	Crosby	Kotouc	Norman
Asimus	Crossland	Lambert	Peterson
Bevins	Gantz	Matzke	Rakow
Blome	Garber	Mekota	Reed
Bowman	Hanna	Metzger	Sorrell
Brodahl	Howard	Mischke	Thornton
Callan	Jeppesen	Murphy	Van Diest
Carlson	Johnson	Mueller	Weborg
Carmody	Knezacek	Neubauer	

Voting in the negative, 0.

Not voting, 8:

Adams, E. A.	Price	Sullivan	Thomas, Ray
Greenamyre	Raecke	Thomas, Amos	Tvrdik

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Statements

Mr. President: Had I been present I would have voted for L. B. No. 250. (Signed) Ray Thomas

Mr. President: Had I been present I would have voted aye on L. B. No. 250. (Signed) Greenamyre

Mr. President: Had I been present I would have voted aye on L. B. No. 250. (Signed) Tvrdik

Speaker Howard presiding

LEGISLATIVE BILL NO. 294.

A bill for an Act relating to drainage; to provide for the discontinuance of the activities of any sanitary district organized under the provisions of Article 6, Chapter 31,Compiled Statutes of Nebraska, 1929, as amended; to prescribe procedure for effecting such discontinuance; to vest the property and rights of such district in cities or villages and in the county boards of counties in which the districts are located; and to provide for a vote of the electors in such sanitary district.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 37:

Adams, J. Jr.	Crossland	Lambert	Peterson
Asimus	Garber	Matzke	Raecke
Bevins	Greenamyre	Mekota	Rakow
Blome	Hanna	Metzger	Reed
Bowman	Howard	Mischke	Sorrell
Brodahl	Jeppesen	Murphy	Thomas, Ray
Callan	Johnson	Mueller	Thornton
Carlson	Knezacek	Neubauer	Van Diest
Carmody	Kotouc	Norman	Weborg
Crosby			

Voting in the negative, 0.

Not voting, 6:

Adams, E. A.	Price	Thomas, Amos
Gantz	Sullivan	Tvrdik

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Statement

Mr. President: Had I been present I would have voted for L. B. 294 and wish to be recorded accordingly. (Signed) Tvrdik

LEGISLATIVE BILL NO. 139. With emergency clause.

A bill for an Act to amend Sec. 72-211, C. S. Supp., 1939, relating to school lands and funds; to provide that school lands of the state of Nebraska may be sold to the United States of America, or any county, city or village of the state of Nebraska, for public use for the development of aviation fields and fields for aerial traffic; to provide that the United States of America may purchase from the state of Nebraska such school lands, or portions thereof in subdivisions of not less than forty acres, located within the boundaries of the projects now authorized by the United States of America pursuant to Public No. 848, 76th Congress, entitled "An Act Authorizing the Construction of Water Conservation and Utilization Projects in the Great Plains and Arid and Semi-Arid Areas of the United States", approved August 11, 1939, and all acts supplementary thereto, amendatory thereof, or appropriating funds for the purposes thereof; to provide that there shall be no covenant of reverter in the deeds of conveyance to the United States of America involving the purchase of school lands for the public purposes set forth in Public No. 848, 76th Congress; to provide that all other school lands of the state of Nebraska sold under the provisions of this act shall revert back to the state of Nebraska when the land so conveyed ceases to be used for the public purpose for which it was acquired; to provide that in all deeds of conveyance of school lands to the United States of America or other public agencies or governmental subdivisions for public purposes, all mineral rights shall be reserved to the state of Nebraska; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Adams, J. Jr.	Crossland	Lambert	Raecke
Asimus	Gantz	Matzke	Rakow
Bevins	Garber	Mekota	Reed
Blome	Greenamyre	Metzger	Sorrell
Bowman	Hanna	Mischke	Sullivan
Brodahl	Howard	Mueller	Thomas, Ray
Callan	Jeppesen	Murphy	Thornton
Carlson	Johnson	Neubauer	Tvrdik
Carmody	Knezacek	Norman	Van Diest
Crosby	Kotouc	Peterson	Weborg

Voting in the negative, 0.

Not voting, 3:

Adams, E. A.	Price	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 300. With emergency clause.

A bill for an Act relating to statutes and laws; to provide for the compilation, authentication, publication and sale of a **"1941 cumulative supplement"** to the **"compiled statutes of Nebraska, 1929"**; to direct the clerk of the supreme court as state librarian under the supervision of the supreme court to arrange or contract for the same without cost to the state; to fix a maximum retail price for such supplement; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams, J. Jr.	Crossland	Matzke	Reed
Asimus	Gantz	Mekota	Sorrell
Bevins	Garber	Metzger	Thomas, Ray
Blome	Greenamyre	Mischke	Thornton
Bowman	Hanna	Mueller	Tvrdik
Brodahl	Jeppesen	Murphy	Van Diest
Callan	Howard	Neubauer	Weborg
Carlson	Johnson	Norman	
Carmody	Knezacek	Peterson	
Crosby	Kotouc	Rakow	

Voting in the negative, 0.

Not voting, 6:

Adams, E. A.	Price	Sullivan
Lambert	Raecke	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 427. With emergency clause.

A bill for an Act to amend Section 51-204, Compiled Statutes of Nebraska, 1929; to amend Sec. 51-210, C. S. Supp., 1939, relating to municipal libraries; to authorize the library board of any city, village, township or county to sell and convey any real estate, owned by the library board or by the public library, which is not used for library purposes; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams, J. Jr.	Crossland	Mekota	Sorrell
Asimus	Gantz	Metzger	Sullivan
Bevins	Greenamyre	Mischke	Thomas, Ray
Blome	Hanna	Mueller	Thornton
Bowman	Jeppesen	Neubauer	Tvrdik
Brodahl	Howard	Norman	Van Diest
Callan	Johnson	Peterson	Weborg
Carlson	Knezacek	Raecke	
Carmody	Kotouc	Rakow	
Crosby	Matzke	Reed	

Voting in the negative, 0.

Not voting, 6:

Adams, E. A.	Lambert	Price
Garber	Murphy	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 506. With emergency clause.

A bill for an Act to establish the boundary line between Nebraska and Iowa by agreement; to cede to Iowa and to relinquish jurisdication over lands now in Nebraska but lying easterly of said boundary line

and contiguous to lands in Iowa; to provide that the provisions of this act become effective upon the enactment of a similar and reciprocal law by Iowa and the approval of and consent to the compact thereby effected by the Congress of the United States of America; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

Adams, J. Jr.	Crossland	Kotouc	Rakow
Asimus	Gantz	Matzke	Reed
Bevins	Garber	Metzger	Sorrell
Blome	Greenamyre	Mischke	Thomas, Ray
Bowman	Hanna	Murphy	Thornton
Brodahl	Howard	Neubauer	Tvrdik
Carlson	Jeppesen	Norman	Van Diest
Carmody	Johnson	Peterson	Weborg
Crosby	Knezacek	Raecke	

Voting in the negative, 0.

Not voting, 8:

Adams, E. A.	Lambert	Mueller	Sullivan
Callan	Mekota	Price	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Approved by the Governor

May 15, 1941

To the President, the Speaker and Members of the Legislature
Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day signed the following bills, viz:

L. B. No. 462 L. B. No. 398

Respectfully submitted,
(Signed) Val Peterson
Secretary to the Governor.

SELECT FILE

LEGISLATIVE BILL NO. 271. Mr. Peterson requested unanimous consent to withdraw his Specific amendment, found in this Day's Journal.

No objection was offered and the President so ordered.

Mr. Crossland offered the following amendment which was adopted by unanimous consent:

Amend L. B. No. 271 by inserting on page 4, line 66, after the comma following the word "same", the words "subject to the approval and consent of the Department of Banking,".

Referred to E and R for engrossment.

MOTION—To Suspend Rules

Mr. Callan moved to suspend the rules and take up L. B. No. 470 on Third Reading File.

The motion prevailed with 31 ayes, 1 nay, 11 not voting.

BILLS ON THIRD READING (Continued)

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 470. With emergency clause.

A bill for an Act relating to motor vehicle fuels; to provide procedure for the payment of refunds of taxes imposed on motor vehicle fuels, with allocations to the state assistance fund deducted, if any, to persons who purchase motor vehicle fuels on which motor vehicle fuel tax is paid, either directly or indirectly, in the event that the taxed motor vehicle fuel is used solely for agricultural purposes; to define terms used in this act; to provide that the chief of the bureau of motor fuels in the department of agriculture and inspection shall administer the provisions thereof; to provide for the mixing of identifying chemicals in all **"tax refund"** motor vehicle fuels at the time of sale or purchase, which identifying chemicals shall be furnished without cost to distributors by the administrator; to provide for the distribution of motor vehicle fuel tax; to amend Sec. 66-411, C. S. Supp., 1939, as amended by section 2, legislative bill No. 70, fifty-fifth session, Nebraska state legislature, 1941; to repeal said original section, as amended; to repeal Secs. 66-431, 66-432, 66-433, 66-434 and 66-435, C. S. Supp., 1939; to provide penalties for the violation thereof; to state validity and saving clauses; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

A call of the House was ordered.

Mr. Mischke moved to raise the call.

The motion was lost with 13 ayes, 16 nays, 14 not voting.

Mr. Gantz changed his vote from nay to aye and moved to raise the call.

The motion was lost with 15 ayes, 13 nays, 15 not voting.

Mr. Gantz changed his vote from aye to nay.

Mr. Rakow moved to raise the call.

The motion prevailed with 21 ayes, 3 nays, 19 not voting.

Voting in the affirmative, 26: (On passage of the bill)

Adams, J. Jr.	Carmody	Matzke	Reed
Asimus	Crosby	Mekota	Sorrell
Blome	Crossland	Mueller	Thomas, Ray
Bowman	Garber	Neubauer	Thornton
Brodahl	Greenamyre	Peterson	Weborg
Callan	Knezacek	Raecke	
Carlson	Lambert	Rakow	

Voting in the negative, 8:

Bevins	Hanna	Mischke	Sullivan
Gantz	Johnson	Murphy	Tvrdik

Not voting, 9:

Adams, E. A.	Kotouc	Price
Howard	Metzger	Thomas, Amos
Jeppesen	Norman	Van Diest

A constitutional two-thirds majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause attached.

Vote on L. B. No. 470 with the Emergency Clause stricken

Voting in the affirmative, 27:

Adams, J. Jr.	Crosby	Matzke	Rakow
Asimus	Crossland	Mekota	Reed
Blome	Garber	Metzger	Sorrell

Brodahl	Greenamyre	Mueller	Thomas, Ray
Callan	Howard	Neubauer	Thornton
Carlson	Knezacek	Peterson	Weborg
Carmody	Lambert	Raecke	

Voting in the negative, 10:

Bevins	Johnson	Murphy	Tvrdik
Gantz	Kotouc	Sullivan	Van Diest
Hanna	Mischke		

Not voting, 6:

Adams, E. A.	Jeppesen	Price
Bowman	Norman	Thomas, Amos

A constitutional majority having voted in the affirmative, the bill was declared passed with the emergency clause stricken and the title agreed to.

SELECT FILE

LEGISLATIVE BILL NO. 507. E and R amendments, found in the Legislative Journal for the Ninetieth Day, were adopted.

Member Excused

Mr. Lambert was excused.

Mr. Sorrell moved to recommit the bill to General File for the following Specific amendment:

Amend the General File amendment to the bill so as to place the word "Otoe" among the counties comprising the first congressional district.

A call of the House was ordered.

Mr. Kotouc moved to raise the call.

The motion prevailed with 22 ayes, 4 nays, 17 not voting.

Member Excused

Mr. Rakow was excused for the remainder of the day.

Mr. Sorrell changed his vote from aye to nay and moved to reimpose the call.

Record vote was requested.

Voting in the affirmative, 11:

Adams, J. Jr.	Crossland	Matzke	Sullivan
Bevins	Garber	Mekota	Thomas, Ray
Callan	Greenamyre	Sorrell	

Voting in the negative, 17:

Asimus	Carmody	Howard	Norman
Blome	Crosby	Kotouc	Raecke
Bowman	Gantz	Metzger	Tvrdik
Carlson	Hanna	Neubauer	Van Diest
			Weborg

Not voting, 15:

Adams, E. A.	Knezacek	Murphy	Reed
Brodahl	Lambert	Peterson	Thomas, Amos
Jeppesen	Mischke	Price	Thornton
Johnson	Mueller	Rakow	

The motion was lost.

Mr. Sorrell changed his vote from nay to aye.

Voting in the affirmative, 15: (On Sorrell motion to recommit)

Adams, J. Jr.	Garber	Mekota	Sullivan
Bevins	Greenamyre	Peterson	Thomas, Ray
Callan	Jeppesen	Reed	Thornton
Crossland	Matzke	Sorrell	

Voting in the negative, 20:

Asimus	Carmody	Metzger	Norman
Blome	Crosby	Mischke	Raecke
Bowman	Gantz	Mueller	Tvrdik
Brodahl	Hanna	Murphy	Van Diest
Carlson	Howard	Neubauer	Weborg

Not voting, 8:

Adams, E. A.	Knezacek	Lambert	Rakow
Johnson	Kotouc	Price	Thomas, Amos

The motion was lost.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 24. E and R amendments, found in the Legislative Journal for the Ninety-second Day, were adopted.

Referred to E and R for engrossment.

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 29. List of Men in Military and Naval Service

Requiring the Adjutant General of the State of Nebraska to Compile and keep Current a Correct List of the Mailing Addresses of all Nebraskans Enlisted or Inducted into the Military or Naval Service of the United States and to Make such List Available to the Extension Service of the University of Nebraska for its Uses and Purposes and to such other State Agencies as the Governor may Direct

Introduced by E. R. Blome of Cheyenne

Preamble

WHEREAS, the national defense program of the United States of America by induction or enlistment into the military or naval service will continue, from day to day, from week to week and from month to month, to remove Nebraskans to military cantonments, naval bases, air bases and other defense training centers outside Nebraska, and

WHEREAS, many of the Nebraskans so removed were connected with the extension service of the university of Nebraska or desire to avail themselves of the facilities of such extension service or will find it beneficial to them, while training for national defense, to receive the publications and other information which the extension service is prepared to furnish, if the correct mailing addresses of such Nebraskans, during their tour of military or naval service, were always available, and

WHEREAS, the office of the adjutant general of the state of Nebraska is a proper state agency to compile and keep current a list of the correct mailing addresses of such Nebraskans participating in the national defense program, and

WHEREAS, the governor may deem it advisable for other Nebraska agencies to be supplied with a correct list of the current mailing addresses of such Nebraskans in the military and naval service, from time to time, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-FIFTH REGULAR SESSION ASSEMBLED:

1. That the office of the adjutant general is hereby directed to compile and to keep current a list of mailing addresses of all Ne-

braskans enlisted or inducted into the military or naval service of the United States.

2. That the correct list of mailing addresses of Nebraskans, referred to in the preceding section, as compiled from day to day, be made available by the office of the adjutant general to the duly authorized agents of the extension service of the university of Nebraska and to such other Nebraska state agencies as the governor may, from time to time, authorize in writing.

Mr. Blome moved that the rules be suspended and the resolution adopted.

The motion prevailed with 33 ayes, no nays, 10 not voting.

Mr. Mueller presiding

LEGISLATIVE RESOLUTION NO. 30. Electric Service Bills

Directing Board of Control of State Institutions to Cancel an Item of $4,103.51 for Electric Service Bills due from Custodian of State Capitol to Nebraska State Penitentiary

Introduced by H. G. Greenamyre of Madison

Preamble

WHEREAS, under the provisions of Section 72-709, Compiled Statutes of Nebraska, 1929, the board of control of state institutions from the Nebraska state penitentiary generates and furnishes light and power for the Nebraska state capitol building, and

WHEREAS, commencing with May, 1937 and ending August 2, 1939, with part payments deducted there is still carried on the books of the board of control of state institutions an item of $4,103.51 due from custodian of Nebraska state capitol to Nebraska state penitentiary, and

WHEREAS, it constitutes a useless and frivolous act to include a reappropriation item for the payment of said electric service bill in legislative bill No. 222, the general appropriation bill now pending before this legislature for the biennium ending June 30, 1943, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-FIFTH REGULAR SESSION ASSEMBLED:

1. That the board of control of state institutions is hereby ordered and directed forthwith to cancel an item of $4,103.51 now car-

ried upon its books as due and owing to the Nebraska state penitentiary from the custodian of the Nebraska state capitol for balance due for light and power furnished to the state capitol building from May, 1937 to August 2, 1939.

2. That the clerk of this legislature is hereby directed forthwith to spread at large a copy of this resolution upon the journal of this legislature, and forthwith to forward a copy thereof to the board of control of state institutions for its information and conduct.

SELECT FILE (Continued)

LEGISLATIVE BILL NO. 90. E and R amendments, found in the Legislative Journal for the Ninety-second Day, were adopted.

Mr. Sorrell offered the following amendments and asked that they be adopted by unanimous consent:

1. Amend the bill, pages 2 and 3, sections 2, 3 and 4, by striking the word "engineer" appearing in line 1 of each of said sections, and insert in lieu thereof in each instance the word "geologist".

2. Amend the bill, page 3, section 4, line 2, by inserting after the word "assess" and before the definite article "the", the words "against said lessee or operator"; and in line 5 of said section insert after the word "require" and before the indefinite article "a", the words "from said lessee or operator".

No action was taken. Laid over.

LEGISLATIVE BILL NO. 183. E and R amendments, found in the Legislative Journal for the Ninety-second Day, were adopted.

Mr. Howard offered the following amendment, which was adopted by unanimous consent:

Amend Section 1, line 1, after the word "subdivision" insert "or any school district".

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 202. E and R amendments, found in the Legislative Journal for the Ninety-second Day, were adopted.

Referred to E and R for engrossment.

Adjournment

At 5:08 p. m. on motion by Mr. Greenamyre the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

NINETY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, May 16, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Ernest A. Adams and Amos Thomas, who were excused.

The Journal for the Ninety-third Day was approved as corrected.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 23. Placed on Select File with amendments.

E and R amendments to L. B. No. 23:

1. Amend the standing committee amendments, amendment 1, page 2, section 2, line 11, by inserting before the word **"request"** therein the words **"and may"**.

2. Amend the standing committee amendments, amendment 1, page 2, section 2, line 17, by striking the words "post office" therein and by inserting in lieu thereof the word **"post-office"**.

3. Amend the standing committee amendments, amendment 1, page 2, section 2, line 37, by inserting after the word "agent" and before the word "stating" therein the punctuation ",".

4. Amend the standing committee amendments, amendment 1, page 3, section 3, line 3, by striking the word "reside" therein and by inserting in lieu thereof the word **"resides"**.

5. Amend the standing committee amendments, amendment 1, page 9, section 7, line 13, by inserting after the word "Nebraska" and before the word "then" therein the punctuation ",".

6. Amend the standing committee amendments, amendment 1, pages 12 and 13, section 9, lines 56, 57, 59, 60, 64, 66, 70, 74, 83 and 85 by striking the punctuation ";" wherever the same appears therein and by inserting in lieu thereof the punctuation ".".

7. Amend the standing committee amendments, amendment 1, pages 12 and 13, section 9, lines 62 and 84 by striking the punctuation ',"' in each of said lines respectively and by inserting in lieu thereof the punctuation '",'.

8. Strike the general file amendments, Peterson, adopted May 9, 1941, and restate the same as follows:

"Amend the standing committee amendments, mimeographed, adopted March 27, 1941, page 8, section 10, subdivision 1, by striking all new matter commencing with the word **"Provided"** in line 7 of said section down to and including the word and punctuation **"forces."** in line 27 therein and by inserting in lieu thereof the following:

"Provided, that no absent voter in the military or naval service of the United States of America or of the state of Nebraska need register while in such military or naval forces if such voter shall, at the time he makes application for absent voter's ballot, furnish in lieu of a certificate of registration, an affidavit, upon blanks to be supplied by the supervisor of registration, setting forth his name, address and all other facts and information required for the registration of voters where the voter presents himself personally for registration.'.

9. Amend the standing committee amendments, amendment 1, pages 14 and 15, section 10, lines 32, 47, 51, 52, 54, 55, 58, 61, 64 and 71, by striking the punctuation ',"' wherever the same appears in each of said lines respectively and by inserting in lieu thereof the punctuation '",'; and in lines 32 and 33 on said page 14, strike the word "christian" and insert in lieu thereof the word **"Christian"**; and in line 48 on said page 15, strike the word "right hand" therein and insert in lieu thereof the word **"right-hand"**; and in line 49 on said page 15, strike the word **"sub-division"** therein and insert in lieu thereof the word **"subdivision"**.

10. Amend the standing committee amendments, amendment 1, page 15, section 10, line 61, by striking the subsection designation and punctuation "j." and by inserting in lieu thereof the subsection designation and punctuation "i." therein; and reletter the succeeding subsections of said subdivision 1 of said section 10 to conform with the within amendment.

11. Amend the standing committee amendments, amendment 1, page 15, section 10, line 71, by inserting the punctuation "," after the last quotation marks and before the definite article "the" therein; and underscore the punctuation "." after "etc" therein, and insert thereafter and before the quotation mark the punctuation ",".

12. Amend the standing committee amendments, amendment 1, page 18, section 12, line 3, by striking the second preposition "of" therein and by inserting in lieu thereof the conjunction "or" therein.

13. Amend the standing committee amendments, page 2, amendment 1, section 2, line 28, by inserting the word "also" after the word "must" and before the word "give".

14. Amend the standing committee amendments, amendment 1, page 5, section 5, line 18, by striking the preposition "to" and inserting in lieu thereof the preposition **"by"**.

15. Amend the standing committee amendments, amendment 1, page 12, section 9, by striking the punctuation "." after the abbreviation "viz" in lines 31 and 41.

16. Amend the standing committee amendments, amendment 1, page 1, section 1, line 11, by inserting after the word **"of"** and before the word **"Article"** the words and punctuation **"Chapter 32,"**.

17. Amend the standing committee amendments, amendment 1, page 4, section 4, line 12, by striking the word **"enables"** and inserting in lieu thereof the word **"enable"**.

18. Amend the standing committee amendments, amendment 1, page 6, section 5, line 61, by striking the word "proven" and inserting in lieu thereof the word **"proved"**.

19. Amend the standing committee amendments, amendment 1, page 7, section 5, line 72, by striking the word **"and"**.

20. Amend the standing committee amendments, amendment 1, page 9, section 6, line 41, by striking the word **"postmark"** and inserting in lieu thereof the word **"postmarks"**.

21. Amend the standing committee amendments, amendment 1, page 10, section 8, line 13, by striking the word "prevent" and inserting in lieu thereof the word **"preventing"**.

22. Amend the standing committee amendments, amendment 1, page 10, section 8, line 25, by inserting the punctuation "," after the word **"article"** and before the word **"shall"**.

LEGISLATIVE BILL NO. 42. Placed on Select File with amendment.

E and R amendment to L. B. No. 42:

1. Amend the bill, page 1, title, line 6 by inserting the conjunction "and" before the second preposition "to" therein.

LEGISLATIVE BILL NO. 84. Placed on Select File with amendments.

E and R amendments to L. B. No. 84:

1. Amend the standing committee amendments, adopted May 9, 1941, amendment 2, line 6 by inserting the word **"dollars"** after the word **"hundred"** therein.

2. Amend the bill, page 3, section 3, line 1, by striking the word "effect" therein and by inserting in lieu thereof the word "affect".

3. Amend the bill, page 2, section 1, lines 15 and 16, by striking the punctuation and words, **", as the case is,".**

LEGISLATIVE BILL NO. 332. Placed on Select File with amendments.

E and R amendments tc L. B. No. 332:

1. Amend the bill, page 2, section 1, lines 11 and 13, by striking the puncuation ";" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the punctuation ".".

2. Amend the general file amendments, Norman, amendment 2, adopted May 5, 1941, line 2, by striking the punctuation and word "; providing" therein and by inserting in lieu thereof the following: ": **Provided,** that".

3. Amend the general file amendments, Norman, amendment 2, adopted May 5, 1941, line 3, by striking therefrom the symbol and figures "$1,000.00" therein and by inserting in lieu thereof the words "one thousand dollars".

4. Amend the bill, page 3, section 5, line 7, by inserting the punctuation "," after the word "earned" and before the indefinite article "a" therein.

5. Amend the bill, page 4, section 10, line 3, by inserting the punctuation "," after the word "incapacitated" and before the word "the" therein.

6. Amend the bill, page 5, section 14, lines 5, 11 and 12, by inserting the punctuation "," after the word "misdemeanor" wherever the same appears in each of said lines respectively.

LEGISLATIVE BILL NO. 351. Correctly re-engrossed.

LEGISLATIVE BILL NO. 403. Correctly engrossed.

(Signed) Crosby, Chairman

SELECT FILE

LEGISLATIVE BILL NO. 90. Mr. Sorrell asked that his amendment, found in the Legislative Journal for the Ninety-third Day, be adopted by unanimous consent.

No objection was offered and the President so declared.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 255. E and R amendments, found in the Legislative Journal for the Ninety-second Day, were adopted.

Mr. Tvrdik offered the following amendment, which was adopted by unanimous consent:

That general file amendments of L. B. No. 255, dated May 9, 1941 as mimeographed be amended by unanimous consent by inserting a period (.) immediately after the word "bond" in line 27, and by striking the remainder of line 27 and line 28.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 329. E and R amendments, found in the Legislative Journal for the Ninety-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 389. E and R amendments, found in the Legislative Journal for the Ninety-second Day, were adopted.

Mr. Peterson offered the following amendment to the General File amendments, mimeographed May 8, 1941, as follows:

Substitute a new section following Section 16 and before Section 17 as follows: "Section 17. The other provisions of this act shall

not apply to any company registered as a face amount certificate company under the "Investment Company Act of 1940", Public — No. 768 — 76th Congress, nor to the securities, broker or salesmen of any such company, but any such company and its securities shall be subject exclusively to this section and to Article 54, Chapter 81, Compiled Statutes of Nebraska, 1939, as amended: Provided, that in lieu of all written applications required by Section 81-5443 thereof, any such company may submit a copy of any security it proposes to sell and a copy of its registration statement on file with the Securities and Exchange Commission of the United States, and in lieu of all fees required of issuers and brokers under Section 81-5465 with respect to the issuance of securities, any such company shall at the time of filing its original application or statement, pay to the Superintendent of Banks a fee of Five Hundred Dollars, and upon meeting the other requirements of Article 54, Chapter 81, Nebraska Compiled Statutes, 1939, the security covered by the application or statement shall be authorized for sale or exchange under Article 54, Chapter 81, Nebraska Compiled Statutes, 1939, and renewal authorizations thereunder shall be issued annually upon payment to the Superintendent of Banks of a fee of Five Hundred Dollars."

Renumber Section 17 of the mimeographed bill to be Section 18.

And asked that they be adopted by unanimous consent.

No objection was offered and the President so declared.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 399. E and R amendments, found in the Legislative Journal for the Ninety-second Day, were adopted.

Mr. Mueller offered the following amendment, which was adopted by unanimous consent:

Amend the Mueller amendment by striking therefrom after the word assistance, "In such manner and for such purposes as shall be consistent with the laws of the United States".

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 23. E and R amendments, found in this Day's Journal, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 42. E and R amendment, found in this Day's Journal, was adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 84. E and R amendments, found in this Day's Journal, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 332. E and R amendments, found in this Day's Journal, were adopted.

Referred to E and R for engrossment.

Speaker Howard presiding

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 17. With emergency clause.

A bill for an Act relating to courts; to define certain terms used therein; to provide civil procedure incident to the application and issuance of restraining orders and temporary injunctions; to provide that no person, who seeks injunctive relief in any court in the state of Nebraska involving the delivery of irrigation water, where the state engineer, his employees, agents or servants or other state officers, who administer irrigation water of the state, are parties, shall obtain a restraining order or temporary injunction in such courts unless and until a notice of the application therefor has been mailed by registered mail to the state engineer and water superintendent in the water division in which said action is brought and to all appropriators whose rights to the delivery of water might in any manner be affected, together with notice of the time and place of hearing at least seventy-two hours prior to the hearing on the said application; to authorize the state engineer, appropriators and riparian owners to be heard on the propriety of granting such application and on the amount of bond to be fixed in the event the application is allowed; to authorize any person injured or likely to be injured by the granting of the application to intervene and to become a party to the litigation at any stage in the action; to provide procedure on appeal from the judgment of the district court and for the advancement of the argument, for acceleration of the time for judgment and for writing and filing opinion by the supreme court; to provide that a peremptory mandamus in the first instance shall not be given in any case involving the delivery of irrigation water,

where the state engineer is a party; to make provisions for the giving of notice of hearing on the allowance of a peremptory writ of mandamus in any case involving the delivery of water where the state engineer, his employees, agents or servants or other state officers, who administer irrigation water of the state, are parties, and to provide for intervention in any such case by certain persons; to provide requirements for recording and giving notice of the address of every owner of a water appropriation; to amend Sections 20-1062, 20-1063, 20-1064, 20-1065, 20-1066, 20-1067, 20-1920, 81-6310, 20-2160 and 20-2159, Compiled Statutes of Nebraska, 1929; to state validity and saving clauses; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

Adams, J. Jr.	Gantz	Mekota	Reed
Asimus	Garber	Metzger	Sorrell
Blome	Hanna	Mischke	Sullivan
Bowman	Howard	Mueller	Thomas, Ray
Brodahl	Johnson	Murphy	Thornton
Carlson	Knezacek	Neubauer	Tvrdik
Carmody	Kotouc	Peterson	Van Diest
Crosby	Lambert	Price	Weborg
Crossland	Matzke	Raecke	

Voting in the negative, 0.

Not voting, 8:

Adams, E. A.	Callan	Jeppesen	Rakow
Bevins	Greenamyre	Norman	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 33. With emergency clause.

A bill for an Act to amend Section 32-1701, Compiled Statutes of Nebraska, 1929, relating to officers; to prescribe contingencies when civil offices, except the offices of members of the legislature, become vacant when their incumbents exercise militia, military or naval duties within or without the state of Nebraska before the expiration of their terms; to prescribe contingencies whenever the adjutant general shall be absent from the state of Nebraska in active service in the armed forces of the United States for more than thirty days; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams, J. Jr.	Garber	Mekota	Rakow
Asimus	Greenamyre	Metzger	Reed
Bevins	Hanna	Mischke	Sorrell
Blome	Howard	Mueller	Sullivan
Bowman	Jeppesen	Murphy	Thomas, Ray
Brodahl	Johnson	Neubauer	Thornton
Carlson	Knezacek	Norman	Tvrdik
Crosby	Kotouc	Peterson	Van Diest
Crossland	Lambert	Price	Weborg
Gantz	Matzke	Raecke	

Voting in the negative, 0.

Not voting, 4:

Adams, E. A.	Callan	Carmody	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Mr. Gantz presiding

LEGISLATIVE BILL NO. 246.

A bill for an Act relating to property; to assimilate interests in real and personal property to each other; to simplify their creation and transfer; to protect the owners of present and future interests; to abolish estates in fee tail and fee simple conditional; to abolish certain ancient technical rules concerning the effect of certain language in conveyances; to provide for cross remainders by implication in certain cases; to provide for the effect of conveyances in cases of identity of grantor and grantee; to make certain provisions concerning conveyances between husband and wife; to provide for damages recoverable for waste; to establish a rule of construction tending to make uniform the law of property among those states which adopt similar acts; to designate a short title; to state clauses concerning interpretation and retroactiveness; to repeal Sections 76-105, 76-106, 30-202, 76-237, 20-2129 and 20-2130, Compiled Statutes of Nebraska, 1929; and to repeal all acts or parts of acts in conflict herewith.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 29:

Adams, J. Jr.	Crossland	Mischke	Reed
Asimus	Gantz	Mueller	Sorrell
Blome	Hanna	Murphy	Sullivan
Bowman	Jeppesen	Neubauer	Thomas, Ray
Brodahl	Johnson	Norman	Thornton
Carlson	Knezacek	Peterson	Tvrdik
Crosby	Kotouc	Raecke	Van Diest
			Weborg

Voting in the negative, 1:

Greenamyre

Not voting, 13:

Adams, E. A.	Garber	Matzke	Price
Bevins	Howard	Mekota	Rakow
Callan	Lambert	Metzger	Thomas, Amos
Carmody			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 510. With emergency clause.

A bill for an Act to amend section 4, legislative bill No. 323, fifty-fifth session, Nebraska state legislature, 1941, relating to agriculture; to provide for the manner of sale of **"Nebraska state fair grandstand bonds"**; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 32:

Adams, J. Jr.	Gantz	Mischke	Reed
Asimus	Garber	Mueller	Sorrell
Bowman	Greenamyre	Murphy	Sullivan
Brodahl	Hanna	Neubauer	Thomas, Ray
Carlson	Jeppesen	Norman	Thornton
Carmody	Johnson	Peterson	Tvrdik
Crosby	Knezacek	Raecke	Van Diest
Crossland	Kotouc	Rakow	Weborg

Voting in the negative, 0.

Not voting, 11.

Adams, E. A.	Callan	Matzke	Price
Bevins	Howard	Mekota	Thomas, Amos
Blome	Lambert	Metzger	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

President Johnson presiding

LEGISLATIVE BILL NO. 512. With emergency clause.

A bill for an Act to empower the governor to sponsor state-wide projects contributed to by the federal **work projects administration** or any other federal agency where there is no state agency authorized by law to sponsor the same, including the power to cooperate with or to supervise or to act in an advisory capacity as to any and all projects contributed to by said **work projects administration** as to which state-wide supervision, direction or advisory control may be deemed expedient; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 33:

Adams, J. Jr.	Carmody	Matzke	Rakow
Asimus	Crosby	Mischke	Reed
Bevins	Gantz	Mueller	Sorrell
Blome	Greenamyre	Murphy	Sullivan
Bowman	Jeppesen	Neubauer	Thomas, Ray
Brodahl	Johnson	Norman	Thornton
Callan	Knezacek	Peterson	Tvrdik
Carlson	Kotouc	Raecke	Van Diest
			Weborg

Voting in the negative, 0.

Not voting, 10:

Adams, E. A.	Hanna	Mekota	Price
Crossland	Howard	Metzger	Thomas, Amos
Garber	Lambert		

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 424. With emergency clause.

A bill for an Act relating to abandoned federal forts; to provide for their acquisition, preservation, restoration and development as historical sites for memorial and state park purposes; to create and establish boards of trustees for such purposes; to provide for the appointment, organization, powers and duties of such boards; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Adams, J. Jr.	Crossland	Lambert	Price
Asimus	Gantz	Matzke	Raecke
Bevins	Garber	Mekota	Rakow
Blome	Greenamyre	Metzger	Reed
Bowman	Hanna	Mischke	Sorrell
Brodahl	Howard	Mueller	Sullivan
Callan	Jeppesen	Murphy	Thomas, Ray
Carlson	Johnson	Neubauer	Thornton
Carmody	Knezacek	Norman	Tvrdik
Crosby	Kotouc	Peterson	Van Diest
			Weborg

Voting in the negative, 0.

Not voting, 2:

Adams, E. A. Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 206.

A bill for an Act to amend Sec. 48-115, C. S. Supp., 1939, relating to labor; to provide that the workmen's compensation law shall cover any firemen of any city or village when fighting fire or saving life or property beyond the corporate limits of the city or village, if authorized to go beyond the corporate limits by the city council or board of trustees; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 37:

Adams, J. Jr.	Gantz	Matzke	Raecke
Asimus	Garber	Mekota	Rakow
Bevins	Greenamyre	Metzger	Reed
Bowman	Hanna	Mischke	Sorrell
Brodahl	Howard	Mueller	Sullivan
Callan	Jeppesen	Neubauer	Thomas, Ray
Carlson	Johnson	Norman	Thornton
Carmody	Knezacek	Peterson	Tvrdik
Crosby	Kotouc	Price	Weborg
Crossland			

Voting in the negative, 0.

Not voting, 6:

Adams, E. A.	Lambert	Thomas, Amos
Blome	Murphy	Van Diest

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 220. With emergency clause.

A bill for an Act to amend Section 24-812, Compiled Statutes of Nebraska, 1929, relating to religious societies; to provide for the change of name of local or state religious corporations, if and when the national or parent religious corporation, having jurisdiction including the state of Nebraska, changes that part of its name which is common to both parent and local bodies; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams, J. Jr.	Gantz	Matzke	Price
Asimus	Garber	Mekota	Raecke
Bevins	Greenamyre	Metzger	Rakow
Blome	Hanna	Mischke	Reed
Bowman	Howard	Mueller	Sorrell
Brodahl	Jeppesen	Murphy	Sullivan
Carlson	Johnson	Neubauer	Thomas, Ray
Crosby	Knezacek	Norman	Thornton
Crossland	Kotouc	Peterson	Tvrdik
			Weborg

Voting in the negative, 0.

Not voting, 6:

Adams, E. A.	Carmody	Thomas, Amos
Callan	Lambert	Van Diest

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 233.

A bill for an Act to amend Section 69-111, Compiled Statutes of Nebraska, 1929, relating to chattel mortgages; to provide penalty for failure of the mortgagor, at reasonable hours, to exhibit for inspection the mortgaged property, on demand of the mortgagee or his agent; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 39:

Adams, J. Jr.	Crossland	Matzke	Raecke
Asimus	Gantz	Mekota	Rakow
Bevins	Greenamyre	Metzger	Reed
Blome	Hanna	Mischke	Sorrell
Bowman	Howard	Mueller	Sullivan
Brodahl	Jeppesen	Murphy	Thomas, Ray
Callan	Johnson	Neubauer	Thornton
Carlson	Knezacek	Norman	Tvrdik
Carmody	Kotouc	Peterson	Van Diest
Crosby	Lambert	Price	

Voting in the negative, 0.

Not voting, 4:

Adams, E. A.	Garber	Thomas, Amos	Weborg

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 64. With emergency clause.

A bill for an Act to amend Section 16-670, Compiled Statutes of Nebraska, 1929, relating to cities of the first class having a population of not less than eighteen thousand inhabitants nor more than twenty-five thousand inhabitants; to fix and determine the limitation on bond issues of such cities for the purpose of constructing or aiding in the construction of the city hall, jail, auditorium, buildings

for the fire department and other public buildings in an amount not exceeding the sum of three hundred thousand dollars; to repeal said original section; and to declare an emergency.

Whereupon the president stated: All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 25:

Adams, J. Jr.	Crosby	Neubauer	Thornton
Asimus	Crossland	Norman	Tvrdik
Bevins	Gantz	Peterson	Van Diest
Bowman	Greenamyre	Raecke	Weborg
Brodahl	Jeppesen	Reed	
Callan	Knezacek	Sorrell	
Carlson	Matzke	Sullivan	

Voting in the negative, 6:

Garber	Kotouc	Metzger
Johnson	Lambert	Mischke

Not voting, 12:

Adams, E. A.	Hanna	Mueller	Rakow
Blome	Howard	Murphy	Thomas, Amos
Carmody	Mekota	Price	Thomas, Ray

A constitutional two-thirds majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause attached.

Vote on L. B. No. 64 with Emergency Clause Stricken

Voting in the affirmative, 26:

Adams, J. Jr.	Crosby	Neubauer	Sullivan
Asimus	Crossland	Norman	Thornton
Bevins	Gantz	Peterson	Tvrdik
Bowman	Greenamyre	Price	Van Diest
Brodahl	Jeppesen	Raecke	Weborg
Callan	Knezacek	Reed	
Carlson	Matzke	Sorrell	

Voting in the negative, 9:

Garber	Lambert	Murphy
Johnson	Metzger	Rakow
Kotouc	Mischke	Thomas, Ray

Not voting, 8:

Adams, E. A.	Carmody	Howard	Mueller
Blome	Hanna	Mekota	Thomas, Amos

A constitutional majority having voted in the affirmative, the bill was declared passed with the emergency clause stricken and the title agreed to.

Member excused

Mr. Kotouc was excused for the remainder of the morning.

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 30. Electric Service Bills

Mr. Greenamyre moved that the resolution be adopted.

The motion prevailed with 27 ayes, no nays, 16 not voting.

Recess

At 11:56 a. m. on motion by Mr. Johnson the Legislature recessed until 2:00 p. m.

After Recess

The Legislature reconvened at 2:00 p. m. President Johnson presiding.

The roll was called and all members were present except Messrs. Ernest A. Adams, Price and Amos Thomas, who were excused.

MOTION—Adjournment Sine Die

Mr. President: I move that a committee of three be appointed by the President to fix a date for adjournment sine die, and make all proper arrangements for such adjournment. (Signed) Mueller

The motion prevailed and the President appointed the following members to serve on said committee:

Mueller, Chairman	Gantz	Mekota

REQUEST—For Consent to Instruct

Mr. Sorrell asked that unanimous consent be granted to instruct E and R committee to amend L. B. No. 507 by removing the name of "Otoe County" from the second congressional district and adding the same to the first congressional district.

Objection was raised by Mr. Metzger.

Mr. Sorrell moved that E and R Committee be instructed to amend L. B. No. 507 by removing the name "Otoe County" from the second congressional district and adding the same to the first congressional district.

A call of the House was ordered.

Mr. Metzger moved to raise the call.

The motion was lost with 16 ayes, 3 nays, 23 not voting.

Mr. Kotouc changed from "not voting" to nay and moved to raise the call.

The motion was lost with 12 ayes, 3 nays, 28 not voting.

Mr. Kotouc changed his vote from nay to not voting and moved to raise the call.

The motion prevailed with 19 ayes, 1 nay, 23 not voting.

Mr. Sorrell's original motion, to instruct the committee, was lost with 18 ayes, 5 nays, 20 not voting.

GENERAL FILE

LEGISLATIVE BILL NO. 222. Mr. Johnson offered the following amendment, which was adopted.

1. Amend the bill, page 11, section 29, by inserting immediately after the word "grounds", line 10 therein, the following:

"**Including,** for construction of flagstaff or pole and for acquiring national flags, as provided in legislative bill No. 43, fifty-fifth session, Nebraska state legislature, 1941, not to exceed.....$500.00"

Mr. Callan offered the following amendments, which were adopted:

p. Amend the bill, page 5, section 10, by inserting immediately after line 9 therein the following:

"**Tuition,** children whose parents are in army, navy or marine corps on duty in Nebraska, reappropriate unexpended balance arising out of legislative bill No. 168, fifty-fifth session, Nebraska state legislature, 1941, not to exceed.....20,000.00".

o. Amend the bill, page 13, by inserting immediately preceding line 1, section 33 thereon a new section to be known and numbered as follows:

"Sec. 31½. 1943 STATUTE COMMISSION
Wages and maintenance, recompiling, revising, annotating and editing 'Compiled Statutes of Nebraska, 1943', reappropriate unexpended balance arising out of legislative bill No. 299, fifty-fifth session, Nebraska state legislature, 1941, not to exceed.....45,000.00".

z. Amend the bill, pages 31 and 32, section 53, lines 16 and 17, by striking all of subsection (f) thereon; and then renumber the succeeding subsections in said section 53 to conform with the within amendment.

r. Amend the Standing Committee amendments, mimeographed, dated April 23, 1941, page 3, amendment 25, line 6 by inserting after the word **"expense"** therein the following:

", including necessary expenditures incurred under legislative bill No. 232, fifty-fifth session, Nebraska state legislature, 1941, from its effective date up to and including June 30, 1941".

q. Amend the bill, page 22, section 41, by inserting immediately after line 14 therein the following:

"Installment Loan Laws

Administration and enforcement, appropriate all fees collected under legislative bill No. 282, fifty-fifth session, Nebraska state legislature, 1941, during the biennium June 30, 1943, estimated.....$25,000.00

Industrial Loan and Investment

Companies Law

Administration and enforcement, appropriate all fees collected under legislative bill No. 389, fifty-fifth session, Nebraska state legislature, 1941, during the biennium June 30, 1943, estimated $5,000.00

1. Amend the bill, page 15, section 36, line 23, by inserting after the word "fees" therein the following:

", including all moneys and fees collected under legisaltive bill No. 470, fifty-fifth session, Nebraska state legislature, 1941,";
and, in line 31 of said section 36, insert after the symbol and figures "$6,000.00" the following:

", including amount to be expended under the direction of the state treasurer for expenses of the state treasurer, estimated $2,316.00, for the administration of legislative bill No. 470, **supra;** and, includ-

ing amount to be expended under the direction of the auditor of public accounts for expenses of the auditor of public accounts, estimated $7,400.00, for the administration of legislative bill No. 470, **supra;** and, including amount to be expended under the direction of the tax commissioner for expenses of the tax commissioner, estimated $2,000.00, for the administration of legislative bill No. 470, **supra: Provided,** no expenditures shall be incurred hereunder by the state treasurer, auditor of public accounts or tax commissioner in the administration of legislative bill No. 470, **supra,** without the approval of the governor".

2. Amend the bill, page 13, section 33, by striking that part of said section commencing with the word "together" in line 19 therein, down to and including the word and punctuation "estimate," in line 22 therein; and then insert immediately after line 29 in said section 33, the following:

"**Chemurgic research,** unexpended balance in **real estate commissioner fund,** as of June 30, 1941, estimated $18,000.00 to be used for chemurgic research, study of Nebraska agricultural resources in the administration of legislative bill No. 462, fifty-fifth session, Nebraska state legislature, 1941".

y. Amend the bill, page 11, section 30, by inserting immediately preceding line 7 therein the following:

"**Chemurgic research,** study of Nebraska agricultural resources in the administration of legislative bill No. 462, fifty-fifth session, Nebraska state legislature, 1941.....7,000.00".

x. Amend the bill, page 31, section 53, lines 13, 14 and 15 by striking all of subsection (e) therein, as amended by enrollment and review amendment No. ....., and insert in lieu thereof the following:

"(e) to the board of control of state institutions, the **state surplus agricultural revolving fund,** as established in legislative bill No. 221, fifty-fifth session, Nebraska state legislature, 1941;".

w. Amend the standing committee amendments, mimeographed, dated April 23, 1941, page 8, amendment No. 66, by inserting immediately after line 2 therein the following:

"Department of Labor";

and insert paragraph 2, lines 10 to 14 inclusive, amendment No. 66 immediately after line 5, section 37, page 16 of the bill, after striking line 9 of said amendment No. 66 in paragraph 2; and also amend the bill, page 16, section 37, line 5, by striking leadered "66,755.64" and by inserting immediately after the figures and letter "153-F" therein the following:

"59,508.00".

v. Amend the bill, page 17, section 39, by striking lines 13 to 19 inclusive thereon.

u. Amend the standing committee amendments, dated April 23, 1941, mimeographed, page 5, amendment No. 42, line 5, by striking the punctuation "," before the word "including" therein and by inserting in lieu thereof the punctuation ";".

t. Amend the standing committee amendments, mimeographed, dated April 23, 1941, page 10, amendment No. 72, line 10, by striking the figures "$80,000.00." therein and by inserting in lieu thereof the following:

".....80,000.00".

s. Amend the standing committee amendments, mimeographed, dated April 23, 1941, page 10, amendment No. 72½, line 10 by striking "$82,500.00." therein and by inserting in lieu thereof the following:

".....82,500.00".

Z. Amend the bill, page 28, section 49, line 7 by inserting after the syllable "poses" therein the following:

", no expenditures to be made by the commission for any purpose hereinafter allocated without the approval of the governor".

Referred to E and R for review.

MOTION—To Recommit to General File

Mr. President: I move that L. B. No. 482 be recommitted to General File for the following amendments:

1. Sec. 1, line 1, after the words, "motor vehicle" by inserting the following: "or bus".

2. Sec. 1, line 3, after the words, "motor vehicle" by inserting the following: "or bus".

3. Sec. 1, line 5, after the words "motor vehicle" by inserting the following: "or bus".

4. Sec. 1, line 7, after the word "owner" by inserting the following: "agent, leasee or operator".

5. Sec. 1, line 7, after the words "is not" strike the word "paying" by inserting the following: "required by the terms of Section 66-416 or Section 60-1101 C. S. Nebr. Supp., 1939, or by operation of law to pay".

6. Sec. 1, line 12, after the words "motor vehicles" by inserting the following: "or bus".

7. Sec. 1, line 16, after the word "trucks" by inserting the following: "or buses".

8. Sec. 1, line 19, after the words "motor vehicle" by inserting the following: "or bus".

9. Sec. 1, line 22, after the word "Nebraska." by inserting the following: "The carrying capacity or load of any bus operated under the provisions of this act shall be found by multiplying the number of said seats in said bus excluding the driver's seat by 150 pounds."

10. Amend the title, line 3, after the word "vehicles" by inserting the following: "or buses".

(Signed) Mischke-Rakow

The motion prevailed.

GENERAL FILE

LEGISLATIVE BILL NO. 482. Mr. Mischke moved that his Specific amendments, above set out, be adopted.

Richard Johnson presiding

The motion prevailed with 22 ayes, 7 nays, 14 not voting.

Mr. Greenamyre offered the following amendments, which were adopted:

1. Amend the general file amendments, mimeographed, Mischke and Rakow, dated May 13, 1941, page 1, amendment 1, section 1, line 7 by inserting after the word "tax" the following:

"as levied by Secs. 66-405 and 66-416, C. S. Supp., 1939, as now existing, or as hereafter amended, and as allocated by Sec. 66-411, C. S. Supp., 1939, as amended,".

2. Amend the general file amendments, mimeographed, Mischke and Rakow, dated May 13, 1941, page 1, amendment 1, section 1, line 8 by inserting after the word and punctuation "vehicle," therein the following:

"as levied by Aritcle 11, Chapter 60, C. S. Supp., 1939, as now existing, or as hereafter amended,".

3. Amend the general file amendments, mimeographed, Mischke and Rakow, dated May 13, 1941, page 2, amendment 2, line 9 by

inserting after the word "tax" and before the word "or" therein the following:

"as levied by Secs. 66-405 and 66-416, C. S. Supp., 1939, as now existing, or as hereafter amended, and as allocated by Sec. 66-411, C. S. Supp., 1939, as amended,".

4. Amend the general file amendments, mimeographed, Mischke and Rakow, dated May 13, 1941, page 2, amendment 2, line 10 by inserting after the word "vehicle" therein the following:

", as levied by Article 11, Chapter 60, C. S. Supp., 1939, as now existing, or as hereafter amended".

5. Amend the general file amendments, mimeographed, Mischke and Rakow, dated May 13, 1941, page 2, amendment 1, section 4, line 8 by striking the word "ten" therein and by inserting in lieu thereof the word "fifty"; and also in said line 8 strike the word "one" and insert in lieu thereof the word "five".

6. Amend the general file amendments, mimeographed, Mischke and Rakow, dated May 13, 1941, page 1, amendment 1, section 2, line 16 by inserting after the word and punctuation "state." the following: "The owner of any commercial motor vehicle that is liable to pay compensating fees for the use of the highways shall equip such vehicle with a **wheel meter** or a **hub meter** of such standard and type as the state engineer shall prescribe, and, at all times shall obey the rules of the department of roads and irrigation with respect to reading, sealing, protecting and operating such meters so as to insure accuracy in computation of miles traveled by such vehicle whenever it is operated on the highways of this state."

Mr. Lambert moved to indefinitely postpone.

Record vote was requested.

Voting in the affirmative, 19:

Adams, J. Jr.	Carlson	Hanna	Mueller
Asimus	Carmody	Jeppesen	Neubauer
Blome	Crosby	Johnson	Thornton
Brodahl	Crossland	Knezacek	Weborg
Callan	Garber	Lambert	

Voting in the negative, 14:

Bowman	Kotouc	Mischke	Rakow
Gantz	Matzke	Murphy	Reed
Greenamyre	Mekota	Peterson	
Howard	Metzger	Raecke	

Not voting, 10:

Adams, E. A.	Price	Thomas, Amos	Tvrdik
Bevins	Sorrell	Thomas, Ray	Van Diest
Norman	Sullivan		

The motion prevailed.

Indefinitely postponed.

Mr. Murphy presiding

LEGISLATIVE BILL NO. 212. Read and considered.

Mr. Raecke offered the following amendment, which was adopted:

Amend the bill, page 3, section 2, line 16 by inserting the figure "212" in the blank space after the abbreviation "No.".

Referred to E and R for review.

MOTION—To Recommit to General File

Mr. President: I move that L. B. No. 265 be recommitted to General File for the following Specific amendments:

1. Strike all of the bill, with all amendments adopted, pages 2 and 3, sections 1 to 6, inclusive, and substitute in lieu thereof the following:

"Section 1. **Subdivision 1.** If the personal estate of a minor is of less value than one hundred dollars, the county court may, in its discretion, without the appointment of a guardian or without the giving of a bond, either authorize the deposit of the cash proceeds of the personal estate of such minor in a savings account of a bank or the investment thereof in postal savings of the United States of America in the name of the ward, or authorize the purchase of a certificate of deposit of a bank. The instrument that represents such authorized investment of the personal estate of the minor shall be payable to the natural guardian or to the person who stands **in loco parentis** to the minor, with joint control of the investment reserved in the court, or the instrument that authorizes the investment may be made payable to the ward upon his attaining the age of his majority. **Subdivision 2.** If the personal estate of any minor or incompetent under guardianship is of less value than one hundred dollars, and if the ward is not the owner of real estate, the court may order that the assets of the ward shall be invested in the manner provided in subdivision 1 of this section, and the guardian may thereupon be discharged. **Subdivision 3.** Where a surviving parent has, by last will, appointed a guardian for any of his children, whether born at the time of making the will or afterwards, to continue during the

minority of the child, or for a less time, every such testamentary guardian shall, upon admission of said will to probate and without further proceedings have the same powers and duties with respect to the estate of the ward, subject to the provisions of the will, as the natural guardian or the person who stands **in loco parentis** to the minor has under the provisions of subdivision 1 of this section. **Subdivision 4.** The county court may, in its discretion, from time to time permit the expenditure by the person with whom said court exercises joint control over the investments of wards, as provided in subdivisions 1, 2 and 3 of this section, for the expenses of the education and maintenance of wards.".

2. Amend the bill, page 1, title, by striking all of said title after the word "ACT" in line 2 therein, together with all amendments adopted thereto, and insert in lieu thereof the following:

"relating to guardians; to provide for the summary disposition without guardianship of estates that consist of personal property of less value than one hundred dollars and that belong to minors or to incompetent persons; to provide, if the ward is not the owner of real estate, for the summary termination of guardianships of minors or incompetents where the personal assets in the hands of the guardian amount to less than one hundred dollars; and to provide for the use of the funds of wards for their education and maintenance, in the discretion of the court.".

(Signed) Crosby

The motion prevailed.

GENERAL FILE

LEGISLATIVE BILL NO. 265. Mr. Crosby's Specific amendments, above set out, were adopted.

Referred to E and R for review.

STANDING COMMITTEE REPORTS

Enrollment and Review

Correctly engrossed

L. B. No. 24 L. B. No. 154

Presented to Governor for approval

Friday, May 16, 1941 at 9:00 a. m.

L. B. No. 500 L. B. No. 509

LEGISLATIVE BILL NO. 478. Placed on Select File with amendments.

E and R amendments to L. B. No. 478:

1. Amend the bill, page 2, section 1, line 7 by striking the word "provided" therein and by inserting in lieu thereof the following: **"as now existing, or as hereafter amended: Provided, that".**

2. Amend the standing committee amendments, amendment 1, line 9 by striking the punctuation and word ": **Provided**" therein and by inserting in lieu thereof the following: **"; and provided further".**

3. Amend the bill, page 2, section 1, lines 13 and 14 by striking the word "semi-annually" therein and by inserting in lieu thereof the word **"semiannually".**

4. Amend the bill, page 2, section 1, line 16 by striking the punctuation "," after the word "reimbursed" and before the word "in".

5. Amend the bill, page 2, section 1, line 16 by striking the preposition "of" after the word "period" and before the word "not".

6. Amend the bill, page 2, section 1, line 20 by striking the punctuation "." after the preposition "to" therein and by inserting in lieu thereof the punctuation ":".

7. Amend the bill, page 2, section 1, line 22 by striking the last preposition "of" therein.

8. Amend the bill, page 2, section 1, line 26 by striking the first word "nor" therein and by inserting in lieu thereof the word "or".

9. Amend the bill, page 3, section 1, line 35 by striking the words **"fifty-one per cent"** therein.

10. Amend the bill, page 3, section 1, line 39 by striking therefrom the punctuation and word "Provided," and by inserting in lieu thereof the following: **"and provided".**

11. Amend the bill, page 3, section 1, line 40 by striking therefrom the figures "25,000" therein and by inserting in lieu thereof the words **"twenty-five thousand".**

12. Amend the bill, page 3, section 1, lines 41 and 42 by striking the words "to carry the same" therein; and in said line 42 after the word "election" and before the punctuation "." therein insert the words **"to carry the same".**

13. Amend the bill, page 3, section 1, line 56 by striking the punctuation "." after the word "registered" and by inserting in lieu thereof the punctuation ":"; and in said line 56 strike the punctuation "," after the word "that" and before the word "if" therein.

14. Amend the bill, page 3, section 1, lines 60 and 61 by striking the punctuation and word ": **Provided**" therein and by inserting in lieu thereof the following: "; **and provided further**".

15. Amend the bill, page 2, section 1, line 30 by inserting the punctuation "," after the word "days" and before the preposition "in"; and in line 31 of said section insert the punctuation "," after the word "district" and before the preposition "to".

16. Amend the bill, page 3, section 1, line 39 by striking therefrom the punctuation ":" after the word "notice" and insert in lieu thereof the punctuation ";".

17. Amend the bill, page 3, section 1, line 49 by inserting the conjunction "and" after the word and punctuation "annum," at the end of said line.

LEGISLATIVE BILL NO. 349. Placed on Select File with amendments.

E and R amendments to L. B. No. 349:

1. Amend the standing committee amendments, page 2, section 2, line 18 by inserting the punctuation "," after the word "airports" and before the word "and" therein.

2. Amend the standing committee amendments, adopted May 12, 1941, page 1, amendment 1, sec. 2, line 9 by inserting after the first word "is" in said line and before the conjunction "or" the word "**located**".

LEGISLATIVE BILL NO. 340. Placed on Select File.

LEGISLATIVE BILL NO. 353. Placed on Select File with amendments.

E and R amendments to L. B. No. 353:

1. Amend the bill, page 2, section 1, line 17 by inserting after the word "one" therein the following: "and one-half mills".

2. Amend the bill, page 1, title, line 6 by striking the first word "sewerage" and by inserting in lieu thereof the word "sewage".

3. Amend the bill, page 2, section 1, line 23 by inserting the word "of" after the word "purposes" and before the word "Article".

LEGISLATIVE BILL NO. 207. Replaced on Select File with amendments.

E and R amendments to L. B. No. 207:

a. Amend the select file amendments, mimeographed, adopted May 3, 1941, by striking amendment D therein.

b. Amend the select file amendments, mimeographed, adopted May 3, 1941, page 1, amendment A, section 10, line 6 by striking the words "water course" and by inserting in lieu thereof the word **"watercourse".**

c. Amend the select file amendments, mimeographed, adopted May 3, 1941, page 1, amendment A, section 10, line 27, by striking the punctuation "," after the word "dam" and before the word "shall".

d. Amend the select file amendments, adopted May 3, 1941, mimeographed, page 2, amendment A, section 10, line 46, by restoring the stricken punctuation "." after the word "obstruction" therein.

e. Amend the select file amendments, mimeographed, adopted May 3, 1941, page 2, amendment B, lines 3 and 5 by striking the figure "2" therein, and by inserting in lieu thereof the figure "4"; and in line 6 of said amendment B, strike the section symbol "37-501" and insert in lieu thereof the section symbol "37-609".

f. Renumber all sections of the bill to conform with all amendments made to it.

g. Amend the general file amendment, Greenamyre, adopted May 12, 1941, by inserting the punctuation ":" after the quotation mark and before the word "Provided" in line 1 of said amendment.

h. Amend the select file amendments, mimeographed, adopted May 3, 1941, amendment A, section 10, line 3, by striking therefrom the following: **"Subdivision 1."**; and in line 22 of said amendment strike the word "dams" and insert in lieu thereof the word **"dam".**

LEGISLATIVE BILL NO. 504. Placed on Select File with amendments.

E and R amendments to L. B. No .504:

1. Amend the general file amendments, amendment 1, page 1, section 1, line 2, by striking the punctuation "," after the word "plan" and before the word "in".

2. Amend the general file amendments, amendment 1, page 1, section 1, line 3, by striking the word "exist" after the word "which" and before the word "for" and insert in lieu thereof the word "exists".

3. Amend the general file amendments, amendment 1, page 1, section 1, line 9, after the word "organization" and before the word "in" by inserting the following: ", agency, committee or plan,".

4. Amend the general file amendments, amendment 1, page 1, section 1, line 10, by striking the punctuation "," after the word "against" and before the conjunction "or".

LEGISLATIVE BILL NO. 282. Placed on Select File with amendments.

E and R amendments to L. B. No. 282:

A. Amend the general file amendments, mimeographed, adopted May 13, 1941, as follows:

1. Amendment 1, page 10, section 17, line 21, by inserting the punctuation "," after the pronoun "them" and before the indefinite article "a".

2. Amendment 1, page 2, section 3, line 10, by inserting the punctuation "," after the word "**session**" therein.

3. Amendment 1, page 3, section 5, line 13, by inserting the punctuation "," after the figures "1942" therein.

4. Amendment 1, page 4, section 5, line 18, by inserting the punctuation "," after the word "shall" and also after the figures "1942" therein.

5. Amendment 1, page 4, section 6, line 11, by striking the figures "27" therein and by inserting in lieu thereof the figures "26".'.

B. Amend the general file amendments, Metzger, adopted May 13, 1941:

'6. Line 1, by striking the words "word licensee" and by inserting in lieu thereof the following:

'word and punctuation "licensee." '.

C. Amend the general file amendments, mimeographed, adopted May 13, 1941, as follows:

'7. Amendment 1, page 6, section 11, line 12, by inserting the punctuation "," after the word "department" and also after the word "discretion" therein.

8. Amendment 1, page 7, section 12, line 2, by striking the word "licensee" therein and by inserting in lieu thereof the word "license".

9. Amendment 1, page 8, section 14, line 3, by inserting the punctuation "," after the word "thereof" at the end of the line.

10. Amendment 1, page 9, section 16, line 7, by striking the word "those" therein and by inserting in lieu thereof the words "the amount of interest or charges".

11. Renumber the sections contained in amendment 1 to conform with all amendments to the bill.'.

D. Amend the general file amendments, adopted May 13, 1941, Rakow:

'12. Line 7, by inserting the punctuation "," before the word "as" therein and also after the word "plan" therein.'.

E. Amend the general file amendments, mimeographed, adopted May 13, 1941:

'13. Amendment 1, page 15, section 29, line 4, by striking the word "nor" therein and by inserting in lieu thereof the word "not".

14. Amendment 2, page 18, title, line 21, by inserting the conjunction "and" after the figures and punctuation "1929;" therein and before the preposition "to" therein; and in line 22 of said amendment 2, strike the punctuation and words "; and to declare an emergency".

15. Amendment 1, page 8, section 14, lines 6 and 13 by striking the word "section" from each of said lines and inserting in lieu thereof in each instance the word "act".

16. Amendment 1, page 7, section 12, line 21, by striking therefrom the word "hereinafter" and inserting in lieu thereof the word "herein".

LEGISLATIVE BILL NO. 513. Placed on Select File with amendments.

E and R amendments to L. B. No. 513:

1. Amend the general file amendments, Peterson, adopted May 14, 1941, amendment 1, line 4, by striking the letters "st" after the figure "1" therein; and in line 15 of said amendment 1, insert the punctuation "," after the word "rules" and before the word "the" therein.

2. Amend the general file amendments, Peterson, adopted May 14, 1941, amendment 2, lines 4 and 5, by inserting the punctuation "," after the word "board" and after the word "discretion"; and insert the punctuation "." after the word "qualified" in line 6 of said amendment.

3. Amend the general file amendments, Peterson, adopted May 14, 1941, amendment 1, line 22, by inserting the punctuation "," after the figure "9" and before the word "inclusive" therein.

4. Amend the bill, page 2, section 1, line 8, by inserting after the word "Association" therein the following: **", subject to the provisions set forth in subdivision 2 of this section".**

5. Amend the bill, page 2, section 3, line 3, by striking the word "thereof" therein and by inserting in lieu thereof the word "hereof" therein.

6. Amend the bill, page 2, section 1, line 3, by inserting immediately after the section symbol and punctuation "71-1705." and before the word "Every" therein the following: **"Subdivision 1.".**

7. Amend the general file amendments, Peterson, adopted May 14, 1941, amendment 1, line 3, by inserting before the word **"No"** therein the following: **"Subdivision 2.".**

8. Amend the general file amendments, Peterson, adopted May 14, 1941, line 1, by striking therefrom the word "Amendment" and insert in lieu thereof the word "amendments"; and, immediately after the word "following:" in line 2, insert the following:

'Amend the bill, page 2, section 1, line 8, by inserting after the word and punctuation "Association." therein, the following:'

9. Amend the general file amendments, Peterson, adopted May 14, 1941, amendment 1, line 12, by striking the word **"Persons"** and inserting in lieu thereof **"A person".**

10. Amend the general file amendments, Peterson, adopted May 14, 1941, amendment 1, line 14, by inserting the punctuation "," after the word **"if"** therein.

11. Amend the general file amendments, Peterson, adopted May 14, 1941, amendment 2, lines 5 and 6, by inserting the punctuation "," after the word **"that"** in line 5 and also after the word **"experience"** in line 6.

12. Amend the bill, page 1, title, line 5, by inserting after the word and punctuation "osteopathy;" therein the following:

"to establish a **board of examiners in surgery** for holders of licenses to practice osteopathy; to define the powers, duties and functions of said board;".

(Signed) Crosby, Chairman

Adjournment

At 4:18 p. m. on motion by Mr. Sullivan the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

NINETY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, May 19, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by Captain Catherine Raymond of the Salvation Army in Lincoln.

The roll was called and all members were present except Mr. Lambert and Amos Thomas, who were excused.

The Journal for the Ninety-fourth Day was approved as corrected.

PETITIONS AND MEMORIALS

Mr. Sorrell introduced 24 petitions asking that Otoe County be placed in the first congressional district.

Communications

A letter was read from Miles Reber, Major, Corps of Engineers of the War Department, acknowledging receipt of Legislative Resolution No. 21 concerning Republican River flood control.

A letter was read from Congressman Carl T. Curtis acknowledging receipt of Legislative Resolution No. 28.

A copy of the California Daily Senate Journal for May 2, 1941 was introduced.

Approved by Governor

May 16, 1941

To the President, the Speaker and Members of the Legislature
Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day signed the following bills, viz:

L. B. No. 500 L. B. No. 509 L. B. No. 499

Respectfully submitted,

(Signed) Val Peterson
Secretary to the Governor

May 17, 1941

To the President, the Speaker and Members of the Legislature
Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day signed the following bill, viz:

L. B. No. 192

Respectfully submitted,

(Signed) Val Peterson
Secretary to the Governor

MOTION—Republican River Compact

Mr. President: I move that the Clerk of the Legislature be directed to deliver to the Secretary of State the original copy of the Republican River compact, submitted to the Legislature on March 20, 1941, and to substitute in the records of the Legislature the signed carbon copy thereof, submitted herewith. (Signed) Neubauer

The motion prevailed.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 183. Placed on Select File with amendments.

E and R amendments to L. B. No. 183:

A. Amend the standing committee amendments:

I. Page 4, amendment 2, line 4, by inserting after the word "subdivision" and before the preposition "to" the following: "or of any school district".

II. Page 5, amendment 2, line 11, by inserting after the word "empower" and before the word "any" therein the following: "any school district or".

III. Page 5, amendment 2, line 15, by inserting after the word "municipalities" and before the word "and" therein the following: "or school district".

IV. a. Page 5, amendment 2, line 16, by inserting after the word "such" and before the word "city" therein the following: "school district,".

IV. b. Page 5, amendment 2, line 17, by inserting before the words "promissory note" therein the following: "or school district's".

V. Page 5, amendment 2, lines 22 and 26, by inserting after the word "municipalities" in each of said lines respectively the following: "or school districts".

V. a. Page 5, line 26, amendment 2, by inserting after the word and punctuation "therein;" therein the following: "to state a validity clause;".

B. Amend the standing committee amendments, amendment 1:

VI. Page 1, section 1, line 4, by inserting after the word "subdivision" therein the following: "or of such school district".

VII. Page 1, section 1, line 11, by inserting after the syllable "palities" therein the following: "or to school districts".

VIII. Page 1, section 3, line 1, by inserting after the word "body" and before the word "shall" the following: "of the municipality or of the school district".

IX. Page 1, section 3, line 9, by inserting after the word "subdivision" and before the word "serving" therein the following: "or of the school district".

X. Page 2, section 3, line 12, by inserting after the syllable "division" and before the word "and" therein the following: "or school district".

XI. Page 2, section 4, line 4, by inserting after the word "subdivision" and before the word "shall" therein the following: "or the school district".

XII. Page 2, section 4, line 9, by inserting after the word "body" and before the word "may" therein the following: "of the political subdivision or of the school district".

XIII. Page 2, section 5, line 2, by striking the word "if" therein and by inserting in lieu thereof the word "in".

XIV. Page 2, section 6, line 2, by inserting after the word "subdivision" and before the word "to" therein the following: "or of such school district".

XV. Page 1, section 2, line 2, by striking the word "judgment" therein and by inserting in lieu thereof the word "judgments".

XVI. Page 2, section 7, line 1, by inserting after the word "Any" and before the word "city" therein the following: "school district, any".

XVII. Page 2, section 7, line 7, by inserting after the word "such" and before the word "city" therein the following: "school district,".

XVIII. Page 2, section 7, line 9, by inserting after the word "the" and before the word "municipality" therein the following: "school district or of the".

XIX. Page 2, section 7, line 10, by inserting after the word "funds" and before the word "created" therein the following: "of the municipality".

XX. Page 3, section 7, line 12, by inserting after the word "levy" therein the following: "or against the fund or funds of the school district created by the taxes voted for annual school levy in the year 1940 and subsequent levy".

XXI. Page 3, section 7, line 16, by inserting after the word "municipality" and before the word "shall" therein the following: "or the school district".

XXII. Page 3, section 9, line 1, by inserting after the word "municipality" and before the word "before" therein the following: "or any school district".

XXIII. Page 3, section 9, line 4, by inserting after the word "such" and before the word "city" therein the following: "school district,".

XXIV. Page 3, section 9, line 6, by inserting after the word "such" and before the word "city" therein the following: "school district,".

XXV. Page 3, section 9 line 7, by inserting after the word "such" therein the following: "school district,".

XXVI. Page 3, section 9, line 10, by inserting after the figures "1940" and before the word "municipal" therein the following: "school district levy, or by the 1940".

XXVII. Page 3, section 9, line 11, by inserting after the word "municipality" and before the word "not" therein the following: "or school district".

XXVIII. Page 3, section 9, line 13, by inserting after the word "the" and before the word "city" therein the following: "school district,".

XXIX. Page 3, section 10, line 1, by inserting after the word "Any" and before the word "city" therein the following: "school district,".

XXX. Page 4, section 10, line 4, by inserting after the word "its" and before the word "annual" therein the following: "annual school levy, or in its".

XXXI. Page 4, section 10, line 5, by inserting after the word "bill" and before the word "to" therein the following: ", as the case may be,".

XXXII. Page 4, section 11, line 1, by inserting after the indefinite article "a" and before the word "municipality" therein the following: "school district or".

XXXIII. Page 4, section 11, line 6, by inserting after the word "said" and before the syllable "munici-" therein the following: "school districts or".

XXXIV. Page 1, section 1, line 2, by striking the word "had" therein and by inserting in lieu thereof the word "has"; and in line 4, by striking the word "were" and inserting in lieu thereof the word "are".

XXXV. Page 1, section 3, line 2, by striking the word "their" and inserting in lieu thereof the word "its".

XXXVI. Page 4, section 11, line 6, by striking therefrom the word "charter".

XXXVII. Amend the standing committee amendments, amendment 2, page 5, line 22, by striking therefrom the word "charter".

XXXVIII. Amend the standing committee amendments, amendment 1, page 2, section 6, line 5, by striking the word "becomes" and inserting in lieu thereof the word "become".

LEGISLATIVE BILL NO. 329. Replaced on Select File with amendments.

E and R amendments to L. B. No. 329:

1. Amend the enrollment and review amendments, amendment 1,

adopted May 16, 1941, section 1, page 2, by striking the punctuation ";" in line 29, and inserting in lieu thereof the punctuation ","; and by inserting the punctuation "," in line 31 of said section, after the word "dollars" and before the word "conditioned".

LEGISLATIVE BILL NO. 389. Replaced on Select File with amendments.

E and R amendments to L. B. No. 389:

I. Amend the general file amendments, mimeographed, May 8, 1941, amendment 1, page 2, section 4, line 4, by inserting after the word "publish" and before the indefinite article "a" therein the following:

"once each week for three consecutive weeks";
and in line 7 of said section 4, strike the following:

once each week for three consecutive weeks".

II. Strike the select file amendments, adopted May 16, 1941, Peterson, and restate the same as follows:

"1. Amend the general file amendments, mimeographed, dated May 8, 1941, page 5, amendment 1, by inserting immediately after line 4, section 16 thereon a new section to be known and numbered as follows:

'Sec. 17. The other provisions of this act shall not apply to any company registered as a face amount certificate company under the "Investment Company Act of 1940", Public — No. 768 — 76th Congress, nor to the securities, brokers or salesmen of any such company, but any such company and its securities shall be subject exclusively to this section and to Article 54, Chapter 81, C. S. Supp., 1939, as now existing or as hereafter amended: **"Provided,** that in lieu of all written applications required by Sec. 81-5443, C. S. Supp., 1939, as now existing or as hereafter amended, any such company may submit a copy of any security it proposes to sell and a copy of its registration statement on file with the **securities and exchange commission** of the United States of America, and, in lieu of all fees required of issuers and brokers under Sec. 81-5465, C. S. Supp., 1939, as now existing or as hereafter amended, with respect to the issuance of securities, any such company shall at the time of filing its original application or statement, pay to the director of banking, department of banking, a fee of five hundred dollars, and, upon meeting the other requirements of Article 54, Chapter 81, C. S. Supp., 1939, as now existing or as hereafter amended, the security covered by the application or statement shall be authorized for sale or exchange under Article 54, Chapter 81, C. S. Supp., 1939, as now existing or as hereafter amended, and renewal authorizations thereunder shall be issued annually upon payment to the director of banking of a fee of five hundred dollars.'.

2. Amend the General File amendments, mimeographed, dated May 8, 1941, page 5, amendment 1, by renumbering section 17 to conform with the foregoing amendment.".

III. Amend the General File amendments, mimeographed, page 3, section 8, line 6, by inserting the word "or" after the word "executor" and before the word "in".

LEGISLATIVE BILL NO. 23. Replaced on Select File with amendments.

E and R amendments to L. B. No. 23:

I. Amend the standing committee amendments, amendment 1, section 2, line 25, by striking the word "as" therein and by inserting in lieu thereof the word "at".

II. Amend the enrollment and review amendments, page 2, amendment 9, line 2, by inserting after the figures and punctuation "32," and before the figures "47", therein the following "46,".

III. Amend the enrollment and review amendments, amendment 8, line 1, by striking the word "amendments" and inserting in lieu thereof the word "amendment".

LEGISLATIVE BILL NO. 265. Placed on Select File.

LEGISLATIVE BILL NO. 339. Placed on Select File with amendments.

E and R amendments to L. B. No. 339:

1. Amend the general file amendments, adopted May, 12, 1941, amendment 1, lines 8 and 11, by inserting the punctuation "," after the figures "**1942**" in each of said lines respectively.

2. Amend the general file amendments, adopted May 12, 1941, amendment 2, line 16, by striking the word "**and**" after the word "**licensee**" and before the word "**any**" and insert in lieu thereof the word "**or**".

3. Amend the general file amendments, mimeographed, adopted May 12, 1941, amendment 1, page 3, section 2, line 29, by striking the word "**licensee**" therein and by inserting in lieu thereof the word "**license**".

4. Amend the general file amendments, mimeographed, Kotouc, adopted May 12, 1941, amendment 1, page 3, section 2, line 41, by striking the word, letter and punctuation "**and (c),**" therein; and also

in line 53 in said section 2 insert the punctuation "," after the word **"shall"** and before the word **"within"** therein.

5. Amend the general file amendments, mimeographed, adopted May 12, 1941, amendment 1, page 3, section 3, line 6, by striking the punctuation and word ", firms" therein.

6. Amend the general file amendments, mimeographed, adopted May 12, 1941, amendment 1, page 3, section 3, line 7, by inserting after the word "money" therein the word "under".

7. Amend the general file amendments, mimeographed, adopted May 12, 1941, page 4, amendment 1, section 3, line 31, by inserting the punctuation "," after the word **"Nebraska"** therein.

8. Amend the general file amendments, adopted May 12, 1941, mimeographed, amendment 1, page 3, section 3, line 10 by striking the word "state" and by inserting "state,".

9. Amend the general file amendments, mimeographed, adopted May 12, 1941, amendment 1, section 1, page 1, line 10, by striking the word and punctuation "firm," and inserting in lieu thereof the word "firm".

10. Amend the general file amendments, mimeographed, adopted May 12, 1941, amendment 1, section 1, line 15, by striking therefrom the following: **"Nos. 339 and 282"** and insert in lieu thereof the following: **"No. 339"**.

11. Amend the general file amendments, adopted May 12, 1941, amendment 3, lines 4 and 5 by striking therefrom all of said line 4 and all that part of line 5 down to and including the figures and punctuation **"1941,"**.

12. Amend the general file amendments, adopted May 12, 1941, amendments 2, page 3, lines 41 and 42 by striking all that part of said lines commencing with the conjunction **"or"** in line 41 and ending with the figures and punctuation **"1941,"** in line 42.

LEGISLATIVE BILL NO. 212. Placed on Select File with amendments.

E and R amendments to L. B. No. 212:

1. Amend the bill, page 2, section 1, line 13, by striking the words "Of all" therein and by inserting in lieu thereof the word **"All"**.

2. Amend the bill, page 2, section 1, line 23, by striking the word "action" therein and by inserting in lieu thereof the words **"such actions"**.

3. Amend the bill, page 2, section 1, line 14, by striking the word "set-offs" therein and by inserting in lieu thereof the word **"setoffs".**

4. Amend the bill, page 3, section 2, line 7, by striking the word "subject-matter" therein and by inserting in lieu thereof the words **"subject matter".**

5. Amend the bill, page 3, section 2, line 23, by inserting after the word **"amended"** therein the following:

"by section 1, legislative bill No. 212, fifty-fifth session, Nebraska state legislature, 1941".

Correctly engrossed

L. B. No. 507	L. B. No. 255	L. B. No. 332
L. B. No. 202	L. B. No. 42	
L. B. No. 90	L. B. No. 84	

Correctly re-engrossed

L. B. No. 271	L. B. No. 399

Correctly enrolled

L. B. No. 494	L. B. No. 300	L. B. No. 510
L. B. No. 486	L. B. No. 427	L. B. No. 512
L. B. No. 126	L. B. No. 506	L. B. No. 424
L. B. No. 331	L. B. No. 470	L. B. No. 206
L. B. No. 263	L. B. No. 17	L. B. No. 220
L. B. No. 294	L. B. No. 33	L. B. No. 233
L. B. No. 139	L. B. No. 246	L. B. No. 64

(Signed) Crosby, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 494	L. B. No. 300	L. B. No. 510
L. B. No. 486	L. B. No. 427	L. B. No. 512
L. B. No. 126	L. B. No. 506	L. B. No. 424
L. B. No. 331	L. B. No. 470	L. B. No. 206
L. B. No. 263	L. B. No. 17	L. B. No. 220
L. B. No. 294	L. B. No. 33	L. B. No. 233
L. B. No. 139	L. B. No. 246	L. B. No. 64

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 31. Aid to Britain

Memorializing the President and the Congress of the United States to Disregard the Petition Signed on May 17, 1941, by One Hundred Eighty-six Members of the University of Nebraska Instructional Staff and Administration Division to Deliver Aid to Britain by Means "Not Necessarily Short of War" as Not Voicing the Public Opinion of the State of Nebraska on Delivering Aid to Britain

Introduced by Don Hanna of Cherry

Preamble

WHEREAS, on the front page in black headlines in the Sunday Journal-Star of Lincoln, Nebraska under date of May 18, 1941, it is reported that one hundred eighty-six members of the instructional staff and the administration division of the university of Nebraska, Lincoln, Nebraska, have signed and forwarded to the president of the United States and to the members of congress representing Nebraska, a petition urging them to "deliver aid to Britain by every means at the disposal of our nation not necessarily short of war", and

WHEREAS, the signatories on said petition represent merely the conclusions reached by a few academic minds and fine-spun theorists who are not the spokesmen or the leaders of the state of Nebraska and whose views on most public questions are visionary and impracticable, by reason of the rarefied atmosphere in which these signing professors live and have their being, and

WHEREAS, there may be danger that the petition of the university of Nebraska professors addressed to the president and the members of congress will erroneously be construed in Washington to reflect the popular attitude of the masses of the people of the state of Nebraska, and

WHEREAS, the members of this legislature come from every corner of the state and from every walk of life therein and are truly representative of the sentiments of Nebraska citizenry on the question of delivering aid to Britain, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-FIFTH REGULAR SESSION ASSEMBLED:

1. That the untimely and inadvised petition signed by the instructional staff and the administration division of the university of

Nebraska as described in the preamble of this resolution, and its forwarding to the president and the congress of the United States be deplored.

2. That this legislature is unalterably opposed to any change in the status quo of our nation and that we earnestly petition that aid to Britain be confined **"only to acts short of war".**

3. That a copy of this resolution be spread at large upon the journal of this legislature; that the clerk of this legislature be directed forthwith to forward copies of this resolution, properly authenticated and suitably engrossed to the following: a. To the president of the United States; b. to the vice president of the United States as the president of the senate of the United States; c. to the members of congress from the state of Nebraska in the congress of the United States; d. to the chancellor of the university of Nebraska, Lincoln, Nebraska, for his information.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 214.

A bill for an Act relating to liquors; to amend Sec. 53-329, C. S. Supp., 1939, prohibiting manufacturers, distributors or wholesalers of alcoholic liquors including beer, to extend credit to recipients of retailers' licenses; to repeal said original section; and to provide penalties for the violation thereof.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 34:

Adams, E. A.	Crosby	Kotouc	Rakow
Adams, J. Jr.	Crossland	Matzke	Reed
Asimus	Gantz	Metzger	Sorrell
Bevins	Garber	Mischke	Sullivan
Blome	Greenamyre	Mueller	Thornton
Bowman	Hanna	Neubauer	Tvrdik
Brodahl	Howard	Price	Van Diest
Carlson	Johnson	Raecke	Weborg
Carmody	Knezacek		

Voting in the negative, 0.

Not voting, 9;

Callan	Mekota	Peterson
Jeppesen	Murphy	Thomas, Amos
Lambert	Norman	Thomas, Ray

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 426. With emergency clause.

A bill for an Act to appropriate the sum of five hundred dollars for the benefit of Opal Bredehoft and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams, E. A.	Crossland	Kotouc	Raecke
Adams, J. Jr.	Gantz	Matzke	Rakow
Asimus	Garber	Mekota	Reed
Bevins	Greenamyre	Metzger	Sorrell
Blome	Hanna	Mischke	Sullivan
Bowman	Howard	Mueller	Thornton
Brodahl	Jeppesen	Neubauer	Tvrdik
Carlson	Johnson	Norman	Van Diest
Carmody	Knezacek	Peterson	Weborg
Crosby			

Voting in the negative, 0.

Not voting, 6:

Callan	Murphy	Thomas, Amos
Lambert	Price	Thomas, Ray

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MESSAGE FROM THE GOVERNOR

Veto L. B. No. 301

May 17, 1941

To the President, the Speaker and Members of the Legislature
Gentlemen:

I am returning without by signature Legislative Bill No. 301. I am vetoing this bill for the same reason that I vetoed Legislative Bill No. 135. They are both based on the theory that we should not simplify or reduce the cost of our government even though there is a decline in population.

It would seem that there is no more reason for a county to retain the office of Clerk of the District Court if its population declines below 8,000 than it is to provide that all counties of over 6,000, or some such figure, should establish this office. This bill in effect establishes several new offices, because, without it, these offices will be abolished.

I realize that the duties devolving upon the Clerk of the District Court will have to be carried on by the County Clerk if the former office ceases to exist, but the combination of the two will result in considerable saving, and it is toward that end that we should all be working.

It might be said, in connection with this bill, as it was in connection with Legislative Bill No. 135, that the matter is being placed in the hands of the voters and they will be permitted to decide. The duty of making that decision, however, has been in the hands of the legislature since our state government was formed, and I feel that it should so remain there.

Respectfully submitted,

(Signed) Dwight Griswold
Governor.

SELECT FILE

LEGISLATIVE BILL NO. 183. E and R amendments, found in this Day's Journal, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 329. E and R amendment, found in this Day's Journal, was adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 389. E and R amendments, found in this Day's Journal, were adopted.

Mr. Peterson offered the following amendment, which was adopted by unanimous consent.

Amend the E and R amendments, amendment II, line 27, by

striking the word "shall", and inserting in lieu thereof the word "may".

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 23. E and R amendments, found in this Day's Journal, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 478. E and R amendments, found in the Legislative Journal for the Ninety-fourth Day, were adopted.

Mr. Greenamyre offered the following amendment, which was adopted by unanimous consent:

Amend the Greenamyre amendment of 5-12-41, by striking the words "and one-half mills" after the word "one" in the last line of said amendment, and insert the word "mill".

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 349. E and R amendments, found in the Legislative Journal for the Ninety-fourth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 340. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 353. E and R amendments, found in the Legislative Journal for the Ninety-fourth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 207. E and R amendments, found in the Legislative Journal for the Ninety-fourth Day, were adopted.

Referred to E and R for engrossment.

Speaker Howard presiding

LEGISLATIVE BILL NO. 504. E and R amendments, found in the Legislative Journal for the Ninety-fourth Day, were adopted.

Mr. Peterson moved that the bill be referred to General File for the following Specific amendment:

By striking Section 1 of General File amendment (John Adams) adopted May 12, 1941, and inserting in lieu thereof the following: "It is hereby declared to be the policy of this state that no representative agency of labor in collective bargaining with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment or other conditions of work shall, in such collective bargaining, discriminate against any person because of his race or color. The department of labor shall be and hereby is charged with the duty of enforcement of this policy in conformity with Article I of the Constitution of Nebraska and Section 1 of the Fourteenth amendment to the Constitution of the United States of America."

John Adams, Jr. objected on the ground that the amendment was a reconsideration.

The Chair ruled that it did not amount to a reconsideration.

Mr. Adams appealed from the decision of the Chair.

The President put the question: "Shall the Chair be sustained?"

The Chair was sustained with 22 ayes, 9 nays, 12 not voting.

Mr. Peterson's motion prevailed with 22 ayes, 11 nays, 10 not voting.

Placed on General File.

LEGISLATIVE BILL NO. 282. E and R amendments, found in the Legislative Journal for the Ninety-fourth Day, were adopted.

Mr. Mekota offered the following amendments, which were adopted by unanimous consent:

1. On page 3, section 5 add after the word and punctuation "issued." in line 8, the following:

"If such application is not approved, the department shall return to the applicant said sum of one hundred dollars less any part of the investigation, inspection and publication costs provided for by section 11 of this act, which shall not have been paid by the applicant.".

2. On page 5, section 8, line 28, after the word "shall", insert the words "after being paid for the cost thereof,".

3. On page 8, section 14, line 6 strike the words "mentioned in" and insert in lieu thereof the words "permitted to licensees by".

Mr. Greenamyre offered the following amendments, which were adopted by unanimous consent:

1. Amend the general file amendments, mimeographed, page 4, amendment 1, section 7, by striking that part of said section commencing with the words "county clerk" in line 4 therein down to and including the word and punctuation "conducted," in line 5 therein and by inserting in lieu thereof the following: "director of banking".

2. Amend the general file amendments, mimeographed, page 4, amendment 1, section 7, line 9, by inserting after the word "licensee" therein the following: ": **Provided,** copies of such appointment, certified by the director of banking, shall be deemed sufficient evidence thereof, and, shall be admitted in evidence with the same force and effect as the original thereof might be admitted. In such written designation, licensee shall agree that any lawful process against licensee which is served upon such attorney or agent shall be of the same legal force and validity as if served upon the licensee, and that the authority shall continue in force so long as any liability remains outstanding in this state. Service shall be made in duplicate upon the director of banking, or, in his absence, upon the person in charge of his office and shall be deemed sufficient service upon such licensee. No such service shall be valid or binding against such licensee when licensee is required thereunder to file answer, pleading or defense within less than ten days from the date of mailing the copy of such service to such licensee. When legal process against any such licensee is served upon the director of banking, he shall forthwith, by registered mail, send one of the duplicate copies prepaid and directed to licensee."

3. Amend the general file amendments, mimeographed, amendment 1, page 17, section 31, line 17, by inserting after the word "effect" therein the following:

"; **and provided further,** that the requirements of this section for the licensee to give bond to the director of banking shall not apply to licensees that are banks, trust companies, cooperative credit associations, building and loan associations or industrial loan and investment companies".

Messrs Kotouc and Crosby offered the following amendments and asked that they be adopted by unanimous consent:

1. Amend the General File amendments to L. B. No. 282 as mimeographed, page 1, section 1, line 6, by inserting after the word "permit." and before the word "It" the following: "The words 'actuarial basis', when used in this act, mean a basis of pro ration according to the unpaid principal amount and the period of the loan."

2. Amend the General File amendments to L. B .No. 282 as

mimeographed, page 9, section 15, line 11, by striking the words "pro rata" therein.

3. Amend the General File amendments to L. B. No. 282 as mimeographed, page 9, section 15, line 11, by inserting after the word "installments" and before the word "together" therein, the following: "computed on an actuarial basis".

4. Amend the General File amendments to L. B. No. 282 as mimeographed, page 9, section 15, line 14, by striking the words "pro rated" therein and by inserting in lieu thereof the following: "returned or credited to the borrower on an actuarial basis".

5. Amend the General File amendments to L. B. No. 282 as mimeographed, page 9, section 15, beginning on line 16 and continuing on line 17, by striking the following words: "Said service charge shall be deemed to be earned one-twelfth each month:".

6. Amend the General File amendments to L. B. No. 282 as mimeographed, page 9, section 15, beginning on line 21 and continuing on line 22, by striking the words "pro rated according to" therein and by inserting in lieu thereof the following: "payable in installments computed on an actuarial basis during".

7. Amend the General File amendments to L. B. No. 282 as mimeographed, page 9, section 15, beginning on line 25 and continuing on line 26, by striking the words "pro rated according to" therein and by inserting in lieu thereof the following: "computed on an actuarial basis during".

8. Amend the General File amendments to L. B. No. 282 as mimeographed, page 12, section 20, line 14, by striking the words "pro rated" therein and by inserting in lieu thereof the following: "computed on an actuarial basis".

Objection was raised by Mr. Peterson.

Messrs. Kotouc and Crosby moved that the bill be placed on General File for the Specific amendments above set out.

The motion prevailed.

Placed on General File.

SELECT FILE (Continued)

LEGISLATIVE BILL NO. 513. E and R amendments, found in the Legislative Journal, for the Ninety fourth Day, were adopted.

No further action taken.

Member excused

Mr. Peterson was excused from 2:00 to 3:00 p. m.

Recess

At 11:50 a. m. on motion by Mr. Kotouc the Legislature recessed until 2:00 p. m.

After Recess

The Legislature reconvened at 2:00 p. m. Speaker Howard presiding.

The roll was called and all members were present except Messrs. Lambert, Price and Amos Thomas, who were excused.

SELECT FILE (Continued)

LEGISLATIVE BILL NO. 513. Mr. Peterson moved to refer to E and R for review.

Mr. Sullivan moved to indefinitely postpone.

The motion was lost with 10 ayes, 15 nays, 18 not voting.

Mr. Carlson offered the following amendments, and asked that they be adopted by unanimous consent:

1. Amend the bill, page 2, by inserting immediately after Section 2, line 2 therein, a new section to be known and numbered as follows:

"Sec. 3. That Sec. 71-602, C. S. Supp., 1939, be amended to read as follows:

For the purpose of the preceding section "unprofessional conduct" shall consist of any of the following acts: 1. Solicitation of professional patronage by agents or persons popularly known as "cappers" or "steerers", or by profiting by the acts of those representing themselves to be agents of the licensee. 2. Receipt of fees on the assurance that a manifestly incurable disease can be permanently cured. 3. Division of fees or agreeing to split or divide the fees received for professional services with any person for bringing or referring a patient or assisting in the care or treatment of a patient without the consent of said patient or his legal represenative. 4.

Advertisement of any medicine or means whereby the monthly period of women can be regulated or the menses reestablished if suppressed. 5. Procurement **Procuring** or aiding or abetting in the procurement of a criminal abortion. 6. Wilful betrayal of a professional secret. 7. Making use of any advertising statements of a character tending to deceive or mislead the public; advertising professional superiority or the performance of professional services in a superior manner; advertising prices for professional service; advertising by means of large display, glaring light signs, or containing as a part thereof the representation of a tooth, teeth, bridge work or any portion of the human head; employing or making use of advertising solicitors or free public press agents; or advertising any free dental work or free examination; offering discounts or inducements to prospective patients, by means of coupons or otherwise to perform dental services during a given period of time or during any period of time for a lesser or more attractive price; or advertising to guarantee any dental service or to perform any dental operation painlessly; : **Provided,** that the within subsection seven shall apply only to the dental profession. **8. Making use of any advertising statements of a character tending to deceive or mislead the public; advertising professional superiority or the performance of professional services in a superior manner; advertising prices for professional service; advertising by means of a large display, glaring light signs, or containing as a part thereof the representation of any portion of the human head or body; employing or making use of advertising solicitors or free public press agents; or advertising any free osteopathic work or free examination; offering discounts or inducements to prospective patients, by means of coupons or otherwise to perform osteopathic services during a given period of time or during any period of time for a lesser or more attractive price : Provided, that the within subsection 8 shall apply only to the osteopathic profession; and provided further, that nothing in said subsection 8 shall be construed to prohibit the recipient of a license to practice osteopathy from inserting his professional card in any newspaper."**

2. Amend the bill, by renumbering the remaining sections of the bill to correspond with the foregoing amendment.

3. Amend the bill, page 1, title, line 3, by inserting after the figures "1929" therein, the following "; to amend Sec. 71-602, C. S. Supp., 1939".

4. Amend the bill, page 1, title, line 5 by inserting immediately before the preposition "to" therein the following: "to define 'unprofessional conduct' in the practice of osteopathy;".

Objection was raised by Mr. Neubauer.

Mr. Carlson moved that the bill be referred to General File for the Specific amendments, above set out.

The motion prevailed.

Placed on General File.

Member excused

Mr. Peterson was excused for an hour.

LEGISLATIVE BILL NO. 265. Laid over.

LEGISLATIVE BILL NO. 339. E and R amendments, found in this Day's Journal, were adopted.

Laid over.

LEGISLATIVE BILL NO. 212. E and R amendments, found in this Day's Journal, were adopted.

Mr. Howard offered the following amendments, which were adopted by unanimous consent:

1. Amend the bill, page 2, section 1, lines 11 and 12, by restoring the stricken matter therein commencing with the punctuation and word ", and" in line 11 and ending with the word and punctuation "legislature," in line 12 thereof.

2. Amend the bill, page 2, section 1, line 12, by striking therefrom the conjunction "or".

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 265. Mr. Raecke offered the following amendment, which was adopted by unanimous consent:

Amend the General File Specific amendment, page 1, section 1, line 11 by inserting after the word "minor" the punctuation and words ", if such instrument is not a postal savings certificate,".

Referred to E and R for engrossment.

Richard Johnson presiding

RESOLUTIONS (Continued)

LEGISLATIVE RESOLUTION NO. 32. Purchase of Cattle by United States

Memorializing the United States Price Control Adminis-

trator Leon Henderson, Head of Purchasing Department for the Army, Colonel Logan and Secretary of Agriculture, Claude R. Wickard, all of Washington, D. C., to Require Purchasing Departments of Army, Navy and other Federal Agencies to Purchase more Weighty Steers and fewer Handyweight Steers

Introduced by Murphy of Scotts Bluff, Metzger of Cass, Hanna of Cherry, Howard of McPherson, Tvrdik of Douglas, Van Diest of Loup, Weborg of Cuming

Preamble

WHEREAS, Claude R. Wickard, secretary of agriculture of the United States of America, on or about May 5, 1941, appealed to the livestock farmers of the nation to market greater numbers of beef cattle, and

WHEREAS, livestock farmers of Nebraska and neighboring states patriotically responded to said appeal, and

WHEREAS, the response of the livestock farmers to the secretary's appeal resulted in sharply expanded receipts at the seven principal markets on May 12, 1941, and subsequent market days, and

WHEREAS, livestock farmers since responding to the secretary's appeal have been forced to sell weighty steers below the depressed market which dates back to January 20, 1941, for a price that has lost livestock farmers money on seventy-five per cent of the cattle sold by them since May 5, 1941, because the packers contend that the purchasing departments of the army, navy and other federal agencies have refused to buy the weighty steer carcasses, but are in the market for only handyweight steers weighing from eight hundred fifty to one thousand fifty pounds, which sell readily, and

WHEREAS, further expansion of the market, pursuant to the secretary's appeal, is certain to extend the break in prices payable to livestock farmers, and

WHEREAS, livestock farmers have been losing money and further reductions in price will be serious to them, and

WHEREAS, cattle feeders of Nebraska and of neighboring states can not be expected to have confidence in this beef market which has continued to show loss from week to week since January 20, 1941, with the cost of producing beef constantly increasing because of increased prices of corn plus increased labor cost, and

WHEREAS, every part of the defense program is operating on a higher rate, except the producers of food products,—labor has higher

wages, the manufacturer and processor are practically guaranteed a reasonable rate, but the livestock farmer in the last four months has had not only his margin of profit eliminated but is today at a point where the cattle he markets loses him money, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-FIFTH REGULAR SESSION ASSEMBLED:

1. That it is the sense of this legislature that price control administrator Leon Henderson, acting in concert with other federal governmental agencies in Washington, including the purchasing departments of the army and navy, take such steps without delay as will result in the purchasing departments of the army and navy and other federal agencies purchasing greater numbers of weighty cattle carcasses from the seven principal markets in Nebraska and surrounding states.

2. That a copy of this resolution be spread at large upon the journal of this legislature; that the clerk of this legislature be directed forthwith to forward copies of this resolution, properly authenticated and suitably engrossed to the following persons: Nebraska senators and congressmen; Iowa senators and congressmen; secretary of agriculture Claude R. Wickard; governor of the state of Iowa; secretary of agriculture, state of Iowa; Leon Henderson, price control administrator and to Colonel Logan, purchasing department for the army in Washington,—to the end that the parties to whom copies of this resolution are sent may know that the livestock farmers must, without delay, be permitted to sell their weighty beef cattle in the markets where the purchasing departments of the army, navy or other federal agencies will purchase the same.

Mr. Kotouc moved that the rules be suspended and that Legislative Resolution No. 32 be adopted.

The motion prevailed with 36 ayes, no nays, 7 not voting.

GENERAL FILE (Continued)

Speaker Howard presiding

LEGISLATIVE BILL NO. 504. Mr. Peterson moved that his Specific amendment, found in this Day's Journal, be adopted.

The motion prevailed.

Referred to E and R for review.

LEGISLATIVE BILL NO. 282. Laid over.

MOTION—To Suspend Rules

Mr. Callan moved that the rules be suspended to permit the introduction of a bill regarding an appropriation for the Legislature.

The motion prevailed with 32 ayes, no nays, 11 not voting.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 514. By Committee on Appropriations.

A bill for an Act to amend subdivision 1, section 1 and subdivision 1, section 2, legislative bill No. 30, fifty-fifth session, Nebraska state legislature, 1941, relating to the payment of compensation of officers and employees of the legislature, traveling expenses of members, the payments to be made for supplies and other incidental expenses incurred during the fifty-fifth session, Nebraska state legislature, during the biennium ending June 30, 1941, and for ad interim activities of said legislature during the biennium ending June 30, 1943; to provide for the payment of compensation of bill drafters, legal researcher, correlation clerk, stenographers, and proofreaders and for the payments to be made for supplies and other incidental expenses incurred by the bill drafting and related services of the Nebraska legislative council during the fifty-fifth session, Nebraska state legislature, commencing January 7, 1941, and ending with the adjournment of the legislature sine die; to appropriate the sum of six thousand nine hundred and fifty dollars therefor; to repeal said original subdivisions; and to declare an emergency.

MOTION—To Suspend Rules and Read Second Time

Mr. Callan moved that the rules be suspended and that L. B. No. 514 be read the second time.

The motion prevailed with 31 ayes, no nays, 12 not voting.

BILLS ON SECOND READING

The following bill was read the second time by title:

(For title, see Bills on First Reading)

LEGISLATIVE BILL NO. 514. By Committee on Appropriations

MOTION—To Suspend Rules and Place on General File

Mr. Callan moved that the rules be suspended and that L. B. No. 514 be placed on General File.

The motion prevailed with 30 ayes, no nays, 13 not voting.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 514. Read and considered.

Referred to E and R for review.

MOTION—To Suspend Rules

Mr. Sorrell moved that the rules be suspended to permit the introduction of a bill regarding the transfer of children from one school district to another.

The motion prevailed with 32 ayes, no nays, 11 not voting.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 515. By Sorrell of Otoe.

A bill for an Act to amend Sec. 79-2101, C. S. Supp., 1939, as amended by section 1, legislative bill No. 80, fifty-fifth session, Nebraska state legislature, 1941, relating to schools; to provide procedure for the transfer of children from one school district to another; to repeal said original section, as amended; and to declare an emergency.

MOTION—To Suspend Rules and Read Second Time

Mr. Sorrell moved that the rules be suspended and that L. B. No. 515 be read the second time.

The motion prevailed with 30 ayes, no nays, 13 not voting.

BILLS ON SECOND READING

The following bill was read the second time by title:

(For title, see Bills on First Reading)

LEGISLATIVE BILL NO. 515. By Sorrell of Otoe.

MOTION—To Suspend Rules and Place on General File

Mr. Sorrell moved that the rules be suspended and that L. B. No. 515 be placed on General File.

The motion prevailed with 33 ayes, no nays, 10 not voting.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 515. Read and considered.

Referred to E and R for review.

STANDING COMMITTEE REPORTS

Enrollment and Review

Correctly enrolled

L. B. No. 214 L. B. No. 426 L. B. No. 250

(Signed) Crosby, Chairman

Speaker Signs

While the Legislature was in session and capable of transacting business, the Speaker signed:

L. B. No. 214 L. B. No. 426 L. B. No. 250

MOTION—To Return to Select File

Mr. President: I move that L. B. No. 507 be returned to Select File for the following specific amendment:

Strike the word "Otoe" from the counties making up the second congressional district and insert the word "Otoe" in the counties making up the first congressional district.

(Signed) Ernest A. Adams

The motion was lost with 19 ayes, 3 nays, 21 not voting.

GENERAL FILE (Continued)

LEGISLATIVE BILL NO. 282. Mr. Tvrdik offered the following amendment, which was adopted with 17 ayes, 16 nays, 10 not voting.

Amend Section 19, line 5 after the period strike the remainder of the section.

Messrs. Kotouc and Crosby's amendment, found in this Day's Journal, was adopted with 20 ayes, 9 nays, 14 not voting.

Mr. Crosby offered the following amendment, which was adopted:

Amend the General File amendments, mimeographed, adopted May 13, 1941, page 5, section 9, line 2, by striking therefrom the conjunction "and" and inserting in lieu thereof the conjunction "or".

Mr. Greenamyre moved to amend by striking the last paragraph of the General File amendments, May 2, 1941, by Metzger.

A call of the House was ordered.

Mr. Carmody moved to raise the call.

The motion prevailed with 23 ayes, no nays, 20 not voting.

Mr. Greenamyre's amendment was adopted with 16 ayes, no nays, 27 not voting.

Referred to E and R for review.

LEGISLATIVE BILL NO. 513. Mr. Carlson moved that his amendments, found in this Day's Journal, be adopted.

The motion prevailed with 14 ayes, 6 nays, 23 not voting.

Referred to E and R for review.

Adjournment

At 4:21 p. m. on motion by Mr. Murphy the Legislature adjourned.

Hugo F. Srb.
Clerk of the Legislature.

NINETY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, May 20, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Greenamyre, Lambert, Price and Amos Thomas, who were excused, and except John Adams, Jr., who was excused until 10:00 a. m.

The Journal for the Ninety-fifth Day was approved as corrected.

MOTION—Caucus for Legislative Council

Mr. Mueller moved that immediately after recess the members of the Legislature meet according to congressional districts to caucus for membership on the Legislative Council.

The motion prevailed.

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 31. Aid to Britain

Mr. Hanna moved that the resolution be amended as follows:

In line 2 of the title strike the words "to disregard"; in line 1 of the preamble, strike the words "in black headlines"; in lines 2 and 3 of the second paragraph of the preamble, strike the words "academic minds and finespun theorists"; and after the word "Nebraska" in said paragraph, strike the remainder of the paragraph to the word "and"; in line 1 of paragraph numbered 1, strike the words "untimely and inadvised".

The motion prevailed.

Mr. Hanna moved that the resolution be adopted.

Mr. Hanna asked unanimous consent to withdraw the resolution.

No objection was offered and the President so declared.

Mr. Neubauer asked unanimous consent to have the resolution expunged from the record.

Objection was raised by Mr. Hanna.

MOTION—To Reconsider Action

Mr. Mischke moved to reconsider action of the Legislature in concurring in the committee report to indefinitely postpone L. B. No. 428 and to place the same on General File.

The motion prevailed with 29 ayes, no nays, 14 not voting.

Placed on General File.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 222. Placed on Select File with amendments.

E and R amendments to L. B. No. 222:

I. First strike Johnson amendments, adopted May 16, 1941, then restate the same as follows:

'Amend the bill, page 11, section 29, line 7, by inserting after the word and punctuation **"capitol,"** and before the word "fuel" therein the following:

'including construction of flagstaff or pole and for acquiring national flags, as provided in legislative bill No. 43, fifty-fifth session, Nebraska state legislature, 1941, not to exceed $500.00,".'.

II. Amend the general file amendments, Greenamyre, adopted May 14, 1941, paragraph 2, by restating said paragraph 2 as follows:

'Amend the bill, page 12, section 32, line 5, by striking the punctuation "," after the symbol and figures "$24,800.00" and before the word "first" therein and by inserting in lieu thereof the following:

"; education and maintenance of deaf-blind persons, and salaries and maintenance of their teachers, not to exceed $5,000.00;".'.

III. Amend the general file amendments, Greenamyre, adopted May 14, 1941, paragraph 3, by striking all of said paragraph 3 and by inserting in lieu thereof the following:

'Amend the standing committee amendments, page 13, amendment 61, line 3, by striking the figures "3,498,480.00" therein and by inserting in lieu thereof the following: "3,533,480.00".'.

IV. Amend the general file amendments, Callan, adopted May 16, 1941, page 2, amendment w, line 11, by inserting the punctuation "," before the figures "59,508.00" therein.

V. Amend the enrollment and review amendments, adopted May 14, 1941, page 4, amendment 35, line 3, by striking the punctuation "," before the word "as" therein.

VI. Amend the standing committee amendments, page 19, amendment 72, line 15, by inserting after the figures "1939" and before the word "during" therein the following:

", as amended by legislative bill No. 432, fifty-fifth session, Nebraska state legislature, 1941, as now existing or as hereafter amended,".

VII. Amend the general file amendments, Callan, adopted May 16, 1941, amendment q, line 8, by inserting after the word "biennium" and before the word "June" therein the word "ending"; and in line 15 of said amendment q, insert after the word "biennium" and before the word "June" therein the word "ending"; and in line 16 of said amendment q, after the word "estimated" therein insert the punctuation ","; and also in said line 16, insert the punctuation "." after the symbol and figures "$5,000.00" therein.

VIII. Strike the Callan amendment to Section 49, adopted 5-14-41, and restate the same as follows: "Amend the bill, page 28, section 49, line 12, by inserting after the word **"aid"** the words "and improvement"; also in said line, strike the words "not to exceed" and insert in lieu thereof the word "estimated"; also in said line, strike the figures "75,000.00" as inserted therein by standing committee amendment No. 82, and insert in lieu thereof the figures "135,000.00".

IX. Amend the Callan general file amendment o., adopted 5-16-41, line 2, by striking "line 1, section 33" and inserting in lieu thereof the following: "the division heading 'FROM OTHER THAN PROPERTY TAX FUNDS' ".

X. Amend the Callan general file amendment No. 2, adopted 5-16-41, by inserting the punctuation "." after the figures "1941" in line 12 of said amendment.

SELECT FILE

LEGISLATIVE BILL NO. 222. E and R amendments, above set out, were adopted.

Mr. Callan offered the following amendments, which were adopted by unanimous consent:

(i) Amend the bill, page 27, section 48, line 30, by striking therefrom the following: "No." and inserting in lieu thereof the following: "Nos. 351-A and".

(ii) Amend the bill, page 2, section 2, line 4, by inserting after the word "laws" the following: ", including help in preparation".

(iii) Amend the bill, page 2, section 2, line 22, by striking therefrom the figures "1,000.00" as inserted by standing committee amendment No. 4, and insert in lieu thereof "3,000.00".

(iv) Amend the standing committee amendments, page 19½, amendment 73, section 45, line 8, by striking "$....." therein, and by inserting in lieu thereof the following: "$3,000.00."

Laid over.

STANDING COMMITTEE REPORTS (Continued)

Enrollment and Review

Correctly engrossed

L. B. No. 183	L. B. No. 389	L. B. No. 340
L. B. No. 329	L. B. No. 23	L. B. No. 353

(Signed) Crosby, Chairman

MOTION—To Suspend Rules

Mr. President: I move that the rules be suspended and that Legislative Bills numbered 351, 154 and 403 be considered on Third Reading. (Signed) Mischke

The motion prevailed with 29 ayes, no nays, 14 not voting.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 351.

A bill for an Act relating to illegitimacy; to provide for the support of children born out of wedlock; to provide for the care during pregnancy, confinement and recovery of the mothers of such children; to provide for proceedings to establish the paternity of such children; to establish procedure for complaint against alleged father; to provide for recognizance to be given by alleged father; to repeal Chapter 9, Compiled Statutes of Nebraska, 1929; and to state validity and saving clauses.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 37:

Adams, E. A.	Carmody	Knezacek	Norman
Adams, J. Jr.	Crosby	Kotouc	Peterson
Asimus	Crossland	Matzke	Raecke
Bevins	Gantz	Mekota	Sorrell
Blome	Garber	Metzger	Sullivan
Bowman	Hanna	Mischke	Thomas, Ray
Brodahl	Howard	Mueller	Thornton
Callan	Jeppesen	Murphy	Tvrdik
Carlson	Johnson	Neubauer	Van Diest
			Weborg

Voting in the negative, 0.

Not voting, 6:

Greenamyre	Price	Reed
Lambert	Rakow	Thomas, Amos

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 154. With emergency clause.

A bill for an Act to provide for the organization of cooperative farm land companies to facilitate the acquisition of agricultural and grazing lands; to prescribe the powers and functions of such companies; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

A call of the House was ordered.

Mr. Kotouc moved to raise the call.

The motion prevailed with 33 ayes, no nays, 10 not voting.

Voting in the affirmative, 24:

Adams, J. Jr.	Gantz	Matzke	Peterson
Asimus	Hanna	Metzger	Raecke
Bowman	Jeppesen	Mueller	Thomas, Ray
Brodahl	Johnson	Murphy	Thornton
Carlson	Knezacek	Neubauer	Van Diest
Crossland	Kotouc	Norman	Weborg

Voting in the negative, 6:

Adams, E. A.	Carmody	Sorrell
Bevins	Mischke	Sullivan

Not voting, 13:

Blome	Garber	Lambert	Rakow
Callan	Greenamyre	Mekota	Reed
Crosby	Howard	Price	Thomas, Amos
			Tvrdik

A constitutional two-thirds majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause attached.

Vote on L. B. No. 154 with Emergency Clause Stricken

Voting in the affirmative, 23:

Adams, J. Jr.	Gantz	Matzke	Raecke
Asimus	Hanna	Metzger	Thomas, Ray
Bowman	Jeppesen	Mueller	Thornton
Brodahl	Johnson	Murphy	Van Diest
Carlson	Knezacek	Neubauer	Weborg
Crossland	Kotouc	Peterson	

Voting in the negative, 6:

Adams, E. A.	Carmody	Sorrell
Bevins	Mischke	Sullivan

Not voting, 14:

Blome	Greenamyre	Norman	Thomas, Amos
Callan	Howard	Price	Tvrdik
Crosby	Lambert	Rakow	
Garber	Mekota	Reed	

A constitutional majority having voted in the affirmative, the bill

was declared passed with the emergency clause stricken and the title agreed to.

Statements

Mr. President: Had I been present, I would have voted for L. B. No. 154, and wish to be recorded accordingly. (Signed) Reed

Mr. President: Had I been present, I would have voted for L. B. No. 154, and wish to be recorded accordingly. (Signed) Rakow

GENERAL FILE

LEGISLATIVE BILL NO. 428. Read and considered.

Mr. Sorrell offered the following amendments, which were adopted:

1. Amend the bill, pages 2, 3, and 4 by striking all of sections 1 and 2 thereon and by inserting in lieu thereof the following:

Section 1. That Sec. 79-2101, C. S. Supp., 1939, as amended by section 1, legislative bill No. 80, fifty-fifth session, Nebraska state legislature, 1941, be amended to read as follows:

79-2101. When children of school age, who have not yet completed the eighth grade reside with their parents or guardians more than one and one-half miles from the school house in their own district, and nearer to the school house in an adjoining district, the distance to be measured by the shortest route possible upon section lines or traveled roads open to the public, such children may have school privileges in the adjoining district instead of in the district of their residence, under the following conditions, to-wit: The parent or guardian of such children shall, not later than the second Monday in July, notify the county superintendent of each district affected using such form of notice as the state superintendent shall prescribe, which notice shall state the distance, as herein provided, and shall be attested by the signature of one legal voter and taxpayer of the district in which the children or wards reside, and the signature of a majority of the members of the school board of the district in which such children desire school privileges, in addition to the signature of such parent or guardian; and the county superintendent shall notify the director of each district to transfer such person together with such children or wards, to such adjoining district for school purposes for the year next ensuing and it shall be the duty of the county superintendent to see that the children or wards are enumerated in the adjoining district and not in the district of their resi-

dence. The county superintendent shall notify the county clerk of the transfer, and the county clerk shall be empowered, and it is hereby made his duty, within fifteen days from the receipt of the notice of transfer unless it be recalled at the request of the parent or guardian of such children in the meantime, to place the school taxes, except for the payment of special levies for building purposes or existing bonds or interest on the same, of the parents or guardians and of the real estate on which they reside, not exceeding a quarter section of land for the year next ensuing, in the adjoining district instead of in the district of their residence, basing such school taxation upon the levy for school purposes in the adjoining district, and the assessed valuation of the property of such parents or guardians, and the real estate as determined by the proper officers, and the taxes shall be collected as provided by law for the other taxes: **Provided,** that the provisions of this section shall never be construed, **except with the written permisison of the owner or owners in fee simple of the real estate involved in the transfer,** to permit or allow the transfer of a child or children from or to a city or village school district, however classified, located wholly or partly within the boundaries of any city or village; **and provided further,** that, upon receipt of the notice of transfer, the county superintendent shall, if possible, also notify the owner or owners or the authorized agent or representative of the owner or owners in fee simple of the real estate involved in the transfer, if the parent or guardian of such child or children to be transferred is a tenant on the land involved in the transfer; **and provided further,** the name of the fee simple owner shall be determined by the records in the office of the county clerk or register of deeds, as the case is; **and provided further,** that when such transfer involves the transfer of children from a school district located in one county to a school district located in another county, the county superintendent of each such county shall notify the county clerk of the county in which said county superintendent has jurisdiction of each transfer granted, using such forms of notice as the state superintendent shall prescribe. The county clerk of the county to which the transfer for school purposes is made shall certify to the county clerk of the county in which the applicant for such transfer resides the number of mills of school taxes when voted in the district to which the transfer is made. It shall then be the duty of the county clerk of the county in which the applicant resides to levy, within fifteen days after the receipt of the certificate of transfer unless it be recalled at the request of the parent or guardian of such children in the meantime, under the authority of the county board of said county, upon all taxable property belonging to such applicant, real or personal, situated on lands thus transferred, an amount equal to and not exceeding the number of mills of school taxes being voted in the district to which said transfer is made. All such tax moneys derived from such levy shall be collected by the county treasurer of

the county in which the property to be taxed is located and shall be paid by him to the county treasurer of the county to which transfer has been made. A proper receipt for such taxes shall be executed and drawn to the favor of the county treasurer from whom such taxes are received. Said receipt shall set forth the purpose of said taxes and shall designate the school district entitled to receive all such taxes. The county treasurer of the county to which transfer was made shall place said taxes to the credit of the district: **Provided,** when such transfer shall have been made the children shall enjoy school privileges in the adjoining district for only one year, unless the parent or guardian of such children shall give notice in writing to the county superintendent not less than fifteen days before each annual meeting, asking that the transfer be continued for one year, using such form of notice as the state superintendent shall prescribe, which notice shall state that such parent or guardian has children of school age, who have not yet completed the eighth grade. Upon failure to give such notice to the county superintendent the county superintendent shall notify the county clerk who shall thereupon re-transfer and the taxes of the parent or guardian and the real estate shall again be placed in the district of their residence: **Provided,** that the provisions of this act shall not apply to a consolidated district in which adequate transportation facilities are furnished by such consolidated district; **and provided further,** the parents or guardians of the pupils so transferred shall have the right to vote in the district to which such pupils are transferred on all school matters except that of issuing bonds and levying a tax for building purposes. No parent or guardian of the pupils so transferred shall be eligible to hold office on the school board of the district to which the transfer was made.

Sec. 2. That said original Sec. 79-2101, C .S. Supp., 1939, as amended by section 1, legislative bill No. 80, fifty-fifth session, Nebraska state legislature, 1941, is hereby repealed.

Sec. 3. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.".

2. Amend the bill, page 1, title, line 2 by striking all of said title after the word "ACT" therein and by inserting in lieu thereof the following:

"to amend Sec. 79-2101, C. S. Supp., 1939, as amended by section 1, legislative bill No. 80, fifty-fifth session, Nebraska state legislature, 1941, relating to schools; to provide procedure for the transfer of children from one school district to another; to repeal said original section, as amended; and to declare an emergency.".

Referred to E and R for review.

SELECT FILE (Continued)

LEGISLATIVE BILL NO. 222. Referred to E and R for engrossment.

BILLS ON THIRD READING (Continued)

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 403. With emergency clause.

A bill for an Act to amend Sec. 48-702, C. S. Supp., 1939, as amended by Section 1, Chapter 2, Session Laws of Nebraska, 1940, Special; to amend Secs. 48-703, 48-704, 48-706, 48-707, 48-708, 48-709 (b), 48-711 (a) and (e), 48-712, 48-714 (a), 48-715 (d), 48-701, 48-710 (a) and 48-711 (k), C. S. Supp., 1939 relating to labor, unemployment compensation and the employment of labor and free employment services; to redefine terms used in the unemployment compensation law; to provide special benefit rights for individuals inducted into the armed forces of this country; to redefine the classes of employers and employments subject to the provisions of the unemployment compensation law; to revise the manner of determining weekly benefit amount; to eliminate special treatment of part-time workers; to redefine qualifications for benefits; to make more specific the manner in which claims for benefits shall be determined, redetermined and appealed; to change the basis of contribution liability from wages payable to wages paid; to provide three-year reserve account experience as a basis for future contribution rates; to provide a method of appeal from contribution rate determinations; to provide for the furnishing of information to employers with respect to benefit charges; to change procedures for charging benefits to employers' reserve accounts and the pooled account; to provide for the manner of insuring the solvency of the pooled account; to eliminate partial transfers of reserve accounts and provide for the determination of contribution rates of transferee-employers; to extend date for requesting termination of coverage; to provide a separate treasurer for the unemployment compensation fund and to fix the amount of his bond; to extend date for submitting annual report; to create a division of placement and unemployment insurance; to consolidate the administration of employment service and unemployment insurance therein; to provide for the manner of the appointment of the director of such division; to fix compensation of the director and the commissioner for services rendered with respect to the administration of the placement and unemployment insurance law; to amend the short title of Article 7, Chapter 48, C. S. Supp., 1939, as amended, for purposes of citation; to provide for tenure and remuneration of advisory council members; to pro-

vide for the manner in which administration funds shall be expended and to recognize an obligation on the part of the state to repay funds improperly expended; to make an offense any discrimination by an employer against a worker on account of claims for benefits; to provide the manner in which benefits erroneously obtained may be recovered or recouped; to provide for transition from the old law to the law as amended; to provide for separability of provisions; to repeal said original sections; to repeal said original section as amended; to repeal Article 6, Chapter 48, C. S. Supp., 1939; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Adams, E. A.	Crosby	Mekota	Reed
Adams, J. Jr.	Crossland	Metzger	Sorrell
Asimus	Gantz	Mischke	Sullivan
Bevins	Garber	Mueller	Thomas, Ray
Blome	Hanna	Murphy	Thornton
Bowman	Howard	Neubauer	Tvrdik
Brodahl	Jeppesen	Norman	Van Diest
Callan	Johnson	Peterson	Weborg
Carlson	Knezacek	Raecke	
Carmody	Matzke	Rakow	

Voting in the negative, 0.

Not voting, 5:

Greenamyre	Lambert	Thomas, Amos
Kotouc	Price	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

STANDING COMMITTEE REPORTS (Continued)

Enrollment and Review

LEGISLATIVE BILL NO. 514. Placed on Select File with amendments.

E and R amendments to L. B. No. 514:

1. Amend the bill, page 2, section 1, line 5, by striking the first punctuation ",", and by inserting in lieu thereof the punctuation ",".

2. Amend the bill, page 2, section 1, line 10, by inserting the punctuation "," after the word "printing" therein.

3. Amend the bill, page 3, section 3, line 2, by inserting the word "that" after the conjunction "and" and before the word "said".

4. Amend the bill, page 3, section 3, line 2, by inserting the punctuation "," after the figure "1" and before the conjunction "and".

LEGISLATIVE BILL NO. 515. Placed on Select File with amendments.

E and R amendments to L. B. No. 515:

1. Amend the bill, page 3, section 1, line 36, by inserting the punctuation "," after the word "taxes" and before the word "except".
2. Amend the bill, page 3, section 1, line 44, by striking the first definite article "the" therein, and by inserting in lieu thereof the conjunction "and".

3. Amend the bill, page 4, section 1, line 88 by inserting the definite article "the" after the preposition "in" therein.

(Signed) Crosby, Chairman

Recess

At 12:10 p. m. on motion by Mr. Sullivan the Legislature recessed until 3:00 p. m.

After Recess

The Legislature reconvened at 3:26 p. m. Speaker Howard presiding.

The roll was called and all members were present except Messrs. Lambert, Price and Amos Thomas, who were excused.

STANDING COMMITTEE REPORTS (Continued)

Enrollment and Review

Presented to Governor for approval

Tuesday, May 20, 1941 at 11:00 a. m.

L. B. No. 470	L. B. No. 424	L. B. No. 250
L. B. No. 17	L. B. No. 206	L. B. No. 139
L. B. No. 33	L. B. No. 233	L. B. No. 294
L. B. No. 246	L. B. No. 64	L. B. No. 263
L. B. No. 510	L. B. No. 214	L. B. No. 331

L. B. No. 427	L. B. No. 426	L. B. No. 126
L. B. No. 512	L. B. No. 300	L. B. No. 486
L. B. No. 220	L. B. No. 506	L. B. No. 494

Correctly engrossed

L. B. No. 349	L. B. No. 265	L. B. No. 478
L. B. No. 212		

(Signed) Crosby, Chairman

Recess

At 3:45 p. m. on motion by Mr. Murphy the Legislature recessed until 7:30 p. m.

After Recess

The Legislature reconvened at 7:30 p. m. Speaker Howard presiding.

The roll was called and all members were present except Messrs. Greenamyre, Lambert, Metzger, Sorrell and Amos Thomas, who were excused.

REPORT—On Membership to Legislative Council

Mr. President: I beg leave to report that the members of the fourth district have held their meeting and have chosen

J. Lyndon Thornton Harry E. Bowman E. M. Neubauer

to represent their district on the Legislative Council.

(Signed) E. M. Neubauer, Secretary

STANDING COMMITTEE REPORTS (Continued)

Enrollment and Review

LEGISLATIVE BILL NO. 504. Replaced on Select File with amendments.

E and R amendments to L. B. No. 504:

I. Amend the Specific Amendment (Peterson) adopted 5-19-41, line 5, by inserting before the word "It" therein the following: "Section 1.".

II. Amend the Specific Amendment (Peterson) adopted 5-19-41, line 6, by inserting the punctuation "," after the word "labor" and before the preposition "in".

III. Amend the Specific Amendment (Peterson) adopted 5-9 41, line 8, by inserting the punctuation "," after the word "work" and before the word "shall".

IV. Amend the general file amendment (Adams) adopted 5-13-41, amendment 2, line 4, by striking all of that part of said amendment commencing with the words "to prohibit" in said line 4 and ending with the word "color" in line 8, and insert in lieu thereof the following:

"to provide that it shall be the policy of this state that no representative agency of labor shall, in collective bargaining, discriminate against any person because of his race or color; and to charge the department of labor with the duty of enforcing this policy in conformity with Article I of the constitution of Nebraska, and section 1 of the fourteenth amendment to the constitution of the United States".

LEGISLATIVE BILL NO. 282. Replaced on Select File with amendments.

E and R amendments to L. B. No. 282:

a. Amend the general file amendments, Greenamyre, May 19, 1941, line 2, by striking the figure "2" therein and by inserting in lieu thereof the figure "13".

b. Amend the specific amendments, Greenamyre, May 19, 1941, page 2, amendment 2, last line, by striking the punctuation "." after the word "licensee" therein.

c. Amend the select file amendments, Mekota, May 19, 1941, amendment 2, line 2, by inserting the punctuation "," before the word "after" therein.

d. Amend the general file amendments, mimeographed, May 13, 1941, page 9, section 15, line 15, by striking the punctuation "." therein and by inserting in lieu thereof the punctuation ":".

e. Amend the general file amendments, mimeographed, adopted May 13, 1941, page 18, amendment 2, line 18, by inserting after the word and punctuation "act;" and before the preposition "to" the following:

"to provide that all duties heretofore enjoined upon or exercised by the secretary of state with respect to statutes relating to interest

and chattel loans, not specifically terminated by this act, shall hereafter be performed by the director of banking, that all records and assets in the possession of or under the control of the secretary of state used or useful in the administration or enforcement of the provisions of statutes repealed by this act be delivered to the director of banking for his use in administering this act and to constitute the director of banking for the department of banking the successor, in all respects, to the secretary of state with reference to the administration of laws pertaining to interest and chattel loans;".

LEGISLATIVE BILL NO. 513. Placed on Select File with amendments.

E and R amendments to L. B. No. 513:

a. Amend the general file amendments, mimeographed, May 19, 1941, page 1, amendment 1, line 2, by striking the first figure "2" therein, and by inserting in lieu thereof the figure "1"; and also in line 3 of said amendment 1, strike the figure "3" therein, and insert in lieu thereof the figure "2"; and in amendment 1, section 3, line 3, insert the section symbol and punctuation "71-602." before the word "For".

b. Amend the general file amendments, mimeographed, May 19, 1941, page 1, amendment 1, section 3, line 15, by inserting after the figure and punctuation "5." therein the following: "Procurement"

c. Amend the general file amendments, mimeographed, May 19, 1941, page 1, amendment 1, section 3, line 32 by striking the word "seven" and insert in lieu thereof the figure "7".

d. Amend the bill, page 2, section 2, line 2, by inserting after the word "repealed" therein the following:

"; and that said original Sec. 71-602, C. S. Supp., 1939, is hereby repealed".

e. Amend the general file amendments, mimeographed, May 19, 1941, page 1, section 3, line 37 by striking the first indefinite article "a" therein.

f. Amend the bill, page 1, title, line 6, by striking the word "section" therein, and by inserting in lieu thereof the word "sections".

g. Amend the general file amendments, adopted 5-19-41, mimographed, page 2, amendment 3, line 3, by striking therefrom the punctuation ";" before the preposition "to" and insert in lieu thereof the conjunction "and".

LEGISLATIVE BILL NO. 428. Placed on Select File.

(Signed) Crosby, Chairman

Speaker Signs

While the Legislature was in session and capable of transacting business, the Speaker signed:

Legislative Resolution No. 3	Legislative Resolution No. 12
Legislative Resolution No. 4	Legislative Resolution No. 13
Legislative Resolution No. 5	Legislative Resolution No. 15
Legislative Resolution No. 6	Legislative Resolution No. 16
Legislative Resolution No. 7	Legislative Resolution No. 17
Legislative Resolution No. 8	Legislative Resolution No. 18
Legislative Resolution No. 9	Legislative Resolution No. 19
Legislative Resolution No. 10	Legislative Resolution No. 20
Legislative Resolution No. 11	Legislative Resolution No. 30

SELECT FILE

LEGISLATIVE BILL NO. 339. Passed over.

LEGISLATIVE BILL NO. 514. Passed over

LEGISLATIVE BILL NO. 515. Passed over.

LEGISLATIVE BILL NO. 504. E and R amendments, found in this Day's Journal, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 282. E and R amendments, found in this Day's Journal, were adopted.

Mr. Crosby offered the following amendments, which were adopted by unanimous consent:

Amend L. B. No. 282, mimeographed copy, page 9, Sec. 15, as amended, by striking the words beginning with the word "the" in line 25, down to and including the word "made" in line 26, and substitute in lieu thereof the following words, "the service charge shall not exceed that part of ten per cent which the period of the loan bears to twelve months".

Mr. Tvrdik offered the following amendments, which were adopted by unanimous consent:

1. Amend the general file amendments, mimeographed, correlating Legislative Bills Nos. 339 and 282, page 16, by inserting immediately after section 30, line 17 therein a new section to be known and numbered as follows:

'Sec. 30. That Sec. 8-155, C. S. Supp., 1939, be amended to read as follows:

8-155. Any savings bank may receive deposits from the general public, which shall be paid to depositors, or their lawful representatives, when required, and at such time and with such interest and under such regulations as shall be prescribed by said bank and approved by the Department of Banking **department of banking.** The regulations shall be printed and conspicuously posted in the business office of said bank. The loanable funds of any savings bank, except the reserve provided for in this article, shall be **(1)** held as cash deposited in solvent banks, or **(2)** shall be invested in bonds of the United States, or of any state of the United States, **or** in the public debt or bonds of any city, county, township, village or school district of any state of the United States, **or** in other bonds of known marketable value, or **(3)** be loaned on negotiable paper, secured by any of the above mentioned classes of security, or other collateral of known marketable value, or **(4) loaned** upon notes or bonds secured by mortgage liens upon unencumbered **unencumbered** real estate. Second : **Provided, second** mortgage loans may be made on improved farm lands, but no loans shall be made on such improved farm lands, or other real estate which including the aggregate amount of incumbrance thereon shall **not** exceed fifty per cent of the cash **appraised** value thereof. Chattel mortgages shall not be accepted as collateral security by savings banks. ; **and provided further, any savings bank shall be eligible to obtain a license to engage in the business of lending money under the terms and conditions of legislative bill No. 282, fifty-fifth session, Nebraska state legislature, 1941.'.**

2. Renumber sections 31 to 34 inclusive, to conform with the foregoing amendment.

3. Amend the general file amendments, mimeographed, page 17, section 33, line 3, by striking the conjunction "and" therein and by inserting in lieu thereof the punctuation ","; and in said line 3, insert after the section symbol "45-124" therein the following: "and 8-155".

4. Amend the general file amendments, mimeographed, page 18, amendment 2, title, so that said title will conform with the foregoing amendments.

Mr. Rakow offered the following amendments, which were adopted by unanimous consent:

Page 16 add a new section to be numbered Section 32.

That section 8-309, Compiled Statutes Supplement 1939 be amended to read as follows:

8-309. Loans, Investments. No loan shall be made by such association except to its own members, nor shall any loan be made to any member for any sum in excess of the par value of his stock. The borrower shall pledge to the association as security for the loan, shares of a maturity value equal to the principal of the loan, and ample real estate security unencumbered except by prior liens held by such association. Loans made upon improved real estate shall not exceed two-thirds of the actual cash value thereof, and all loans made on any other real estate shall not exceed two-fifths of the actual cash value thereof; provided, however, that associations are authorized to obtain insurance of their loans by the Federal Housing administrator and loans made upon improved real estate and so insured made be in amount not to exceed 80% of the actual cash value of the real estate security. The stock of such association may be accepted as security for a loan of the amount of the withdrawal value of such stock without other security. Any association may in addition to its reserve investments temporarily invest its idle funds, or any part thereof, not exceeding ten per cent of its assets, in bonds or interest bearing obligations of the United States, of the bonds issud under the Federal Farm Loan Act, of the state of Nebraska, or of any county, township, school district or other political division of the state of Nebraska, or of any incorporated city or village in the state of Nebraska, and may deposit its funds or any part thereof in any national or state bank and receive thereof certificates of deposit or the usual bank passbook credit subject to check. No evidence of indebted taken by said association for the return of any loan shall be negotiable in form, and whatever be its form, every such evidence of indebtedness shall be non-negotiable in law, except as hereinafter provided, and no such debt, or evidence of debt shall be assignable or transferable in any manner so as to prevent the discharge thereof by payments to the association, except as hereinafter provided, except that bonds and interest-bearing obligations in which temporary investments may be made as hereinbefore provided may be converted into cash in due course. Any building and loan association is hereby authorized to subscribe for the stock of and to become a member of the Federal Home Loan Bank for the district in which it may be located, or for the stock of a Federal Home Loan Bank of an adjoining district, if demanded by convenience; to borrow money for such bank or any other corporation or agency established by or under the authority of the United States Government and to assign its mortgages or such other assets as may be required for security therefor; provided that none of the money borrowed shall be used for the purpose of paying withdrawals, dividends, salaries or any operating

expenses of such association; to do and perform such acts as may be necessary and required to avail to it all the advantages and privileges offered by the Federal Home Loan Bank or offered by any other corporation or agency established under the authority of the United States Government, or any instrumentality of the United States Government. Any building and loan association is hereby authorized with the approval of its Board of directors, to assign its mortgages and the evidence of debt secured thereby, to the Home Owners Loan Corporation created by Act of Congress of the United States under Act cited as the "Home Owners Loan Act of 1933" or such other corporation as may be created by authority of the United States Government, or as an instrumentality of the United States Government and to accept as consideration for such assignment, cash or bonds of such Home Owners Loan Corporation or such other corporation as may be created by authority of the United States Government, or as an instrumentality of the United States Government; provided, however, that no mortgage given by any member of such association shall be so assigned without the written consent of the borrowing member. Any association at the discretion of its officers and directors, and with the consent and approval of the Department of Banking may accept its stock at the withdrawal value of such shares to apply on the purchase at its fair market value of any real estate owned by such association or, to apply in payment or reduction of any loans or contract of sale on which in the judgment of the Officers and Directors there may be an eventual loss, whether or not notice for withdrawal of such shares shall have been filed, and such action shall not be considered prejudicial to the rights of any stockholders to whom payment on withdrawal notices is being delayed. **Provided, however, in addition any association when so licensed may make loans to its own members upon the terms and security provided in Legislative bill No. 282, fifty-fifth session, Nebraska state legislature, 1941.**

Renumber the subsequent sections of said bill to conform thereto.

Amend Section 33, page 17, line 3, after "45-102" add the following: ", 8-309".

Amend the title to conform with said amendments.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 513. E and R amendments, found in this Day's Journal, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 428. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 339. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 514. E and R amendments, found in this Day's Journal, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 515. Mr. Murphy moved to indefinitely postpone.

The motion prevailed.

Adjournment

At 8:47 p. m. Mr Tvrdik moved that the rules be suspended and that the Legislature adjourn until Wednesday, May 21, 1941 at 10:00 a. m.

The motion prevailed with 31 ayes, 1 nay, 11 not voting.

Hugo F. Srb,
Clerk of the Legislature.

NINETY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, May 21, 1941.

Pursuant to adjournment, the Legislature met at 10:00 a. m. Speaker Howard presiding.

Prayer was offered by the Reverend Charles J. Oborny of Verdigre, Nebraska.

The roll was called and all members were present except Messrs. Greenamyre, Lambert, Price and Amos Thomas, who were excused.

The Journal for the Ninety-sixth Day was approved as corrected.

REPORT—On Membership to Legislative Council

Mr. President: The members of the third congressional district report the following as members to the Legislative Council:

Louis M. Jeppesen Walter R. Raecke Elmer C. Rakow

(Signed) Richard N. Johnson, Chairman

MOTION—To Suspend Rules

Mr. Mischke moved that the rules be suspended and that the bills on Third Reading for May 21, 1941 be considered.

The motion prevailed with 33 ayes, no nays, 10 not voting.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 271. With emergency clause.

A bill for an Act to amend Sections 8-304 and 8-312, Compiled Statutes of Nebraska, 1929, relating to banks and banking; to determine and fix the rights of a shareholder in a building and loan association to withdraw all or part of his or her stock payments; to determine and fix the rights of a building and loan association to repurchase and retire its outstanding shares; to determine and fix the method and authorize and direct the distribution of the residue of earnings of a building and loan association after the payment of expenses and the setting aside of a sum for the reserve funds; to repeal said original sections; and to declare an emergncy.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams, E. A.	Carmody	Matzke	Raecke
Adams, J. Jr.	Crosby	Mekota	Rakow
Asimus	Crossland	Metzger	Reed
Bevins	Gantz	Mischke	Sorrell
Blome	Garber	Mueller	Sullivan
Bowman	Hanna	Murphy	Thomas, Ray
Brodahl	Howard	Neubauer	Thornton
Callan	Jeppesen	Norman	Tvrdik
Carlson	Johnson	Peterson	Van Diest
			Weborg

Voting in the negative, 0.

Not voting, 6:

Greenamyre	Kotouc	Price
Knezacek	Lambert	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 507.

A bill for an Act to amend Sec. 5-101, C. S. Supp., 1939, relating to apportionment of representatives from the state of Nebraska to the congress of the United States; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the

Voting in the affirmative, 28:

Adams, J. Jr.	Carmody	Metzger	Raecke
Bevins	Crosby	Mischke	Reed
Blome	Gantz	Mueller	Sullivan
Bowman	Garber	Murphy	Thomas, Ray
Brodahl	Hanna	Neubauer	Tvrdik
Callan	Johnson	Norman	Van Diest
Carlson	Knezacek	Peterson	Weborg

Voting in the negative, 5:

Adams, E. A.	Rakow	Thornton
Mekota	Sorrell	

Not voting, 10:

Asimus	Howard	Lambert	Price
Crossland	Jeppesen	Matzke	Thomas, Amos
Greenamyre	Kotouc		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 202.

A bill for an Act to amend Sec. 70-707, C. S. Supp., 1939, relating to public power and irrigation districts; to provide that those using water for agricultural purposes shall have a preference over those using water for power purposes; to define **"just compensation"**; to provide procedure for the acquisition and appropriation by irrigation districts, persons, firms, associations, organizations or corporations, for agricultural purposes of any water being used for power purposes; to provide procedure for collecting and satisfying the compensation due for the value of water so used; to state a validity clause; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 30:

Adams, J. Jr.	Crossland	Mekota	Rakow
Asimus	Gantz	Metzger	Reed
Blome	Garber	Mischke	Thomas, Ray
Bowman	Hanna	Murphy	Thornton
Brodahl	Howard	Norman	Tvrdik
Callan	Jeppesen	Peterson	Van Diest
Carlson	Knezacek	Raecke	Weborg
Crosby	Matzke		

Voting in the negative, 3:

Carmody	Johnson	Neubauer

Not voting, 10:

Adams, E. A.	Kotouc	Price	Sullivan
Bevins	Lambert	Sorrell	Thomas, Amos
Greenamyre	Mueller		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 90.

A bill for an Act relating to minerals, oil and gas; to regulate the abandonment of oil and gas wells; and to provide penalties.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 36:

Adams, E. A.	Carmody	Matzke	Rakow
Adams, J. Jr.	Crossland	Metzger	Reed
Asimus	Gantz	Mischke	Sorrell
Bevins	Garber	Mueller	Sullivan
Blome	Hanna	Murphy	Thomas, Ray
Bowman	Jeppesen	Neubauer	Thornton
Brodahl	Howard	Norman	Tvrdik
Callan	Johnson	Peterson	Van Diest
Carlson	Knezacek	Raecke	Weborg

Voting in the negative, 0.

Not voting, 7:

Crosby	Kotouc	Mekota	Thomas, Amos
Greenamyre	Lambert	Price	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 255.

A bill for an Act to amend Sec. 12-124, C. S. Supp., 1939; to amend Section 12-125, Compiled Statutes of Nebraska, 1929, relating to official bonds; to enumerate the county officers, deputy couny officers or county employees whose bond premiums may be paid by the county; to provide that the premiums on such bonds upon which the

county pays premiums shall be paid from the general fund of the county; and to repeal said original sections.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 35:

Adams, E. A.	Crosby	Matzke	Reed
Adams, J. Jr.	Crossland	Metzger	Sorrell
Asimus	Gantz	Mischke	Sullivan
Bevins	Garber	Mueller	Thomas, Ray
Blome	Hanna	Murphy	Thornton
Bowman	Howard	Neubauer	Tvrdik
Brodahl	Jeppesen	Norman	Van Diest
Callan	Johnson	Peterson	Weborg
Carlson	Knezacek	Rakow	

Voting in the negative, 0.

Not voting, 8:

Carmody	Kotouc	Mekota	Raecke
Greenamyre	Lambert	Price	Thomas, Amos

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Member excused

Mr. Garber was excused for one-half hour.

LEGISLATIVE BILL NO. 399. With emergency clause.

A bill for an Act relating to public welfare and social security; to amend Secs. 68-317 and 68-324, C. S. Supp., 1939; to create, establish and make division of the assistance funds; to provide rules and regulations governing and controlling the custody, use and preservation of the records, papers, files and communications of state and county departments of assistance; to provide penalties for the violation thereof; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

Adams, E. A.	Carmody	Matzke	Raecke
Adams, J. Jr.	Crosby	Mekota	Rakow
Asimus	Crossland	Metzger	Sorrell
Bevins	Gantz	Mischke	Sullivan
Blome	Hanna	Mueller	Thomas, Ray
Bowman	Howard	Murphy	Thornton
Brodahl	Jeppesen	Neubauer	Tvrdik
Callan	Johnson	Norman	Weborg
Carlson	Knezacek	Peterson	

Voting in the negative, 0.

Not voting, 8:

Garber	Kotouc	Price	Thomas, Amos
Greenamyre	Lambert	Reed	Van Diest

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 42.

A bill for an Act to amend Secs. 38-412 and 38-506, C. S. Supp., 1939, relating to fiduciaries; to provide that guardians are authorized to invest funds of their wards in real estate, life insurance, endowment insurance or annuities, when authorized by the county court; and to repeal said original sections.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 28:

Adams, E. A.	Gantz	Metzger	Reed
Adams, J. Jr.	Hanna	Mischke	Sorrell
Asimus	Howard	Mueller	Thomas, Ray
Blome	Johnson	Neubauer	Thornton
Brodahl	Knezacek	Norman	Tvrdik
Carlson	Matzke	Peterson	Van Diest
Crosby	Mekota	Rakow	Weborg

Voting in the negative, 3:

Carmody	Crossland	Raecke

Not voting, 12:

Bevins	Garber	Kotouc	Price
Bowman	Greenamyre	Lambert	Sullivan
Callan	Jeppesen	Murphy	Thomas, Amos

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 84. With emergency clause.

A bill for an Act to amend Section 28-517, Compiled Statutes of Nebraska, 1929, relating to crimes and punishments; to prescribe penalties for offenders of the crime of petit larceny; to repeal said original section; to state a saving clause; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

Adams, E. A.	Crosby	Mekota	Rakow
Adams, J. Jr.	Crossland	Metzger	Reed
Asimus	Gantz	Mischke	Sorrell
Blome	Hanna	Mueller	Thomas, Ray
Bowman	Howard	Murphy	Thornton
Brodahl	Jeppesen	Neubauer	Tvrdik
Callan	Johnson	Norman	Van Diest
Carlson	Knezacek	Peterson	Weborg
Carmody	Matzke	Raecke	

Voting in the negative, 0.

Not voting, 8:

Bevins	Greenamyre	Lambert	Sullivan
Garber	Kotouc	Price	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 332.

A bill for an Act relating to schools; to provide that there may be established a retirement system for employees of school districts in cities of the metropolitan class other than those employees now under a pension or retirement plan; to provide for a retirement fund and the administration thereof; to define certain offenses under this act and to provide penalties therefor; and to state a validity clause.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 28:

Adams, E. A.	Carlson	Metzger	Reed
Adams, J. Jr.	Crosby	Mueller	Sorrell
Asimus	Crossland	Murphy	Sullivan
Bevins	Gantz	Neubauer	Thornton
Bowman	Hanna	Norman	Tvrdik
Brodahl	Jeppesen	Raecke	Van Diest
Callan	Knezacek	Rakow	Weborg

Voting in the negative, 4:

Carmody	Johnson	Mischke	Peterson

Not voting, 11:

Blome	Howard	Matzke	Thomas, Amos
Garber	Kotouc	Mekota	Thomas, Ray
Greenamyre	Lambert	Price	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 24.

A bill for an Act to amend Secs. 60-410, 60-412, 60-427, 60-428, 60-429, 60-431, 60-432, 60-433 and 39-1189, C. S. Supp., 1939, relating to motor vehicles; to reserve in the several courts of the state of Nebraska, within their respective jurisdictions, the sole power to revoke or suspend operators' licenses or driving privileges as part of judgments of conviction in cases properly before them; to delegate to the director of motor vehicles the ministerial duties of keeping records of such suspensions and revocations from uniform abstracts of conviction reports forwarded to such director from the several courts; to provide for limited suspensions and revocations of operators' licenses in certain cases and to prescribe the duties of the director of motor vehicles in connection therewith; to empower the director of motor vehicles to revoke or suspend operators' licenses on his own motion in certain cases; to provide penalties for the violation of certain provisions thereof; to repeal said original sections; and to repeal Sec. 60-430, C. S. Supp., 1939.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 38:

Adams, E. A.	Crosby	Mekota	Raecke
Adams, J. Jr.	Crossland	Metzger	Rakow

Asimus	Gantz	Mischke	Reed
Bevins	Hanna	Mueller	Sullivan
Blome	Howard	Murphy	Thomas, Ray
Bowman	Jeppesen	Neubauer	Thornton
Brodahl	Johnson	Norman	Tvrdik
Callan	Knezacek	Peterson	Van Diest
Carlson	Kotouc	Price	Weborg
Carmody	Matzke		

Voting in the negative, 0.

Not voting, 5:

Garber	Lambert	Sorrell	Thomas, Amos
Greenamyre			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MESSAGE FROM GOVERNOR

Legislative Bill No. 470

May 21, 1941

To the President, the Speaker and Members of the Legislature
Gentlemen:

This will inform your honorable body that I have today signed Legislative Bill No. 470.

I am signing this bill with some fear as to its effect on the future development of our highway program. I surely favor the purpose of this act, but the experience of other states has shown that it is very difficult to administer fairly. These other states have discovered that in all too many cases, gasoline upon which no tax was being paid was being used in automobiles on the highways, and if this occurs in Nebraska, it will seriously deplete our highway funds when there is still a great need for them.

Farm leaders in Nebraska who have supported this legislation have assured me that they will assist in seeing that it is honestly administered, and those in charge of the Act under this administration will make every effort to see that its provisoins are carried out honestly and efficiently. If it is found that this is impossible, I will advise the 1943 Legislature of that fact; and I believe the only recourse then possible will be to repeal the law.

Respectfully submitted,

(Signed) Dwight Griswold
Governor.

Approved by the Governor

May 17, 1941

To the President, the Speaker and Members of the Legislature
Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day signed the following bill viz:

L. B. No. 418.

Respectfully submitted,

(Signed) Val Peterson,
Secretary to the Governor.

REPORT—On Membership to Legislative Council

Mr. President: The members of the fifth congressional district have held their meeting and have chosen

Robert B. Crosby Don E. Hanna

to complete the representation from their district on the Legislative Council. (Signed) A. C. Van Diest

MOTION—To Refer to Select File

Mr. President: I move that L. B. No. 222 be referred to Select File for the following amendment by unanimous consent:

X. Amend the general file amendments, Callan, adopted May 16, 1941, amendment q, line 5, by inserting after the word and punctuation **"enforcement,"** therein the following:

"first appropriate all fees and moneys arising out of legislative bill No. 282, fifty-fifth session, Nebraska state legislature, 1941, from effective date of said bill up to and including June 30, 1941, then reappropriate unexpended balance arising out of said legislative bill No. 282, **supra**, as of June 30, 1941, then".

(Signed) Callan

The motion prevailed.

Placed on Select File.

SELECT FILE

LEGISLATIVE BILL NO. 222. Mr. Callan asked that his amendment, above set out, be adopted by unanimous consent.

No objection was offered and the President so declared.

Referred to E and R for engrossment.

Recess

At 12:06 p. m. on motion by Mr. Mueller the Legislature recessed until 7:30 p. m.

After Recess

The Legislature reconvened at 7:41 p. m. Speaker Howard presiding.

The roll was called and all members were present except Messrs. Greenamyre, Kotouc, Lambert, Reed, Sorrell and Amos Thomas, who were excused.

Approved by the Governor

May 21, 1941.

To the President, the Speaker and Members of the Legislature
Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day signed the following bills, viz:

L. B. No. 506	L. B. No. 512	L. B. No. 426
L. B. No. 424	L. B. No. 510	L. B. No. 250

Respectfully submitted,

(Signed) Jean Spencer
Acting Secretary to the Governor.

Report—On Membership to the Legislative Council

Mr. President: I beg leave to report that the members of the first congressional district have held their meeting and have selected

C. Petrus Peterson Stanley A. Matzke John S. Callan

to represent their district on the Legislative Council.

(Signed) Jack W. Price

REPORT—On Membership to the Legislative Council

Mr. President: The following members of the second congressional district have been selected to serve on the Legislative Council for the ensuing term:

Charles F. Tvrdik George T. Sullivan William J. Norman

(Signed) John Adams, Jr., Secretary

SELECT COMMITTEE REPORTS

Memorials

Floyd L. Bollen, Charles Graff, Frank Hallgren, Emsley C. Houston, C. F. B. Nieweddie, John A. Robertson, C. W. Sanborn, John M. "Doc" Tanner, Charles Thielen, Peter Uerling, Lyman H. Warner, Otto Zuelow, Richard C. Hunter

"And ever near us, though unseen,
The dear immortal spirits tread
For all the boundless universe
Is life—there are no dead."

"We cannot think of them as dead
Who walk with us no more;
'Long legislative paths we tread
They have but gone before.' "

Floyd Bollen

Floyd Bollen was born in Wells, Minnesota on January 18, 1875 and came to Nebraska in 1899 with his parents, who settled in Cedar County. He was a graduate of the college of law, University of Nebraska. He was a member of the Nebraska house of representatives in 1913, representing the counties of Cedar and Knox. As a legislator he was recognized as one of the leaders of the liberal group and introduced bills submitting amendments to the constitution providing for a five-sixths jury verdict in civil cases and equal suffrage and one providing adoption of amendments by majority of those voting on the question. He was a member of the Nebraska state railway commission from 1932 to 1938 and had previously been a candidate for United States senator and attorney general. He unselfishly dedicated the greater part of his life to public service. He died July 7, 1940.

Charles Graff

Charles Graff was born in Illinois in 1863 and came to Nebraska in 1884 where he homesteaded in Cuming County. He was an out-

standing stock raiser, and was past president of the Nebraska livestock association. He was a former president of the state fair board, was a member of the state fair board from 1911 to 1938. He was a member of the Nebraska house of representatives in 1907 and 1909, and served his constituents honestly and fearlessly. He died September 23, 1940.

Frank Hallgren

Frank Hallgren died at his home in Holdrege on March 12, 1941. He had been a resident of Phelps County for fifty years and had served as a farmer, rural mail carrier, banker and treasurer of Phelps County. He was a member of the house of representatives in 1927. As a legislator he was honest and sincere, endeavoring to foster and protect such legislation as was for the best interests of his community and the state at large.

Emsley C. Houston

Emsley C. Houston, state senator in 1919, died at his home in Tekamah on March 1, 1940. He was a lumberman and banker and was a large livestock feeder. He was very active in public life and was always loyal and faithful to his trust as a public servant.

C. F. B. Nieweddie

Christian Frederick Benjamin Nieweddie represented the 26th legislative district at the 1921 session, Nebraska state legislature. He was born at Tampaco, Indiana, January 20, 1864 and died at Lincoln, Nebraska on February 1, 1941 at the age of seventy-seven years. He had been a parochial school teacher of the Lutheran church for forty-two years, having taught in St. Louis, New Orleans, Mobile, Omaha, Seward and Altamount, Illinois, where he retired. As an educator, representative Nieweddie left his mark upon the youth of this generation.

John A. Robertson

John A. Robertson, well known farmer and rancher died at his home near O'Neill on December 25, 1940, at the age of seventy-three. He was a member of the house of representatives in 1895, and 1897 and of the senate in 1913, 1915, 1917 and 1925. He was the introducer of the first mothers' pension law in Nebraska while a member of the senate in 1913.

Clifford Wayne Sanborn

Clifford Wayne Sanborn, prominent Nebraska farmer, died in Lincoln on May 13, 1940. He attended Gretna schools and Doane

College and participated in the opening of the Cherokee strip in Oklahoma and homesteaded near Enid. He was a member of the house of representatives in 1911 and was chairman of the agricultural committee. As a legislator he displayed marked ability and understanding, serving his constituents and this state faithfully and without thought of self-interest.

John M. "Doc" Tanner

John M. "Doc" Tanner, longtime Omaha newspaperman and publisher, died January 11, 1941, after a long illness. He was a member of the senate in 1909, 1911, 1917 and 1919. His life was characterized by leadership and faithful adherence to high ideals.

Charles J. Thielen

Charles J. Thielen, died at his home in Humphrey of a heart attack on January 1, 1941. He served in the Nebraska constitutional convention of 1920 and was a member of the senate in 1923. He served as Humphrey city attorney for twenty years. His death was a great loss to his community.

Peter Uerling

Peter Uerling came to Nebraska in 1878, and settled at Blue Hill. In 1881 he opened a store at Ayr and later moved to Hastings in 1901. He was a member of the house in 1897. His death on March 31, 1940, was mourned by his many friends and neighbors.

Lyman Herschell Warner

Lyman H. Warner, former newspaper editor and amateur impresario, died on March 27, 1940 after a short illness. He served as clerk of the legislature for a number of years and was held in highest esteem by the members of the legislature.

Otto J. Zuelow

Otto J. Zuelow died at his home in Schuyler on November 18, 1940. He served for ten years as mayor and for eleven years as postmaster at Schuyler. He also served as an inspector at the Blair port of entry and as a state oil inspector. He was a member of the house in 1905. He will be long remembered for his valued services as a public servant.

Richard C. Hunter

Richard C. Hunter, a member of the Nebraska house of representatives in 1915, thirty-fourth session, Nebraska state legislature

representing Douglas County, died at Tucson, Arizona on January 24, 1941, at the age of fifty-six years. His record as a legislator indicates that he displayed an unusual interest in constructive legislation. He served as attorney general in 1937 and 1938 and was short-term United States senator in 1934. He also served on the Omaha municipal court bench. As attorney general he was ex-officio member of the Farnam Street bridge board and was involved in the Farnam-Dodge bridge controversies. As attorney general his outstanding accomplishment was in 1938 when he led the drive that forced the closing of Omaha horse race bookmaking establishments. He was a native of West Point, Nebraska and was a graduate of Nebraska and Columbia universities. In his passing Nebraska has lost a faithful public servant.

WHEREAS, it is the desire of this body to render tribute to the memory of our departed friends and beloved colleagues of other sessions, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA in FIFTY-FIFTH REGULAR SESSION ASSEMBLED:

That, when we consider the accomplishments and record of those who have served in the legislature before us, we are again reminded of their faithful and honorable service to the people of the state of Nebraska; that we pause for a few minutes today to pay all honor and tribute to them.

That this resolution be spread at large upon the journal of this legislature, and that the clerk of this legislature is hereby ordered and directed forthwith to forward a copy of this resolution, properly authenticated and suitably engrossed, to each of the bereaved families of the deceased members of the Nebraska legislature, above named, as an expression of our reverence to their memories.

Legislative Memorial Committee

(Signed) Harry E. Gantz
Chairman

The resolution was unanimously adopted.

The Legislature paused in its deliberations for a moment in silent tribute to the departed members.

Adjournment Sine Die

Mr. President: Your committee for final adjournment begs to report that we have set not later than Friday, May 23, 1941, as the date for final adjournment.

(Signed) Fred A Mueller, Chairman
Harry E. Gantz

The report was adopted.

STANDING COMMITTEE REPORTS

Enrollment and Review

Correctly engrossed

L. B. No. 207
L. B. No. 222
L. B. No. 504
L. B. No. 513
L. B. No. 514
L. B. No. 428
L B. No. 339

Correctly enrolled

L. B. No. 399
L. B. No. 202
L. B. No. 24
L. B. No. 403

(Signed) Crosby, Chairman

Speaker Signs

While the Legislature was in session and capable of transacting business, the Speaker signed:

L. B. No. 399
L. B. No. 202
L. B. No. 24
L. B. No. 403

Recess

At 8:47 p. m. the Legislature recessed until 11:00 p. m.

After Recess

The Legislature reconvened at 11:30 p. m. Speaker Howard presiding.

The roll was called and all members were present except Messrs. Greenamyre, Lambert, Reed, Sorrell and Amos Thomas, who were excused.

Mr. Norman presiding

STANDING COMMITTEE REPORTS (Continued)

Enrollment and Review

Correctly enrolled

L. B. No. 84
L. B. No. 42
L. B. No. 90
L. B. No. 507

LEGISLATIVE BILL NO. 282. Replaced on Select File with amendments.

E and R amendments to L. B. No. 282:

A. Strike the unanimous consent amendment, Rakow, adopted May 20, 1941, and restate the same as follows:

"Amend the general file amendments, mimeographed, page 17 by inserting immediately before line 1, section 32, thereon the following:

'Sec. 32. That Sec. 8-309, C. S. Supp., 1939, be amended to read as follows:

8-309. No loan shall be made by such association except to its own members, nor shall any loan be made to any member for any sum in excess of the par value of his stock. The borrower shall pledge to the association as security for the loan, shares of a maturity value equal to the principal of the loan, and ample real estate security ~~unincumbered~~ **unencumbered** except by prior liens held by such association. Loans made upon improved real estate shall not exceed two-thirds of the actual cash value thereof, and all loans made on any other real estate shall not exceed two-fifths of the actual cash value thereof; ~~provided however,~~ : **Provided,** that associations are authorized to obtain insurance of their loans by the ~~Federal Housing Administrator~~ **federal housing administrator,** and loans made upon improved real estate and so insured may be in amount not to exceed ~~80%~~ **eighty per cent** of the actual cash value of the real estate security. The stock of such association may be accepted as security for a loan of the amount of the withdrawal value of such stock without other security. Any association may in addition to its reserve investments temporarily invest its idle funds, or any part thereof, not exceeding ten per cent of its assets, in bonds or interest bearing obligations of the United States, of the bonds issued under the ~~Federal Farm Loan Act~~ **federal farm loan act,** of the ~~State~~ **state** of Nebraska, or of any county, township, school district or other political division of the ~~State~~ **state** of Nebraska, or of any incorporated city or village in the ~~State~~ **state** of Nebraska, and may deposit its funds or any part thereof in any national or state bank and receive therefor certificates of deposit or the usual bank passbook credit subject to check. No evidence of indebtedness taken by said association for the return of any loan shall be negotiable in form, and whatever be its form, every such evidence of indebtedness shall be ~~non-negotiable~~ **nonnegotiable** in law, except as hereinafter provided, and no such debt, or evidence of debt shall be assignable or transferable in any manner so as to prevent the discharge thereof by payments to the association, except as hereinafter provided, except that bonds and interest-bearing obligations in which temporary investments may be made as hereinbefore provided, may be converted into cash in due course.

Any building and loan association is hereby authorized to subscribe for the stock of, and to become a member of the ~~Federal Home Loan Bank~~ **federal home loan bank** for the district in which it may be located, or for the stock of a ~~Federal Home Loan Bank~~ **federal home loan bank** of an adjoining district, if demanded by convenience; to borrow money from such bank or any other corporation or agency established by or under the authority of the United States ~~Government~~ **government** and to assign its mortgages or such other assets as may be required as security therefor; ~~provided~~ : **Provided,** that none of the money borrowed shall be used for the purpose of paying withdrawals, dividends, salaries or any operating expenses of such association; to do and perform such acts as may be necessary and required to avail to it all the advantages and privileges offered by the ~~Federal Home Loan Bank~~ **federal home loan bank** or offered by any other corporation or agency established under the authority of the United States ~~Government~~ **government,** or any instrumentality of the United States ~~Government~~ **government.** Any building and loan association is hereby authorized, with the approval of its ~~Board of Directors~~ **board of directors,** to assign its mortgages and the evidence of debt secured thereby, to the ~~Home Owners' Loan Corporation~~ **home owners' loan corporation** created by ~~Act of Congress~~ **act of congress** of the United States under Act **act** cited as the "Home Owners' Loan Act of 1933" or such other corporation as may be created by authority of the United States ~~Government~~ **government,** or as an instrumentality of the United States ~~Government~~ **government,** and to accept as consideration for such assignment, cash or bonds of such ~~Home Owners' Loan Corporation~~ **home owners' loan corporation** or such other corporation as may be created by authority of the United States ~~Government~~ **government,** or as an instrumentality of the United States ~~Government~~ **government;** ~~provided, however~~ : **Provided,** that no mortgage given by any member of such association shall be so assigned without the written consent of the borrowing member. Any association at the discretion of its officers and directors, and with the consent and approval of the ~~Department of Banking~~ **department of banking** may accept its stock at the withdrawal value of such shares to apply on the purchase at its fair market value of any real estate owned by such association or, to apply in payment or reduction of any loans or contract of sale on which in the judgment of the ~~Officers and Directors~~ **officers and directors** there may be an eventual loss, whether or not notice for withdrawal of such shares shall have been filed, and such action shall not be considered prejudicial to the rights of any stockholders to whom payment on withdrawal notices is being delayed: **Provided, in addition any association when so licensed may make loans to its own members upon the terms and security provided in legislative bill No. 282, fifty-fifth session, Nebraska state legislature, 1941.' ".**

B. Amend the unanimous consent amendment, Tvrdik, adopted May 20, 1941, mimeographed, amendment 3, page 2, line 7 by striking the word and section symbol "and 8-155" therein and by inserting in lieu thereof the following:

", 8-155 and 8-309".

C. Renumber all sections to the bill to conform with all amendments adopted.

D. Amend the unanimous consent amendments, Tvrdik, mimeographed, adopted May 20, 1941, page 2 by striking all of amendment 4 thereon and by inserting in lieu thereof the following:

"Amend the general file amendments, mimeographed, page 18, amendment 2, lines 5 and 6 by striking the conjunction "and" after the section symbol "45-102" and before the section symbol "45-124" and by inserting in lieu thereof the punctuation ","; and in line 6 of said amendment 2, insert after the figures "124" therein the following:

", 8-155 and 8-309".

E. Amend the general file amendments, mimeographed, page 18, amendment 2, line 18 by inserting immediately after the word and punctuation "thereof;" and before the last preposition "to" therein the following:

"to provide that any savings bank shall be eligible to obtain a license to engage in the business of lending money under the terms and conditions of this act; to provide that building and loan associations are authorized, when licensed, to engage in the business of lending money to its own members upon the terms and the security provided for in this act;".

F. Amend the general file amendments, mimeographed, page 1, amendment 1, section 1, line 3, by inserting after the word and punctuation "companies," and before the word "trusts" therein the following:

"savings banks, building and loan associations,".

G. Amend the general file amendments, mimeographed, amendment 1, page 12, section 21, lines 9 and 12, by striking the pronoun "he" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the pronoun "it".

(Signed) Crosby, Chairman

SELECT FILE (Continued)

LEGISLATIVE BILL NO. 282. E and R amendments, above set out, were adopted.

Referred to E and R for engrossment.

Speaker Howard presiding

STANDING COMMITTEE REPORTS (Continued)

Enrollment and Review

LEGISLATIVE BILL NO. 282. Correctly engrossed.

(Signed) Crosby, Chairman

Speaker Signs

While the Legislature was in session and capable of transacting business, the Speaker signed:

L. B. No. 84	L. B. No. 90
L. B. No. 42	L. B. No. 507

Legislative Resolution No. 32

Adjournment

At 11:40 p. m. Mr. Kotouc moved that the rules be suspended and that the Legislature adjourn until 2:00 p. m. Thursday, May 22, 1941.

The motion prevailed with 35 ayes, no nays, 8 not voting.

Hugo F. Srb,
Clerk of the Legislature.

NINETY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, May 22, 1941.

Pursuant to adjournment, the Legislature met at 2:00 p. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Crosby, Greenamyre, Knezacek, Lambert, Price and Amos Thomas, who were excused.

The Journal for the Ninety-seventh Day was approved as corrected.

Communications

A letter was read from Senator Hugh Butler acknowledging receipt of Legislative Resolution No. 28.

A letter was read from Mrs. Roxina C. Hanley and brothers, acknowledging receipt of Legislative Resolution No. 26 respecting the memory of John Arthur Cullen and thanking the members for their floral tribute.

Approved by the Governor

May 21, 1941

To the President, the Speaker and Members of the Legislature
Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day signed the following bills, viz:

L. B. No. 486 L. B. No. 427
L. B. No. 139 L. B. No. 206

Respectfully submitted,

(Signed) Jean Spencer
Acting Secretary to the Governor.

May 22, 1941

To the President, the Speaker and Members of the Legislature
Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day signed the following bills:

L. B. No. 126 L. B. No. 331

Respectfully submitted,

(Signed) Jean Spencer
Acting Secretary to the Governor.

MOTION—To Suspend Rules

Mr. Mueller moved to suspend the rules, regarding the two day provision on Third Reading File, in regard to all bills remaining on Third Reading.

The motion prevailed with 32 ayes, no nays, 11 not voting.

BILLS ON THIRD READING

LEGISLATIVE BILL NO. 183. With emergency clause.

A bill for an Act relating to revenue; to authorize the governing body of any political subdivision or of any school district to fund its general indebtedness; to authorize the issuance of funding bonds not to exceed an amount lawfully owing and unpaid upon its registered warrants and judgments plus accrued interest; to provide for the maximum rate of interest the bonds shall bear; to provide the manner in which such bonds shall be issued; to provide for the levy of an annual tax for the payment of interest and principal on such bonds; to authorize and empower any school district or any city of the first class having a population of more than five thousand and less than twenty-five thousand inhabitants, city of the second class or village in the state of Nebraska to borrow money with which to pay judgments against their respective municipalities or school districts and

accrued interest thereon and to redeem outstanding warrants of such school district, city or village, as the case may be; to issue the municipality's or school district's promissory note or notes therefor; to provide for the repayment of money so borrowed; to prescribe terms, provisions, conditions and limitations upon the exercise of the power so to borrow; to provide that the provisions of sections 7 to 11, inclusive, of this act shall be construed as supplemental to and cumulative with existing powers of said municipalities or school districts on the same subject; to provide that sections 1 to 6, inclusive, of this act shall not be construed as a limitation on the powers conferred upon municipalities or school districts in sections 7 to 11, inclusive, therein; to state a validity clause, to repeal Article 11, Chaper 11, C. S. Supp., 1939; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

Adams, E. A.	Carmody	Metzger	Reed
Adams, J. Jr.	Crossland	Mischke	Sorrell
Asimus	Gantz	Mueller	Sullivan
Bevins	Garber	Murphy	Thomas, Ray
Blome	Hanna	Neubauer	Thornton
Bowman	Howard	Norman	Tvrdik
Brodahl	Jeppesen	Peterson	Van Diest
Callan	Johnson	Raecke	Weborg
Carlson	Matzke	Rakow	

Voting in the negative, 0.

Not voting, 8:

Crosby	Knezacek	Lambert	Price
Greenamyre	Kotouc	Mekota	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 389. With emergency clause.

A bill for an Act relating to banks and banking; to provide for the organization, licensing and control of industrial loan and investment companies; to define the term **installment investment company** or its plural when it appears in Secs. 8-701, 8-702 and 81-5440, C. S. Supp., 1939, as now existing or as hereafter amended; to prescribe procedure therefor; to prescribe powers and limitations thereof; to provide for their supervision by the department of banking; to pro-

vide methods for conversion of corporations organized and existing under the statutory provisions herein repealed into industrial loan and investment companies; to fix the maximum rate of interest that industrial loan and investment companies may pay; to repeal Article 51, Chapter 81, Compiled Statutes of Nebraska, 1929; to repeal Article 51, Chapter 81, C. S. Supp., 1939; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

Adams, E. A.	Carmody	Metzger	Reed
Adams, J. Jr.	Crossland	Mischke	Sorrell
Asimus	Gantz	Mueller	Sullivan
Bevins	Garber	Murphy	Thomas, Ray
Blome	Hanna	Neubauer	Thornton
Bowman	Howard	Norman	Tvrdik
Brodahl	Jeppesen	Peterson	Van Diest
Callan	Johnson	Raecke	Weborg
Carlson	Matzke	Rakow	

Voting in the negative, 0.

Not voting, 8:

Crosby	Knezacek	Lambert	Price
Greenamyre	Kotouc	Mekota	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 23. With emergency clause.

A bill for an Act relating to elections; to amend Secs. 32-801 and 32-802, C. S. Supp., 1939; to amend Sections 32-803, 32-804, 32-805, 32-806, 32-807, 32-814, 32-1812, 32-1405 and 32-1515, Compiled Statutes of Nebraska, 1929; to simplify the process whereby qualified electors who will be absent from the counties of their residences or ill or disabled within the counties of their residences on the day of any election, may exercise the voting privilege; to provide procedure permitting qualified electors who will be absent from the counties of their residences on election day to vote at home before leaving home in like manner as absent voters; to prescribe application procedure for absentees to obtain an official application form, which, when properly executed and returned to the issuing officer in person or by mail, together with a certificate of registration in pre-

cincts where registration is required, may be exchanged for an absentee ballot; to provide rules and regulations concerning the marking and casting of ballots by absentee voters, for returning absentee ballots to the issuing officer and for counting same upon their return; to provide a method of registering absent voters who are in the military or naval service of the United States of America or of the state of Nebraska, by mail in precincts where registration of voters is required; to provide penalties for the violation thereof; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Adams, E. A.	Crossland	Mischke	Reed
Asimus	Gantz	Mueller	Sorrell
Bevins	Garber	Murphy	Sullivan
Blome	Hanna	Neubauer	Thomas, Ray
Bowman	Howard	Norman	Thornton
Brodahl	Jeppesen	Peterson	Tvrdik
Callan	Johnson	Raecke	Van Diest
Carlson	Matzke	Rakow	Weborg
Carmody	Metzger		

Voting in the negative, 0.

Not voting, 9:

Adams, J. Jr.	Knezacek	Lambert	Price
Crosby	Kotouc	Mekota	Thomas, Amos
Greenamyre			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 340.

A bill for an Act to amend Section 84-308, Compiled Statutes of Nebraska, 1929, relating to the auditor of public accounts; to provide that all vouchers, receipts, and cancelled warrants more than ten years old that are on file in the office of the auditor of public accounts may be destroyed; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 33:

Adams, E. A.	Crossland	Metzger	Reed
Asimus	Gantz	Mischke	Sorrell
Bevins	Garber	Mueller	Sullivan
Blome	Hanna	Murphy	Thomas, Ray
Bowman	Howard	Neubauer	Thornton
Brodahl	Jeppesen	Norman	Tvrdik
Callan	Johnson	Raecke	Van Diest
Carlson	Matzke	Rakow	Weborg
Carmody			

Voting in the negative, 0.

Not voting, 10:

Adams, J. Jr.	Knezacek	Mekota	Price
Crosby	Kotouc	Peterson	Thomas, Amos
Greenamyre	Lambert		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 353. With emergency clause.

A bill for an Act to amend Sec. 18-1401, C. S. Supp., 1939, relating to municipal corporations; to authorize the levy of an annual special tax for the purpose of owning, operating, constructing, maintaining and equipping sewage disposal plants or sewerage systems or for the purpose of improving or extending any existing sewerage systems therein; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 31:

Adams, E. A.	Carmody	Matzke	Reed
Asimus	Crossland	Metzger	Sullivan
Bevins	Gantz	Mischke	Thomas, Ray
Blome	Garber	Murphy	Thornton
Bowman	Hanna	Neubauer	Tvrdik
Brodahl	Howard	Norman	Van Diest
Callan	Jeppesen	Peterson	Weborg
Carlson	Johnson	Raecke	

Voting in the negative, 0.

Not voting, 12:

Adams, J. Jr.	Knezacek	Mekota	Rakow
Crosby	Kotouc	Mueller	Sorrell
Greenamyre	Lambert	Price	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 349. With emergency clause.

A bill for an Act relating to public welfare and public safety; to empower the state zoning agency to exercise jurisdiction over any state, city, county or private airport of the public utility class; to define terms; to amend Sec. 2, legislative bill No. 495, fifty-fifth session, Nebraska state legislature, 1941; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 32:

Adams, E. A.	Carmody	Mischke	Rakow
Asimus	Crossland	Matzke	Reed
Bevins	Gantz	Metzger	Sullivan
Blome	Garber	Murphy	Thomas, Ray
Bowman	Hanna	Neubauer	Thornton
Brodahl	Howard	Norman	Tvrdik
Callan	Jeppesen	Peterson	Van Diest
Carlson	Johnson	Raecke	Weborg

Voting in the negative, 0.

Not voting, 11:

Adams, J. Jr.	Knezacek	Mekota	Sorrell
Crosby	Kotouc	Mueller	Thomas, Amos
Greenamyre	Lambert	Price	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 212. With emergency clause.

A bill for an Act to amend Secs. 27-319 and 27-321, C. S. Supp., 1939, relating to courts and actions; to provide for and to get permission for the bringing of actions against the state of Nebraska with

respect to its ownership of or interest in bonds or other obligations issued by irrigation districts, drainage districts, municipal corporations, political or governmental subdivisions of the state of Nebraska; to provide where such actions may be brought; to provide the manner of service of process upon the state of Nebraska in such actions; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 33:

Adams, E. A.	Crossland	Metzger	Reed
Asimus	Gantz	Mischke	Sorrell
Bevins	Garber	Mueller	Sullivan
Blome	Hanna	Murphy	Thomas, Ray
Bowman	Howard	Neubauer	Thornton
Brodahl	Jeppesen	Norman	Tvrdik
Callan	Johnson	Peterson	Van Diest
Carlson	Matzke	Raecke	Weborg
Carmody			

Voting in the negative, 0.

Not voting, 10:

Adams, J. Jr.	Knezacek	Mekota	Rakow
Crosby	Kotouc	Price	Thomas, Amos
Greenamyre	Lambert		

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 265.

A bill for an Act relating to guardians; to provide for the summary disposition without guardianship of estates that consist of personal property of less value than one hundred dollars and that belong to minors or to incompetent persons; to provide, if the ward is not the owner of real estate, for the summary termination of guardianships of minors or incompetents where the personal assets in the hands of the guardian amount to less than one hundred dollars; and to provide for the use of the funds of wards for their education and maintenance, in the discretion of the court.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 33:

Adams, E. A.	Crossland	Metzger	Reed
Asimus	Gantz	Mischke	Sorrell
Bevins	Garber	Mueller	Sullivan
Blome	Hanna	Murphy	Thomas, Ray
Bowman	Howard	Neubauer	Thornton
Brodahl	Jeppesen	Norman	Tvrdik
Callan	Johnson	Peterson	Van Diest
Carlson	Matzke	Raecke	Weborg
Carmody			

Voting in the negative, 0.

Not voting, 10:

Adams, J. Jr.	Knezacek	Mekota	Rakow
Crosby	Kotouc	Price	Thomas, Amos
Greenamyre	Lambert		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Statement for Journal

Mr. President: Having been excused to work on revision of the rules, I wish to state that had I been present I would have voted aye on Legislative Bills numbered 183, 389, 23, 340, 353, 349, 212 and 265. (Signed) Mekota

LEGISLATIVE BILL NO. 478. With emergency clause.

A bill for an Act to amend Sec. 79-2523, C. S. Supp., 1939, relating to schools; to provide for the establishment of a building fund for the repair and alteration of buildings in school districts containing a city having a population of one thousand inhabitants or more; to provide that the authority to establish the building fund above provided shall be cumulative with and supplemental to Secs. 79-133 to 79-137, inclusive, C. S. Supp., 1939; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 28:

Adams, E. A.	Gantz	Mekota	Reed
Blome	Garber	Metzger	Sorrell
Bowman	Hanna	Mueller	Sullivan
Brodahl	Howard	Neubauer	Thomas, Ray
Callan	Jeppesen	Norman	Thornton
Carlson	Johnson	Peterson	Tvrdik
Crossland	Matzke	Raecke	Van Diest

Voting in the negative, 3:

Asimus	Carmody	Mischke

Not voting, 12:

Adams, J. Jr.	Greenamyre	Lambert	Rakow
Bevins	Knezacek	Murphy	Thomas, Amos
Crosby	Kotouc	Price	Weborg

A constitutional two-thirds majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause attached.

Vote on L. B. No. 478 With Emergency Clause Stricken

Voting in the affirmative, 31:

Adams, E. A.	Crossland	Mekota	Reed
Asimus	Gantz	Metzger	Sorrell
Bevins	Garber	Mueller	Sullivan
Blome	Hanna	Neubauer	Thomas, Ray
Bowman	Howard	Norman	Thornton
Brodahl	Jeppesen	Peterson	Tvrdik
Callan	Johnson	Raecke	Van Diest
Carlson	Matzke	Rakow	

Voting in the negative, 2:

Carmody	Mischke

Not voting, 10:

Adams, J. Jr.	Knezacek	Murphy	Thomas, Amos
Crosby	Kotouc	Price	Weborg
Greenamyre	Lambert		

A constitutional majority having voted in the affirmative, the bill was declared passed with the emergency clause stricken and the title agreed to.

MOTION—To Pass L. B. No. 301

Mr. President: I move that we pass L. B. No. 301 notwithstanding the objection of the Governor. (Signed) Neubauer

Whereupon the president stated: "Shall the bill pass notwithstanding the objection of the Governor?' "

A call of the House was ordered.

Mr. Gantz presiding

Mr. Mischke moved to raise the call.

The motion prevailed with 17 ayes, no nays, 26 not voting.

Voting in the affirmative, 16: (On passage of the bill)

Bevins	Gantz	Norman	Thomas, Ray
Bowman	Mekota	Peterson	Tvrdik
Brodahl	Mueller	Sorrell	Van Diest
Crossland	Neubauer	Sullivan	Weborg

Voting in the negative, 10:

Carmody	Johnson	Murphy	Rakow
Hanna	Metzger	Raecke	Reed
Jeppesen	Mischke		

Not voting, 17:

Adams, E. A.	Callan	Greenamyre	Lambert
Adams, J. Jr.	Carlson	Howard	Matzke
Asimus	Crosby	Knezacek	Price
Blome	Garber	Kotouc	Thomas, Amos
			Thornton

A constitutional majority having failed to vote in the affirmative, the bill failed of passage.

President Johnson presiding

LEGISLATIVE BILL NO. 329.

A bill for an Act to amend Sec. 32-209, C. S. Supp., 1939, as amended by section 1, legislative bill No. 32, fifty-fifth session, Nebraska state legislature, 1941, as amended by section 1, legislative bill No. 110, fifty-fifth session, Nebraska state legislature, 1941; to amend Sec. 33-112, C. S. Supp., 1939, relating to the office of register

of deeds; to provide procedure whereby counties that now have a population of less than sixteen thousand inhabitants and that now have a register of deeds, may retain the office of register of deeds; to provide for the compensation to be paid to said register of deeds, to his deputies and assistants; to repeal said original section, as amended; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

A call of the House was ordered.

Mr. Mischke moved to raise the call.

The motion was lost with 16 ayes, 4 nays, 23 not voting.

Mr. Rakow moved to raise the call.

The motion was lost with 17 ayes, 5 nays, 21 not voting.

Mr. Mekota moved to raise the call.

The motion prevailed with 27 ayes, no nays, 16 not voting.

Voting in the affirmative, 23: (On passage of the bill)

Asimus	Carlson	Mueller	Sorrell
Bevins	Crossland	Neubauer	Sullivan
Blome	Gantz	Norman	Thomas, Ray
Bowman	Knezacek	Peterson	Thornton
Brodahl	Matzke	Raecke	Tvrdik
Callan	Mekota	Reed	

Voting in the negative, 10:

Carmody	Johnson	Mischke	Rakow
Hanna	Kotouc	Murphy	Weborg
Jeppesen	Metzger		

Not voting, 10:

Adams, E. A.	Garber	Lambert	Thomas, Amos
Adams, J. Jr.	Greenamyre	Price	Van Diest
Crosby	Howard		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Statement for Journal

Mr. President: Had I been present when the following bills were read on Third Reading, I would have voted aye:

Legislative Bills numbered 351, 403, 24, 154, 271, 90, 255, 399, 84, 183, 329, 389, 23, 340, 353, 349, 212, 265 and 478.

(Signed) Greenamyre

Mr. President: Had I been present when the following bills were read on Third Reading, I would have voted nay:

Legislative Bills numbered 507, 202, 42 and 332.

(Signed) Greenamyre

Approved by the Governor

May 22, 1941

To the President, the Speaker and Members of the Legislature
Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day signed the following bills:

L. B. No. 220	L. B. No. 246
L. B. No. 294	L. B. No. 494
L. B. No. 233	L. B. No. 300
L. B. No. 17	

Respectfully submitted,

(Signed) Jean Spencer
Acting Secretary to the Governor.

STANDING COMMITTEE REPORTS

Enrollment and Review

Correctly enrolled

L. B. No. 154	L. B. No. 332
L. B. No. 351	L. B. No. 255

Presented to Governor for approval

Thursday, May 22, 1941 at 3:45 p. m.

L. B. No. 24	L. B. No. 90
L. B. No. 42	L. B. No. 399
L. B. No. 84	L. B. No. 507
L. B. No. 202	

(Signed) Rakow, Vice Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 154	L. B. No. 332
L. B. No. 351	L. B. No. 255

Recess

At 4:40 p. m. on motion by Mr. Murphy the Legislature recessed until 5:10 p. m.

After Recess

The Legislature reconvened at 5:36 p. m. President Johnson presiding.

The roll was called and all members were present except Messrs. Greenamyre, Kotouc, Lambert, Price and Amos Thomas, who were excused.

STANDING COMMITTEE REPORTS (Continued)

Enrollment and Review

Correctly enrolled

L. B. No. 340	L. B. No. 271	L. B. No. 183

(Signed) Rakow, Vice Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 340	L. B. No. 271	L. B. No. 183

Adjournment

At 5:40 p. m. on motion by Mr. Mueller the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

NINETY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, May 23, 1941.

Pursuant to adjournment, the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Lambert; and except Messrs. Greenamyre, Knezacek and Amos Thomas, who were excused, and Mr. Mueller, who was excused until 11:00 a. m.

The Journal for the Ninety-eighth Day was approved as corrected.

PETITIONS AND MEMORIALS

Mr. Carlson introduced fifteen petitions favoring L. B. No. 513.

Communications

A letter was read from Congressman Charles F. McLaughlin acknowledging receipt of Legislative Resolution No. 28

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Resolution No. 29

Speaker Howard presiding

STANDING COMMITTEE REPORTS

Enrollment and Review

Correctly enrolled

L. B. No. 265	L. B. No. 23
L. B. No. 212	L. B. No. 329
L. B. No. 349	L. B. No. 389
L. B. No. 353	L. B. No. 478

Presented to Governor for approval

Friday, May 23, 1941 at 10:30 a. m.

L. B. No. 351	L. B. No. 340
L. B. No. 183	L. B. No. 255
L. B. No. 154	L. B. No. 271
L. B. No. 332	L. B. No. 403

(Signed) Crosby, Chairman

Speaker Signs

While the Legislature was in session and capable of tranacting business, the Speaker signed:

L. B. No. 265	L. B. No. 23
L. B. No. 212	L. B. No. 329
L. B. No. 349	L. B. No. 389
L. B. No. 353	L. B. No. 478

MESSAGE FROM GOVERNOR

Member Liquor Control Commission—Jackson B. Chase

Workmen's Compensation Court—Paul L. Hoffman

May 23, 1941.

To the President and Members of the Legislature

Gentlemen:

For the information of your honorable body I wish to announce the appointment of Jackson B. Chase as a member of the Nebraska Liquor Control Commission for the six-year term beginning May 25, 1941.

I also wish to announce the appointment of Paul L. Hoffman as a member of the Nebraska Workmen's Compensation Court for a six-year term beginning July 1, 1941.

Respectfully submitted,

(Signed) Dwight Griswold
Governor.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 207.

A bill for an Act relating to game and fish; to amend Secs. 37-101, 37-211, 37-213, 37-309, 37-405, 37-501 and 37-502, C. S. Supp., 1939; to amend Sections 37-208, 37-306, 37-609 and 37-406, Compiled Statutes of Nebraska, 1929; to provide that the term "fur-bearing animals" shall include skunks; to prescribe the annual fee to be charged and collected for the issuance of permits to buy and sell raw furs; to prescribe penalties for trapping fur-bearing animals without permit; to prescribe penalties for possessing raw furs except as specified and permitted by order of the commission; to empower the game, forestation and parks commission to close lakes or streams or designated portions thereof for fishing therein when the same are stocked with game fish; to prohibit the carrying of any shotgun in or on any vehicle on any public highway unless such shotgun is unloaded; to establish rules regulating angling, spearing, seining or taking fish by means of nets; to prohibit any person from borrowing or using the hunting, fishing or other game permit of another; to prescribe regulations pertaining to cold storage of game and fish; to prohibit possession of unlawful nets or other devices for taking game or fish; to provide penalties for the violation thereof; to repeal said original sections; to repeal Secs. 37-419, 37-423, 37-424, 37-425 and 37-426, C. S. Supp., 1939; and to repeal sections 37-420 and 37-421, Compiled Statutes of Nebraska, 1929.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 35:

Adams, E. A.	Crosby	Mekota	Reed
Adams, J. Jr.	Crossland	Metzger	Sorrell
Bevins	Gantz	Mischke	Sullivan
Blome	Garber	Murphy	Thomas, Ray
Bowman	Hanna	Neubauer	Thornton
Brodahl	Howard	Norman	Tvrdik
Callan	Jeppesen	Peterson	Van Diest
Carlson	Johnson	Raecke	Weborg
Carmody	Matzke	Rakow	

Voting in the negative, 0.

Not voting, 8:

Asimus	Knezacek	Lambert	Price
Greenamyre	Kotouc	Mueller	Thomas, Amos

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 504.

A bill for an Act relating to labor; to provide that it shall be the policy of this state that no representative agency of labor shall, in collective bargaining, discriminate against any person because of his race or color; and to charge the department of labor with the duty of enforcing this policy in conformity with Article I of the constitution of Nebraska, and section 1 of the fourteenth amendment to the constitution of the United States.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

A call of the House was ordered.

Mr. Reed moved to raise the call.

The motion was lost with 9 ayes, 3 nays, 31 not voting.

Mr. Hanna changed his vote from aye to nay and moved to raise the call.

The motion was lost with 10 ayes, 2 nays, 31 not voting.

Mr. Hanna changed his vote from nay to aye.

Mr. Van Diest moved to raise the call.

The motion prevailed with 29 ayes, no nays, 14 not voting.

Voting in the affirmative, 22: (On passage of the bill)

Adams, E. A.	Carmody	Matzke	Sorrell
Adams, J. Jr.	Crosby	Metzger	Thomas, Ray
Asimus	Crossland	Neubauer	Van Diest
Bevins	Gantz	Norman	Weborg
Brodahl	Hanna	Peterson	
Carlson	Jeppesen	Rakow	

Voting in the negative, 8:

Blome	Johnson	Raecke	Thornton
Garber	Mischke	Reed	Tvrdik

Not voting, 13:

Bowman	Howard	Lambert	Murphy
Callan	Knezacek	Mekota	Price
Greenamyre	Kotouc	Mueller	Sullivan
			Thomas, Amos

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Explanation of Vote

Mr. President: This bill in effect says the legislative policy of the state shall conform to the state and federal constitutions in certain particulars. Such a statement as a statutory enactment seems entirely unnecessary and useless. (Signed) Raecke

LEGISLATIVE BILL NO. 513. With emergency clause.

A bill for an Act to amend Section 71-1705, Compiled Statutes of Nebraska, 1929 and to amend Sec. 71-602, C. S. Supp., 1939, relating to public health, convenience and welfare; to prescribe the scope of the practice of osteopathy; to establish a board of examiners in surgery for holders of licenses to practice osteopathy; to define the powers, duties and functions of said board to define "unprofessional conduct" in the practice of osteopathy; to repeal said original sections; to state a saving clause; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

A call of the House was ordered.

Mr. Sullivan moved to raise the call.

The motion was lost with 14 ayes, 4 nays, 25 not voting.

Mr. Reed changed his vote from nay to aye and moved to raise the call.

The motion was lost with 15 ayes, 6 nays, 22 not voting.

Mr. Reed changed his vote from aye to nay.

Mr. Carmody changed his vote from not voting to nay and moved to raise the call.

The motion was lost with 16 ayes, 4 nays, 23 not voting.

Mr. Bevins changed his vote from nay to aye and moved to raise the call.

The motion was lost with 15 ayes, 3 nays, 25 not voting.

Mr. Mischke changed his vote from nay to not voting and moved to raise the call.

The motion was lost with 15 ayes, 3 nays, 25 not voting.

Mr. Mischke changed his vote from not voting to nay and moved to raise the call.

The motion prevailed with 22 ayes, 3 nays, 18 not voting.

Mr. Van Diest changed his vote from aye to nay and moved to reimpose the call of the House.

The motion was lost with 5 ayes, 13 nays, 25 not voting.

Mr. Van Diest changed his vote from nay to aye.

Voting in the affirmative, 18: (On passage of the bill)

Adams, J. Jr.	Crosby	Neubauer	Thomas, Ray
Asimus	Garber	Peterson	Thornton
Brodahl	Johnson	Price	Van Diest
Callan	Metzger	Raecke	
Carlson	Matzke	Sorrell	

Voting in the negative, 13:

Adams, E. A.	Carmody	Mischke	Reed
Bevins	Crossland	Norman	Sullivan
Blome	Gantz	Rakow	Tvrdik
			Weborg

Not voting, 12:

Bowman	Howard	Kotouc	Mueller
Greenamyre	Jeppesen	Lambert	Murphy
Hanna	Knezacek	Mekota	Thomas, Amos

A constitutional two-thirds majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause attached.

Vote on L. B. No. 513 with the Emergency Clause Stricken

A call of the House was ordered.

Mr. Hanna changed his vote from not voting to nay and moved to raise the call.

The motion was lost with 14 ayes, 3 nays, 26 not voting.

Mr. Raecke changed his vote from aye to nay and moved to raise the call.

The motion was lost with 14 ayes, 3 nays, 26 not voting.

Mr. Carmody changed his vote from not voting to nay and moved to raise the call.

The motion was lost with 16 ayes, 2 nays, 25 not voting.

Mr. Thomas moved that the sergeant-at-arms be instructed to bring in the absent members who are in Lincoln.

The motion was lost.

Mr. Mischke changed his vote from nay to not voting and moved to raise the call.

The motion was lost with 17 ayes, 3 nays, 23 not voting.

Mr. Rakow moved that the sergeant-at-arms be instructed to bring Mr. Mueller to the chamber.

The motion prevailed.

Mr. Rakow moved to raise the call.

The motion was lost with 18 ayes, 2 nays, 23 not voting.

Mr. Mischke voted nay and moved to raise the call.

The motion was lost with 18 ayes, 2 nays, 23 not voting.

Mr. Reed changed his vote from nay to not voting and moved to raise the call.

The motion was lost with 18 ayes, 2 nays, 23 not voting.

Mr. Raecke changed his vote from nay to aye and moved to raise the call.

The motion was lost with 16 ayes, 1 nay, 26 not voting.

Mr. Mischke changed his vote from nay to not voting and moved to raise the call.

The motion was lost with 19 ayes, 2 nays, 22 not voting.

Mr. Matzke changed his vote from aye to not voting and moved to raise the call.

The motion was lost with 18 ayes, 1 nay, 24 not voting.

Mr. Rakow changed his vote from nay to not voting and moved to raise the call.

The motion prevailed with 20 ayes, 2 nays, 21 not voting.

Mr. Van Diest moved to reimpose the call.

The motion was lost with 12 ayes, 16 nays, 15 not voting.

Mr. Van Diest changed his vote from aye to nay and moved to reimpose the call.

The motion was lost with 12 ayes, 14 nays, 17 not voting.

Mr. Van Diest changed his vote from nay to aye.

Voting in the affirmative, 19: (On passage of the bill with the emergency clause stricken)

Adams, J. Jr.	Crosby	Metzger	Sorrell
Asimus	Garber	Neubauer	Thomas, Ray
Brodahl	Howard	Peterson	Thornton
Callan	Johnson	Price	Van Diest
Carlson	Mekota	Raecke	

Voting in the negative, 14:

Adams, E. A.	Crossland	Norman	Tvrdik
Bevins	Gantz	Rakow	Weborg
Blome	Hanna	Reed	
Carmody	Mischke	Sullivan	

Not voting, 10:

Bowman	Knezacek	Matzke	Murphy
Greenamyre	Kotouc	Mueller	Thomas, Amos
Jeppesen	Lambert		

A constitutional majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause stricken.

Explanation of Vote

Mr. President: I was opposed to the original bill 513, but since it has been amended to provide for examination before an osteopath can practice surgery, I believe the bill is fair, especially since there will be three doctors and two osteopaths on the board.

(Signed) John Adams, Jr.

STANDING COMMITTEE REPORTS (Continued)

Enrollment and Review

Presented to Governor for approval

Friday, May 23, 1941 at 11:55 a. m.

L. B. No. 478	L. B. No. 389	L. B. No. 265
L. B. No. 329	L. B. No. 23	L. B. No 504
L. B. No. 353	L. B. No. 349	L. B. No. 207

Correctly enrolled

L. B. No. 207 L. B. No. 504

(Signed) Crosby, Chairman

Speaker Signs

While the Legislature was in session and capable of transacting business, the Speaker signed:

L. B. No. 207 L. B. No. 504

Recess

At 1:45 p. m. on motion by Mr. Hanna the Legislature recessed until 3:00 p. m.

After Recess

The Legislature reconvened at 3:00 p. m. Speaker Howard presiding.

The roll was called and all members were present except Mr. Lambert, and except Messrs. Greenamyre, Knezacek, Price and Amos Thomas, who were excused.

RESOLUTIONS

LEGISLATIVE RESOLUTION No. 33. Legislative Council Membership

Approving Membership of the Nebraska Legislative Council 1941-1943

Introduced by Wililam A. Crossland of Wayne

Preamble

WHEREAS, the members of the five Nebraska congressional districts have nominated legislators to serve on the Nebraska Legislative Council from 1941 to 1943, and have reported the fact of their selections to membership on said Legislative Council to the legislature according to law, and

WHEREAS, said nominations must be approved by this legislature so that said Legislative Council may carry on its organization and continue to function, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-FIFTH REGULAR SESSION ASSEMBLED:

1. That the several nominations for membership on the Nebraska Legislative Council for 1941-1943, be approved by this legislature as follows:

First Congressional District

C. Petrus Peterson Stanley A. Matzke John S. Callan

Second Congressional District

Charles F. Tvrdik William J. Norman Geo. T. Sullivan

Third Congressional District

Walter R. Raecke Elmer C. Rakow Louis M. Jeppesen

Fourth Congressional District

J. Lyndon Thornton Harry E. Bowman E. M. Neubauer

Fifth Congressional District

R. M. Howard Robert B. Crosby Don E. Hanna

Mr. Crossland moved that the rules be suspended and that Legislative Resolution No. 33 be adopted.

A call of the House was ordered.

Mr. Callan moved to raise the call.

The motion prevailed with 24 ayes, no nays, 19 not voting.

The resolution was adopted with 31 ayes, no nays, 12 not voting.

LEGISLATIVE RESOLUTION NO. 34. Quarters for Legislative Council.

Directing the Custodian of the State Capitol Building to Set Aside, Equip and Maintain Quarters for the Legislative Council and for the Press and to Direct the Legislative Custodian to Care for Such Quarters

Introduced by John S. Callan of Gage

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-FIFTH SESSION ASSEMBLED:

1. That the custodian of the state capitol building of the state of Nebraska be directed to forthwith assign and set aside for the use of the Nebraska Legislative Council for its work ad interim definite quarters in the state capitol building known as rooms 1104, 1104a, 1106 and 1108, and rooms 2028 and 2301 for the use of the press until further order of the legislature.

2. That the legislative custodian be directed to equip such quarters so assigned to Council with legislative furniture and equipment, as directed by said Council adequate and sufficient for the purpose of carrying on the work of said Council in an efficient manner; and that said legislative custodian be charged with the duty of furnishing the quarters so assigned to Council with regular and proper janitor service after this legislature shall have adjourned, until further order of the legislature, as other legislative rooms and quarters are kept and maintained.

3. That copies of this resolution be forthwith delivered by the clerk of this legislature to the custodian of the state capitol building and to the legislative custodian after the same shall have been spread at large upon the Legislative Journal.

Mr. Callan moved that the rules be suspended and that Legislative Resolution No. 34 be adopted.

The motion prevailed with 30 ayes, no nays, 13 not voting.

LEGISLATIVE RESOLUTION NO. 35. Legislative Custodian

Clerk of the Legislature as Legislative Custodian

Introduced by John S. Callan of Gage

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-FIFTH REGULAR SESSION ASSEMBLED:

1. That the clerk of the legislature is hereby designated as legislative custodian of legislative property and quarters from the effective date of this resolution until further order of the legislature, and, as such custodian he shall perform the duties as set forth in legislative resolution No. 41, Nebraska legislative journal, fifty-third session, 1939, at pages 1385 and 1386; and that said resolution No. 41 is hereby incorporated and made a part of this resolution the same as though it were set forth at full length herein.

Mr. Callan moved that the rules be suspended and that Legislative Resolution No. 35 be adopted.

The motion prevailed with 33 ayes, no nays, 10 not voting.

Approved by the Governor

May 23, 1941

To the President, the Speaker and Members of the Legislature
Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. No. 271
L. B. No. 340
L. B. No. 399
L. B. No. 255

Respectfully submitted,

(Signed) Lulu Drayer
Acting Secretary to the Governor

May 23, 1941

To the President, the Speaker and Members of the Legislature
Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day signed the following bills:

L. B. No. 24
L. B. No. 33
L. B. No. 84
L. B. No. 507

Respectfully submitted,

(Signed) Jean Spencer
Acting Secretary to the Governor

BILLS ON THIRD READING (Continued)

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 222. With emergency clause.

A bill for an Act making appropriations for the state government of the state of Nebraska for the biennium beginning July 1, 1941, and ending June 30, 1943; prescribing conditions for the determination of the levy of the state taxes for the state general fund; reciting

limits and conditions on the expeditures of funds from the appropriations so made; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams, E. A.	Crosby	Metzger	Reed
Adams, J. Jr.	Crossland	Mischke	Sorrell
Asimus	Gantz	Mueller	Sullivan
Bevins	Garber	Murphy	Thomas, Ray
Blome	Howard	Neubauer	Thornton
Bowman	Jeppesen	Norman	Tvrdik
Brodahl	Johnson	Peterson	Van Diest
Callan	Kotouc	Raecke	Weborg
Carlson	Matzke	Rakow	
Carmody	Mekota		

Voting in the negative, 0.

Not voting, 6:

Greenamyre	Knezacek	Price
Hanna	Lambert	Thomas, Amos

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION—To Return to Select File

Mr. President: I move that L. B. No. 514 be returned to Select File for the following unanimous consent amendment:

To strike the enacting clause.

(Signed) Kotouc

The motion prevailed with 29 ayes, no nays, 14 not voting.

SELECT FILE

LEGISLATIVE BILL NO. 514. Mr. Kotouc's amendment, above set out, was adopted by unanimous consent.

The enacting clause was stricken.

BILLS ON THIRD READING (Continued)

The following bills were read the third time and put upon passage.

LEGISLATIVE BILL NO. 428. With emergency clause.

A bill for an Act to amend Sec. 79-2101, C. S. Supp., 1939, as amended by section 1, legislative bill No. 80, fifty-fifth session, Nebraska state legislature, 1941, relating to schools; to provide procedure for the transfer of children from one school district to another; to repeal said original section, as amended; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Adams, E. A.	Crosby	Mekota	Raecke
Adams, J. Jr.	Crossland	Metzger	Rakow
Asimus	Gantz	Mischke	Reed
Bevins	Garber	Mueller	Sorrell
Blome	Howard	Murphy	Sullivan
Bowman	Jeppesen	Neubauer	Thomas, Ray
Brodahl	Johnson	Norman	Thornton
Callan	Kotouc	Peterson	Tvrdik
Carmody	Matzke		

Voting in the negative, 0.

Not voting, 9:

Carlson	Knezacek	Price	Van Diest
Greenamyre	Lambert	Thomas, Amos	Weborg
Hanna			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 282.

A bill for an Act relating to the lending of money; to amend Section 45-101, Compiled Statutes of Nebraska, 1929; to amend Secs. 45-102, 45-124, 8-155 and 8-309, C. S. Supp., 1939; to define and regulate the business of making installment loans; to permit the licensing of persons engaged in such business; to authorize such licensees to make charges at a greater rate than lenders not licensed

hereunder; to prescribe maximum rates of charge which licensees are permitted to make; to regulate assignment of wages or salaries, earned or to be earned, when given as security for any such loan or as consideration therefor; to provide for the administration of this act and for the issuance of regulations therefor; to require the making of annual reports by licensees to the director of banking; to authorize the making of examinations and investigations and the publication of reports thereof; to provide for a review of orders and other actions of the department of banking under this act; to provide that all duties heretofore enjoined upon or exercised by the secretary of state with respect to statutes relating to interest and chattel loans, not specifically terminated by this act, shall hereafter be performed by the director of banking, that all records and assets in the possession of or under the control of the secretary of state used or useful in the administration or enforcement of the provisions of statutes repealed by this act be delivered to the director of banking for his use in administering this act and to constitute the director of banking for the department of banking the successor, in all respects, to the secretary of state with reference to the administration of laws pertaining to interest and chattel loans; to prescribe penalties for the violation thereof; to provide that any savings bank shall be eligible to obtain a license to engage in the business of lending money under the terms and conditions of this act; to provide that building and loan associations are authorized, when licensed, to engage in the business of lending money to its own members upon the terms and the security provided for in this act; to repeal said original sections; to repeal Sections 45-112, 45-113, 45-114, 45-115, 45-116, 45-117, 45-118, 45-119, 45-120, 45-121, 45-122 and 45-123, Compiled Statutes of Nebraska, 1929; and to state validity and saving clauses.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 36:

Adams, E. A.	Carmody	Mekota	Rakow
Adams, J. Jr.	Crosby	Metzger	Reed
Asimus	Crossland	Mischke	Sorrell
Bevins	Gantz	Murphy	Sullivan
Blome	Howard	Mueller	Thomas, Ray
Bowman	Jeppesen	Neubauer	Thornton
Brodahl	Johnson	Norman	Tvrdik
Callan	Kotouc	Peterson	Van Diest
Carlson	Matzke	Raecke	Weborg

Voting in the negative, 0.

Not voting, 7:

Garber	Hanna	Lambert	Thomas, Amos
Greenamyre	Knezacek	Price	

A constitutionl majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Explanation of Vote

Mr. President: I vote for L. B. No. 282 not because I approve it but solely because it improves the present law. The new rate schedule is neither honest nor justified by conditions. It is deceptive and, applied beyond small installment loans inadequately secured, constitutes an unwarranted license to evade the usury laws.

(Signed) C. Petrus Peterson

Mr. President: In explanation of my vote for L. B. No. 282, I concur in the statement of Senator Peterson and state again that the amendment offered by Senator Murphy substantially reducing the interest rates set out in the bill should have been adopted as it offers a much more fair rate structure than that contained in the bill as passed. (Signed) Matzke

Statement for Journal

Had I been present, I would have voted aye on the following bills on third reading: 207, 222, 428, 282. (Signed) Greenamyre

Had I been present, I would have voted nay on L. B. No. 504.

(Signed) Greenamyre

MOTION—To Recommit to Select File

Mr. President: I move that L. B. No. 339 be recommitted to Select File for the following Specific amendment:

To strike the enacting clause.

Martin J. Mischke

The motion prevailed.

SELECT FILE (Continued)

LEGISLATIVE BILL NO. 339. Mr. Mischke's amendment, above set out, was adopted by unanimous consent.

The enacting clause was stricken.

SELECT COMMITTEE REPORT

Legislative Council

Mr. President: I wish to report that the Legislative Council has met and has elected John S. Callan to serve as chairman and Stanley A. Matzke as vice chairman for the ensuing biennium.

(Signed) Walter R. Raecke, Acting Secretary

STANDING COMMITTEE REPORTS (Continued)

Enrollment and Review

Correctly enrolled

L. B. No. 222 L. B. No. 428 L. B. No. 282

(Signed) Crosby, Chairman

Speaker Signs

While the Legislature was in session and capable of transacting business, the Speaker signed:

L. B. No. 222 L. B. No. 428 L. B. No. 282

President Johnson presiding

MESSAGE FROM THE GOVERNOR

Veto L. B. No. 329

May 23, 1941

To the President, the Speaker and Members of the Legislature
Gentlemen:

I am returning without my signature Legislative Bill No. 329.

I am vetoing this bill for the same reasons given in my veto messages in connection with Legislative Bill No. 135 and Legislative Bill No. 301.

Respectfully submitted,

(Signed) Dwight Griswold
Governor

Approved by the Governor

May 23, 1941

To the President, the Speaker and Members of the Legislature
Gentlemen:

I am directed by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. No. 349	L. B. No. 353	L. B. No. 23
L. B. No. 332	L. B. No. 42	L. B. No. 207
L. B. No. 389	L. B. No. 90	L. B. No. 478
L. B. No. 202	L. B. No. 504	L. B. No. 351

Respectfully submitted,

(Signed) Lulu Drayer
Acting Secretary to the Governor

STANDING COMMITTEE REPORTS (Continued)

Rules

Mr. President: Your Committee on Rules submits the following proposals to amend the rules of this Legislature:

Amend RULE II, Section 6 to read as follows:

6. The **SERGEANT-AT-ARMS** shall attend the Legislature during its sittings, to execute the commands of the Legislature from time to time, together with all such processes issued by authority thereof as shall be directed to him by the presiding officer, **and shall enforce strictly the rules as they relate to the privileges of the Legislative Chamber.**

Amend RULE II, Section 7 to read as follows:

7. The ~~Doorkeeper or~~ **ASSISTANT SERGEANT-AT-ARMS** shall ~~enforce strictly the rules as they relate to the privileges of the legislative chamber.~~ **assist the Sergeant-at-arms and, in the absence of the latter, shall perform all of the duties herein prescribed for the Sergeant-at-arms.**

Amend RULE III, Section 1 to read as follows:

1. The Committee on Legislative Administration ~~to~~ **shall** be elected by the Legislature upon the recommendation of the Committee on Committees, and ~~to~~ **shall** consist of one member from each con-

gressional district, and one member at large **who shall be its chairman; the committee** shall have authority to select and employ suitable persons for all of the positions which may be determined upon as necessary by the Legislature.

Amend RULE III, Section 3 to read as follows:

3. The Committee on Legislative Administration shall print no paper or document, except bills and the daily journal, unless authorized by a majority vote of **a majority of the elected members of** the Legislature.

Amend RULE V by adding the following sections.

4. Members shall remain in their seats during the third reading of a bill and until the vote thereon has been announced except when excused by the President.

5. No member shall rise to a question of privilege for the introduction of guests while a member is speaking.

Amend RULE V, Section 1, to read as follows:

1. When any member desires to speak in debate or to deliver any matter to the Legislature, he shall rise from his seat and respectfully address himself to "Mr. President". **A member shall speak only when recognized** and shall confine himself to the question **before the Legislature.**

Amend RULE VI, Section 1, to read as follows:

1. At the commencement of each session the Legislature shall elect a Committee on Committees to consist of eleven **thirteen members,** one at large who shall be chairman, and two **three** from each congressional district to be nominated by the members residing therein.

Amend RULE VI, Section 2, to read as follows:

2. The Committee on Committees shall recommend to the Legislature for its approval and adoption the following standing committees, each with the number of members as hereinafter set forth, **one of whom shall be designated by the Committee on Committees as chairman thereof.** A majority of all of the members of the Committee on Committees shall be required to decide assignments.

AGRICULTURE (including conservation, fish and game, live stock and grazing) .....9 members
APPROPRIATIONS (formerly referred to as the committee on finance, ways and means, and including state institutions).....11 members
BANKING, COMMERCE AND INSURANCE.....9 members
CLAIMS AND DEFICIENCIES.....5 members
EDUCATION (including university and normal schools, public schools

and libraries and school lands and funds).....9 members
ENROLLMENT AND REVIEW (including arrangement, phraseology and correlation .....5 members
GOVERNMENT (including state, county and municipal governments; elections and apportionment).....9 members
JUDICIARY .....9 members
LABOR AND PUBLIC WELFARE (including social security and child labor) .....9 members
LEGISLATIVE ADMINISTRATION (including employees, printing, audit and accounts).....5 members
PUBLIC HEALTH AND MISCELLANEOUS SUBJECTS.....5 members
PUBLIC WORKS .....9 members
REVENUE (including revenue and taxation, salaries, licenses and fees) .....9 members
RULES (including procedure and order of business).....5 members

Amend RULE VII, Section 6 to read as follows:

6. Each standing committee shall, when reporting a bill, submit therewith a brief statement of the main purpose of the bill, **and if recommended to general file, a copy of all amendments recommended by the committee.** Said statement shall give the committee's reason for so reporting and the minority view, if such there be, shall also be given; copies of such statements **and amendments** shall be furnished to the members.

Amend RULE VII, Section 7 to read as follows:

7. Standing committees shall be authorized to combine and to correlate the provisions of different bills referred to them and related to the same subject under the number of one of the correlated bills, **and may, before taking final action on any bill, adopt amendments thereto, for the consideration of the Legislature.** ; provided that where the changes made are such as to constitute a substitute bill the committee shall cause the same to be so introduced and printed.

Amend RULE VII by striking all of Section 8.

Amend RULE VII by striking all of Section 10.

Amend RULE VII, Section 11 to read as follows:

11. In reporting bills to the Legislature, whether with or without amendments, a standing committee shall **by a vote of a majority of its members** recommend (a) that the bill reported be placed on the general file for the consideration of the Legislature, or (b) that the bill reported be indefinitely postponed. **Such action shall be taken at regularly scheduled committee meetings only.**

Amend RULE VIII, Section 3 to read as follows:

3. The hour of meeting of the Legislature shall be at 9:00 a. m. of each legislative day; hour of adjournment shall not be later than 1:00 p. m., unless otherwise ordered by the Legislature **by a majority of the members present and voting thereon.**

Amend RULE VIII, Section 4 to read as follows:

4. Each day except Saturday and Sunday shall be considered a legislative day, unless otherwise specifically ordered by the Legislature **by a majority of the members present and voting thereon.**

Amend RULE X, Section 2 to read as follows:

2. If a division **machine vote** is called for or if the presiding officer is in doubt, he shall cause the result to be obtained by means of the "electric roll call system" **and only the totals thereof shall be printed in the journal.**

Amend RULE X, Section 3 to read as follows:

3. Any member may call for the ayes and nays **a record vote** upon any question, and upon the declaration of the ayes and nays by the members, the record thereof shall be made and taken upon the "electric roll call system", unless the Legislature by a majority vote decides that a roll call shall be taken.

Amend RULE X, Section 4 to read as follows:

4. In taking the ayes and nays, and upon the call of the Legislature, the members shall register their vote upon the "electric roll call system". When the ayes and nays are taken upon any question in the manner heretofore indicated, no member shall be permitted to vote after the decision is announced from the chair—**Provided, that where the vote required for the adoption of a question is other than a majority of those voting thereon, no member shall be permitted to vote after the "ayes" have been announced by the clerk.**

Amend RULE X, Section 7. **9.** to read as follows:

7. **9.** A call of the Legislature must be seconded by at least five members. Thereupon, and upon call of the presiding officer, each member present shall indicate his presence upon the "electric roll call system". The Clerk shall note the names of the absentees. A majority of the members present, if five in number, may compel the presence of all members subject to a call of the Legislature. The proceedings under the call may be suspended at any time by a majority vote of the members present, and when so suspended shall not again be ordered on the proposition pending except by a majority vote of the members present and voting thereon.

When the Legislature has been held under a call of the Legislature

for fifteen minutes and if the number of absentees, if all were to vote on one side of the question and their combined vote would be insufficient to change the result of the vote, the President shall declare the call raised.

Amend RULE XI, Section 4, as follows:

4. When a question is under debate no motion shall be received but:

(a) to adjourn;
(b) to lay on the table;
(c) for the previous question;
(d) to postpone to a certain time;
(e) to commit or amend;
(f) to amend;
(g) to postpone indefinitely;

Such motions shall have precedence in the order in which they are arranged; except that motions to indefinitely postpone and amend do not yield to each other. No motion to postpone to a certain time, to commit or to postpone indefinitely, being decided, shall again be allowed on the same day at the same stage of the bill or proposition.

Amend RULE XI, Section 5, to read as follows:

5. A motion to strike out the enacting clause of a bill shall have precedence over a motion to amend **but shall not have precedence over a motion to indefinitely postpone,** and if carried, is equivalent to rejection of the bill.

Amend RULE XI, Section 6, to read as follows:

6. A motion to adjourn, or a motion to fix the day to which the Legislature shall adjourn shall always be in order, except:

a. While a member is speaking.
b. When a motion to adjourn has just been defeated.
c. When a motion to fix the day to which the Legislature shall adjourn has just been defeated.
d. After the third reading of a bill and during roll call thereon.

Provided, however, that a motion to adjourn to a time certain shall have precedence over a motion to adjourn and provided further that a motion to recess shall take precedence over either of such motions.

Amend RULE XII, Section 1 to read as follows:

1. When the introduction of bills is called for any member or standing committee may introduce one or more bills. **No bills shall**

be introduced bearing the names of more than 3 members, but the names of additional co-introducers may be added by consent of the Legislature.

Amend RULE XII, Section 11 to read as follows:

11. When a bill containing the emergency clause does not receive the required two-thirds constitutional majority on third reading, then the emergency clause shall be considered stricken, and the bill without the emergency clause shall be pending on its third reading, **and the question then shall be: "Shall the bill pass with the emergency clause stricken?"**

Amend RULE XII, Section 17 to read as follows:

17. A bill shall be referred to as Legislative Bill No. .....

Amend RULE XIII, Section 6 to read as follows:

6. ~~Reference~~ **Advancement** to the Committee on Enrollment and Review for recommendations relative to arrangement, phraseology and correlation, unless indefinitely postponed or recommitted to a standing committee.

Amend RULE XIII, Section 8, Subsection f to read as follows:

f. ~~Provided,~~ **No** bill shall be considered initially on select file until three legislative days after its ~~reference~~ **advancement** from the general file to the committee on enrollment and review.

Amend RULE XIII, Section 9 to read as follows:

9. ~~Re-reference~~ **Advancement** to the Committee on Enrollment and Review for engrossment, unless recommitted to a standing committee or indefinitely postponed.

Amend RULE XIII, Section 11 to read as follows:

11. Consideration on third reading and final passage **when the bill shall be read at large with all amendments thereto before the vote is taken;** provided that at any time before the roll call shall have begun on the third reading of the bill it shall be in order to move:

a. To recommit the bill to the Committee on Enrollment and Review to correct an error, and for re-engrossment.
b. To recommit the bill to the proper standing committee, with or without instructions.
c. To recommit to select file for specific amendment, **which amendment may be adopted by a vote of a majority of the elected members.**

Amend RULE XIV, Amendments, Section 1 to read as follows:

1. When a motion or other proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order. and it shall also be in order to offer a further amendment by way of a substitute, to which one amendment may be offered, but which shall not be voted on until the original matter is perfected, but either may be withdrawn before amendment or decision is had thereon.

Amend RULE XIV, Amendments, Section 4, to read as follows:

4. When the Legislature is considering bills on either general or select file, after giving consideration to standing committee amendments, it shall give preference to such amendments as may have been on file with the Clerk, with copies on the members' desks for one legislative day in advance, **and then to such other amendments as have been deposited with the Clerk in the order they were received by him.**

Amend RULE XV, Resolutions, Section 3 to read as follows:

3. When called up for consideration on the second legislative day after its introduction, any such resolution shall be referred to the proper standing committee, if as many as five members object to its immediate consideration at that time. **It shall require the vote of a majority of the elected members for the adoption of any such resolution.**

Amend RULE XVI, Petitions and Memorials, Section 1, to read as follows:

1. Every petition, or memorial, or other paper shall be referred to the proper committee without putting a question for that purpose, unless the reference be objected to by any member at the time such petition, memorial, or other paper is presented, in which case the Legislature shall decide the question of reference without debate.

Amend RULE XVIII, Reconsideration, Section 1, to read as follows:

1. When a motion has once been made and carried in the affirmative or negative, it shall be in order for any member voting with the prevailing side or not voting to move a reconsideration thereof on the same day or on either of the next two legislative days; and if the Legislature shall refuse to reconsider, or upon reconsideration shall affirm its first decision, no further motion to reconsider shall be in order unless by unanimous consent.

Amend RULE XXIII, by adding the following:

No person, other than those hereinbefore excepted shall be admitted to the members' cloak room or post office unless accompanied by a member.

(Signed) Mekota, Chairman

Mr. Mekota moved that the rules be adopted as above set out.

The motion prevailed.

MOTION—Compilation of Rules

Mr. President: I move that the Clerk of the Legislature be authorized and directed to recompile the rules, and that for such purpose he be authorized and directed to rearrange, subdivide and renumber the various rules and sections, and to add such headings, cross-references and annotations, and index as he may deem necessary to make said rules more available; that the Clerk have said recompiled rules printed for the use of the next session of the Legislature.

(Signed) Mekota

The motion prevailed with 33 ayes, no nays, 10 not voting.

MOTION—To Amend Rules

Mr. President: I move that the rules be amended at the proper section, as follows: "Each member shall be limited to introduce six bills". (Signed) Garber

The motion was lost with 10 ayes, 14 nays, 19 not voting.

STANDING COMMITTEE REPORTS (Continued)

Enrollment and Review

Presented to Governor for approval

Friday, May 23, 1941 at 6:30 p. m.

L. B. No. 212	L. B. No. 428
L. B. No. 222	L. B. No. 282

(Signed) Crosby, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Resolution No. 33

Legislative Resolution No. 34

Legislative Resolution No. 35

Vote of Thanks

Mr. President: I move that a rising vote of thanks be extended to our Lieutenant Governor, William Edward Johnson, for the fair and impartial manner in which he has presided over the Legislature and the expeditious manner with which he has dispatched the business of the Legislature. (Signed) Rakow

The motion prevailed.

Vote of Thanks

Mr. President: I move that a vote of thanks be given to the newspapers of the state and the press association for the accurateness and fairness in giving to the people word pictures of the activities of this session of the Legislature. (Signed) Norman

The motion prevailed.

Vote of Thanks

Mr. President: I move that this body express its thanks and appreciation to the broadcasting stations for broadcasting our actions to the citizens of the state. (Signed) Jeppesen

The motion prevailed.

MOTION—To Express Appreciation

Mr. President: I move that we, the members of the Fifty-fifth Session of the Nebraska Legislature, express our appreciation for the faithful conduct and courteous manner in which all of the elective officers of the Legislature and the employees of the Legislature have performed their duties during this session, and that this motion be spread upon the records of the Legislature. (Signed) Bowman

The motion prevailed.

MOTION—Bills passed

Mr. President: I move that the Clerk be directed to send to each member of the Legislature a file of the bills passed, as soon as printed,

and that the expense in so doing be paid out of the Incidental Expense Appropriation. (Signed) Crossland

The motion prevailed.

Vote of Thanks

Mr. President: I move that a vote of thanks be extended to the Speaker, R. M. Howard, for the fair, impartial and courteous manner in which he has discharged his duties as Speaker during the fifty-fifth session of the Legislature. (Signed) Murphy

The motion prevailed.

MOTION—To Send Legislative Journals

Mr. President: I move that the Clerk of the Legislature be instructed to send to each member of the Legislature, and to each authorized member of the Press assigned to the Legislature for the fifty-fifth session, a copy of the permanent Legislative Journal of the fifty-fifth session, when completed; and that the proper officers of the Legislature be authorized to issue vouchers against the fund provided for incidental expenses of the fifty-fifth session of the Nebraska legislature in payment of necessary postage or express and necessary wrapping material for sending said Legislative Journals to members of the Legislature and that the Press and the members of the Legislature be allowed to keep their Statutes and Supplements. (Signed) Bevins

The motion prevailed.

MOTION—To Furnish Compiled Supplement

Mr. President: I move that the Clerk of the Legislature be instructed to purchase and send to each member of the Legislature a copy of the Compiled Supplement of 1941. (Signed) Carlson

The motion prevailed.

MOTION—To Retain Help

Mr. President: I move that the Clerk of the Legislature be directed to retain such help as may be required to check the bills, supplies, legislative chamber furniture, and otherwise complete the business of the office for the fifty-fifth session of the Legislature.

(Signed) Johnson

The motion prevailed.

MOTION—To Appoint Committee to Notify Governor

Mr. President: I move that a committee of five be appointed to wait upon the Governor to advise him that the Legislature has completed its work and is ready to adjourn and ask him if he has any further message for the Legislature. (Signed) Tvrdik

The motion prevailed and the President appointed the following members to serve on said committee:

Tvrdik	Van Diest
Gantz	Garber
Howard	

The committee withdrew to the Governor's office.

MOTION—To File Bills with Clerk

Mr. President: I move that the chairman of each standing committee be requested to file with the Clerk of the Legislature any bills and standing committee records remaining in his possession, so that a proper record may be made of the final disposition of such bills.

(Signed) Weborg

The motion prevailed.

MOTION—To Present Flag

Mr. President: I move that as evidence of our sincere appreciation of our presiding officers, for the fair and impartial performance of their duties, we obtain a flag like the one hanging at the right of the President's chair and present one of said flags to Lieutenant Governor, William Edward Johnson, and one to Speaker R. M. Howard.

(Signed) Blome

The motion prevailed.

MOTION—To Present Gavel

Mr. President: I move that the Lieutenant Governor, William Edward Johnson, be presented with the gavel used during the fifty-fifth session of the Legislature of Nebraska. (Signed) John Adams, Jr.

The motion prevailed.

MOTION—To Deliver Flag

Mr. President: I move that the flag displayed on the staff above the legislative chamber be delivered to the State Historical Society to be kept permanently. (Signed) Crosby

The motion prevailed.

MOTION—Group Picture

Mr. President: I move that Dr. Condra be requested and authorized to place a group picture of the members of the fifty-fifth session in the west lounge, and that the Legislature express its appreciation.

(Signed) Kotouc

The motion prevailed.

MOTION—To Approve Journal for Ninety-ninth Day

Mr. President: I move that the Legislative Journal for the Ninety-ninth Day be approved as prepared by the Clerk.

(Signed) Raecke

The motion prevailed.

MOTION—To Contract for Legislative Journals

Mr. President: I move that the Clerk of the Legislature be instructed to ask the Purchasing Department to make a contract for printing five hundred Legislative Journals. (Signed) Sullivan

The motion prevailed.

Expression of Appreciation

Mr. President: The elective officers and employees of the fifty-fifth session of the Nebraska Legislature, through the Clerk, desire to express their appreciation for the many courtesies extended to them by the members of the Legislature.

(Signed) Hugo F. Srb, Clerk of the Legislature

MOTION—To Present Badge

Mr. President: I move that this body present to our sergeant-at-arms, George L. Santo, the badge of office he has worn during the past two sessions and the one special session, during which he served us with dignity and loyalty in performing his official duties.

(Signed) Van Diest

The motion prevailed.

MOTION—To Send Session Laws

Mr. President: I move that the State Librarian be directed to furnish to each member of the Legislature, the Lieutenant Governor and the Clerk of the Legislature, a copy of the Session Laws of Ne-

braska (45 copies in all) for 1939, and also for the 1941 session when printed. (Signed) Carmody

The motion prevailed.

MOTION—To Approve Printing Contract

Mr. President: I move that the Legislature approve the action of the Committee on Legislative Administration regarding the printing of the Permanent Legislative Journal and the Session Laws by the Cornhusker Printing Company. (Signed) Thornton

The motion prevailed.

REPORT—Committee to Notify Governor

The Committee returned with Governor Dwight Griswold, who was escorted to the rostrum and who delivered a brief address of appreciation to the members of the Legislature.

Lieutenant Governor William E. Johnson presented Speaker Howard with the gavel which had been used during the session and Speaker Howard thanked the President for the same and expressed his appreciation to the members for their courteous treatment to him during the session.

President Johnson made a brief closing address.

Adjournment

Mr. President: I move that the fifty-fifth session of the Legislature, having finished all business before it, now (7:07 p. m.) adjourn sine die. (Signed) Mueller

The motion prevailed.

Hugo F. Srb,
Clerk of the Legislature.

Certificate

I, Hugo F. Srb, Clerk of the Legislature, hereby certify that the foregoing is a true and correct copy of the Legislative Journal of the Fifty-fifth Session of the Legislature of the State of Nebraska convened and held in the city of Lincoln, State of Nebraska, January 7, 1941 to May 23, 1941.

(Signed) Hugo F. Srb.
Clerk of the Legislature

LEGISLATIVE BILLS

Approved After Adjournment

The following Legislative Bills were approved by the Governor after adjournment:

May 23, 1941

Legislative Bill No. 265
Legislative Bill No. 214

May 24, 1941

Legislative Bill No. 64
Legislative Bill No. 263
Legislative Bill No. 222
Legislative Bill No. 282
Legislative Bill No. 428

May 27, 1941

Legislative Bill No. 154
Legislative Bill No. 212
Legislative Bill No. 183
Legislative Bill No. 403

LEGISLATIVE BILLS ENACTED INTO LAW

Fifty-fifth Session

L. B. No.	1	Sorrell and Gantz. Relating to the acquisition of public utility property by eminent domain.
L. B. No.	2	Sorrell and Gantz. Relating to city water and gas plants.
L. B. No.	4	John Adams, Jr. Providing for the reporting of births and enumeration of crippled children.
L. B. No.	5	Metzger et al. Emergency tax for unemployed indigent persons.
L. B. No.	6	Lambert. Relating to the sale of tobacco and cigarettes.
L. B. No.	8	Lambert. Abolishing state planning board.
L. B. No.	12	Lambert. Consolidating highway patrol and state sheriff's office.
L. B. No.	14	Lambert. Relating to free transportation by railroads.
L. B. No.	15	Lambert. Relating to appointments by the governor.
L. B. No.	16	Committee on Appropriations. Appropriation for salaries of members of the legislature.
L. B. No.	17	Mueller and Crosby. Relating to injunctive relief.
L. B. No.	19	Amos Thomas et al. Relating to public utilities districts.
L. B. No.	20	Amos Thomas et al. Relating to funds of metropolitan utilities districts.
L. B. No.	21	Amos Thomas et al. Relating to powers of metropolitan water and metropolitan utilities districts.
L. B. No.	22	Amos Thomas et al. Delayed birth registration law.
L. B. No.	23	Amos Thomas et al. Providing procedure for absentee voters.
L. B. No.	24	Amos Thomas et al. Relating to motor vehicle drivers' licenses.
L. B. No.	30	Committee on Appropriations. Appropriation for salaries of employees, mileage of members and incidental expenses of legislature.
L. B. No.	31	Tvrdik et al. Relating to housing authorities in metropolitan cities.

L. B. No. 32 John Adams, Jr. Relating to election and qualification of county officers.
L. B. No. 33 Carlson et al. Relating to vacancies in civil offices.
L. B. No. 34 Carlson and Mueller. Relating to live stock sales rings.
L. B. No. 37 Raecke. Relating to county and regional libraries.
L. B. No. 40 Murphy. Validating sale of land by University of Nebraska.
L. B. No. 42 Neubauer. Relating to investment of trust funds by guardians.
L. B. No. 43 Johnson. Relating to custody of public property and display of national flag.
L. B. No. 44 Johnson. Prescribing duties of officers and employees of legislature.
L. B. No. 45 Neubauer. Authorizing disposal of Nebraska fish car.
L. B. No. 46 Tvrdik et al. Uniform Sales Act.
L. B. No. 47 Van Diest and Callan. Relating to loans to domestic insurance companies.
L. B. No. 48 Callan and Van Diest. Relating to organization of domestic insurance companies.
L. B. No. 49 Van Diest and Callan. Relating to burial associations.
L. B. No. 51 Sorrell et al. Relating to control and eradication of weeds.
L. B. No. 53 Kotouc. Regulating insurance contracts.
L. B. No. 55 Kotouc. Relating to group insurance.
L. B. No. 57 Kotouc. Appropriation for discovery of crude oil in Nebraska.
L. B. No. 59 Ray Thomas et al. Appropriation for egg inspection.
L. B. No. 60 Price and Rakow. Relating to conditional sales contracts.
L. B. No. 63 Ray Thomas and Crossland. Regulating sale of commercial chicks.
L. B. No. 64 Raecke. Limiting bond issues for public improvements in cities.
L. B. No. 65 Raecke. Relating to corrupt practices by candidates for public office.
L. B. No. 67 Matzke and Lambert. Relating to safety deposit boxes.
L. B. No. 68 Mekota. Prescribing fees for county treasurers.
L. B. No. 69 Mekota. Authorizing the establishment of cold storage plants.
L. B. No. 70 Sullivan et al. Levy and allocation of tax on motor vehicle fuels.
L. B. No. 75 Kotouc. Providing liquidation procedure by the Department of Banking.

L. B. No. 77 Reed and Price. Fixing compensation of precinct assessors.
L. B. No. 78 Kotouc and Metzger. Requiring banks to file reports.
L. B. No. 79 Mischke. Providing qualifications for county superintendents.
L. B. No. 80 Mischke. Providing transfer of school children to other districts.
L. B. No. 81 Kotouc. Defining terms used in Department of Banking.
L. B. No. 82 Peterson et al. Relating to right-of-way of telephone and telegraph companies.
L. B. No. 84 Greenamyre. Prescribing penalty for petit larceny.
L. B. No. 85 Reed et al. Allocation of inheritance tax money.
L. B. No. 86 E. A. Adams et al. Relating to Thanksgiving day.
L. B. No. 89 Ray Thomas et al. Relating to old age and blind assistance liens and claims.
L. B. No. 90 Sorrell. Regulating the abandonment of oil and gas wells.
L. B. No. 94 Carmody and Carlson. Relating to official record of surveys.
L. B. No. 101 Howard et al. Relating to license fees and the practice of pharmacy.
L. B. No. 108 Carmody. Providing for appointment of state surveyor and draftsman.
L. B. No. 109 Howard. Motor vehicle regulations.
L. B. No. 110 Bowman et al. Election and qualification of county officers.
L. B. No. 113 Van Diest. Injuring or obstructing public highways.
L. B. No. 114 E. A. Adams et al. Qualifications for attorneys at law.
L. B. No. 120 Greenamyre. Relating to judgments and fixing regular terms of courts.
L. B. No. 125 E. A. Adams and Price. Regulations for cemetery associations.
L. B. No. 126 Peterson. Regarding insurance coverage and limited liability.
L. B. No. 128 Tvrdik et al. Relating to fees, salaries and reports of county officers.
L. B. No. 129 Greenamyre. Establishing an emergency revolving fund for state institutions.
L. B. No. 130 Jeppesen et al. Relating to delinquent general real and personal property taxes.
L. B. No. 131 Crosby and Carlson. Providing for funeral expenses of assistance recipients.
L. B. No. 132 Committee on Appropriations. Appropriation for premiums on bonds of state treasurer and deputy.

L. B. No. 133 Sorrell and Carlson. Relating to board of directors of public power and irrigation districts.
L. B. No. 134 Crosby. Relating to claims for transportation of school children.
L. B. No. 137 Price. Relating to bulk sales of merchandise.
L. B. No. 139 Hanna and Gantz. Permitting sale of state school lands for aviation purposes.
L. B. No. 144 Johnson et al. Relating to instruments affecting real estate.
L. B. No. 145 Johnson et al. Organization and dissolution of partnerships.
L. B. No. 146 Mekota et al. Providing for validation of instruments affecting real estate.
L. B. No. 148 Matzke. Establishing Nebraska State Trade School.
L. B. No. 151 Murphy and Callan. Providing for and fixing salary of secretary to the governor.
L. B. No. 152 Mekota. Election of officers in counties under township organization.
L. B. No. 153 Thornton et al. Relating to state hail insurance.
L. B. No. 154 Peterson. Providing for organization of cooperative farm land companies.
L. B. No. 156 Peterson and Matzke. Relating to duties of tax commissioner.
L. B. No. 159 Price. Relating to civil and criminal procedure in municipal courts.
L. B. No. 161 Kotouc and Murphy. Relating to purchase and use of aircraft.
L. B. No. 167 Mekota. Relating to legal newspapers.
L. B. No. 168 Gantz et al. Appropriation, tuition for children of soldiers, sailors and marines.
L. B. No. 171 Hanna and Gantz. Relating to powers and duties of cities and villages.
L. B. No. 173 Crosby. Real estate holdings by charitable and fraternal corporations.
L. B. No. 174 Sullivan et al. Relating to the practice of nursing.
L. B. No. 180 Neubauer. Relating to public grain warehouse receipts.
L. B. No. 182 Mekota. Relating to appeals to the supreme court.
L. B. No. 183 Howard and Mueller. Political subdivision and school district funding bonds.
L. B. No. 191 Gantz et al. Constitutional amendment relating to county and township officers.
L. B. No. 192 Mueller. Relating to mileage and expenses of state employees.
L. B. No. 194 Peterson. Relating to execution of wills.
L. B. No. 196 Raecke et al. Relating to rules of the road.

L. B. No. 198 Blome. Relating to motor vehicles and use of warning flags.
L. B. No. 202 Van Diest. Regulating the use of water for irrigation and power purposes.
L. B. No. 206 Sorrell. Relating to workmen's compensation for firemen.
L. B. No. 207 Jeppesen et al. Relating to game and fish regulations.
L. B. No. 210 Mekota. Fixing penalty for disturbing the peace.
L. B. No. 212 Howard. Relating to actions against the state.
L. B. No. 213 Weborg et al. Relating to interstate county bridges.
L. B. No. 214 Price and Rakow. Regulating the sale of intoxicating liquors.
L. B. No. 215 Price. Fixing a standard of weights and measures for agricultural products.
L. B. No. 217 Thornton et al. Relating to fees of register of deeds and county clerk.
L. B. No. 220 Howard et al. Providing for change of name of religious corporations.
L. B. No. 221 Callan et al. Establishing state surplus agricultural revolving fund.
L. B. No. 222 Committee on Appropriations. Appropriation for state government.
L. B. No. 223 Committee on Appropriations. Appropriation for salary of state officers.
L. B. No. 225 John Adams, Jr. and E. A. Adams. Relating to complete record in district court.
L. B. No. 226 John Adams, Jr. and E. A. Adams. Relating to bills of exception.
L. B. No. 231 Norman et al. Regulating elections in Douglas County.
L. B. No. 232 Peterson et al. Establishing Nebraska Advisory Defense Committee.
L. B. No. 233 Raecke. Providing for inspection of mortgaged chattels.
L. B. No. 234 Lambert et al. Authorizing certain state agencies to contract with federal government.
L. B. No. 239 Price. Providing for right-of-way over school lands.
L. B. No. 243 Matzke. Abandonment of interest in Seward County real estate.
L. B. No. 246 Johnson. Uniform property act.
L. B. No. 250 Price. The general corporation law of the state of Nebraska.
L. B. No. 251 Price. Uniform stock transfer act.
L. B. No. 252 Mischke. Appropriating from special fee fund to general fund.

L. B. No. 255 Mischke et al. Providing for payment of premium on bond of county officers.
L. B. No. 257 Mekota. Time of commencing civil actions.
L. B. No. 258 Mekota. Recording of instruments affecting title to real estate.
L. B. No. 262 Peterson and Crosby. Relating to housing facilities at the state university and normal schools.
L. B. No. 263 Carlson et al. Relating to no fund checks.
L. B. No. 265 Price. Disposition without guardianship of small estates.
L. B. No. 270 Sullivan and Bevins. Requiring railroads to file notice of accidents with commission.
L. B. No. 271 Crossland and Crosby. Relating to rights of shareholders in building and loan associations.
L. B. No. 275 Howard et al. Creating Nebraska brand committee.
L. B. No. 278 Howard et al. Relating to sale of branded live stock.
L. B. No. 282 Weborg. Relating to the lending of money.
L. B. No. 283 Carmody. Relating to bounties for wild animals.
L. B. No. 285 Crosby. Relating to diversion of irrigation water.
L. B. No. 290 E. A. Adams. Relating to salaries paid in various departments.
L. B. No. 291 Peterson and Van Diest. Relating to elections and county conventions.
L. B. No. 294 Reed et al. Providing for discontinuance of sanitary districts.
L. B. No. 299 Gantz et al. Establishing the 1943 statute commission.
L. B. No. 300 Committee on Judiciary. Providing for compilation of cumulative supplement to the statutes.
L. B. No. 323 Peterson et al. Relating to Nebraska state fair grandstand bonds.
L. B. No. 331 Bevins and Tvrdik. Relating to the sale of beer.
L. B. No. 332 Norman et al. Permitting a retirement system for employees of school districts in Omaha.
L. B. No. 334 Committee on Appropriations. Relating to eradication of bovine tuberculosis.
L. B. No. 336 Committee on Appropriations. Providing compensation for animals infected with Bang's disease.
L. B. No. 340 Callan. Relating to disposition of records.
L. B. No. 341 Peterson. Relating to narcotic drugs.
L. B. No. 349 Murphy and Kotouc. Relating to zoning agencies.
L. B. No. 351 Van Diest et al. Relating to children born out of wedlock.
L. B. No. 353 E. A. Adams et al. Authorizing levy for sewer systems.
L. B. No. 368 Mekota et al. Providing for organization of Nebraska state guard.

L. B. No. 372 Amos Thomas et al. Creating Nebraska armory board.
L. B. No. 375 Raecke et al. Establishing county food or cotton stamp revolving fund.
L. B. No. 377 Carmody. Authorizing school districts to purchase real estate.
L. B. No. 389 Peterson. Relating to industrial loan and investment companies.
L. B. No. 390 Peterson et al. Relating to depositories for funds of public power and irrigation districts.
L. B. No. 398 Van Diest et al. Appropriation for Lela Brock.
L. B. No. 399 Sullivan et al. Relating to state assistance fund.
L. B. No. 401 Sullivan et al. Relating to gallonage tax on alcoholic liquors.
L. B. No. 403 Peterson et al. Unemployment compensation act amended.
L. B. No. 418 Howard. Allocation of motor vehicle operators' license fund.
L. B. No. 424 Knezacek et al. Relating to abandoned federal forts.
L. B. No. 426 Greenamyre. Appropriation for Opal Bredehoft.
L. B. No. 427 Weborg. Relating to organization and powers of municipal libraries.
L. B. No. 428 Rakow. Providing transfer of school children to other districts.
L. B. No. 429 Neubauer and Carmody. Ratifying Republican River compact.
L. B. No. 430 Peterson and Sullivan. Organization of nonprofit hospital corporations.
L. B. No. 432 Howard. Allocation of motor vehicle title and transfer fees.
L. B. No. 441 John Adams, Jr. Fixing hours of sale of alcoholic liquor.
L. B. No. 451 Committee on Appropriations. Appropriation, Bang's disease eradication fund.
L. B. No. 455 Van Diest and Hanna. Relating to the establishment or alteration of roads.
L. B. No. 461 E. A. Adams. Relating to tax stamps on liquor.
L. B. No. 462 E. A. Adams et al. Relating to chemurgy.
L. B. No. 463 E. A. Adams et al. Educational opportunities for physically handicapped children.
L. B. No. 466 E. A. Adams. Providing for highway lighting systems.
L. B. No. 470 Neubauer et al. Relating to tax refund on motor vehicle fuels.
L. B. No. 478 Callan. Relating to school tax levies.
L. B. No. 486 Greenamyre. Regulating the employment of females.

L. B. No. 494 Neubauer and Carmody. Relating to water conservation and construction of dams.

L. B. No. 495 Committee on Government et al. Creating state zoning agency.

L. B. No. 499 Committee on Agriculture. Permitting counties to spend money for pest control.

L. B. No. 500 Brodahl. Providing for issuance of birth certificates for adopted children.

L. B. No. 501 Sullivan and Tvrdik. Relating to housing authorities and national defense activities.

L. B. No. 503 Kotouc. Relating to stockholders' liability in banking corporations.

L. B. No. 504 Bevins and John Adams, Jr. Prohibiting race discrimination in collective bargaining.

L. B. No. 505 Van Diest et al. Relating to deposits required of accident or health insurance companies.

L. B. No. 506 Metzger. Relating to Iowa, Nebraska boundary.

L. B. No. 507 Committee on Congressional Redistricting. Establishing congressional districts.

L. B. No. 508 Committee on Agriculture. Relating to public grain warehouse receipts.

L. B. No. 509 Committee on Claims and Deficiencies. Appropriation for miscellaneous claims.

L. B. No. 510 Peterson et al. Relating to Nebraska State Fair grandstand bonds.

L. B. No. 511 Committee on Enrollment and Review. Relating to tax stamps on liquor.

L. B. No. 512 Tvrdik and Crosby. Authorizing governor to sponsor federal projects.

LEGISLATIVE BILLS

By introducers*

ERNEST A. ADAMS

290 Salaries in administrative departments.
354, 358, 359 Unit tax ledgers.
355 Tax receipts, disposition.
356 Unit valuation tax ledgers.
357 Consolidated tax lists.
362 Presiding judge of municipal courts.
363 Omaha traffic court.
364, 365, 366 Membership and powers of Omaha city planning commission.
461 Tax stamps on liquor.
466 Lighting of federal highways.

L. B. 5, 19, 20, 22, 23, 24, 25, 27, 28, 31, 46, 70, 86, 102, 111, 114, 125, 128, 130, 141, 142, 153, 168, 169, 174, 191, 221, 224, 225, 226, 227, 255, 289, 302, 322, 338, 352, 353, 388, 449, 462, 463, 464, 465, 467, 470, 489, 492, 493, 495, 502, 507, with others.

JOHN ADAMS, JR.

4 Crippled children, enumeration.
32 Election of clerk of Douglas county.
397 Confidence game.
435 Workmen's compensation insurance.
438 Bond of county treasurer and clerk of the district court.
440 Order of names of candidates on ballots.
441 Hours for sale of intoxicating liquors.
469 Official bonds of state and county officers.
477 Summons in tax foreclosure proceedings.

L. B. 19, 20, 21, 31, 52, 70, 86, 89, 102, 114, 128, 144, 145, 146, 157, 174, 184, 221, 224, 225, 226, 227, 231, 232, 234, 237, 255, 292, 299, 300, 328, 337, 338, 346, 347, 350, 351, 352, 353, 380, 399, 401, 403, 498, 504, 513, with others.

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* A list of bills having more than one introducer follows this list.

TONY ASIMUS

87 Reduction of license fees for hunting and fishing.
91 Motor vehicles, registration fees.
122 Certificates of convenience for intrastate motor carriers.
195 Licenses for hunting dogs.
204 Unemployment compensation.
296 Registration of motor vehicles by itinerant merchants.
406 Protection of fish over dams.
482 Taxation of diesel fuel.

L. B. 52, 86, 123, 234, 272, 328, 337, 351, 398, 424, 470, 479, 505, 507, 513, with others.

GEORGE W. BEVINS

384 Civil service in metropolitan cities.
385 Service charges of public utilities including telephone companies.

L. B. 19, 20, 21, 31, 41, 46, 70, 128, 130, 138, 140, 141, 142, 162, 163, 184, 190, 216, 231, 234, 255, 270, 281, 292, 328, 331, 332, 333, 338, 346, 347, 351, 352, 379, 386, 388, 391, 399, 401, 463, 481, 495, 496, 497, 504, 511, with others.

E. R. BLOME

61 Qualifications of directors and electors of public power districts.
179 Filing fee, directors of public power districts.
197 Penalties for reckless driving.
198 Warning flags for parked motor buses and trucks.
203 Adoption of children.
260 Larceny, penalty.

L. B. 24, 70, 73, 86, 135, 147, 157, 181, 190, 234, 269, 272, 275, 276, 277, 278, 322, 347, 379, 398, 400, 460, 465, 470, 493, 502, 509, 511, 513 with others.

HARRY E. BOWMAN

416 Fire chief under merit system.

L. B. 7, 52, 82, 86, 103, 110, 127, 153, 157, 158, 220, 234, 470, 495, 496, 497, 509, 513, with others.

A. J. BRODAHL

247 Election of county chairmen at county conventions.
383 Notice regarding estray animals.
407 Nomination and election of county commissioners.

413 Office space in county court houses.
500 Birth certificates of adopted children.

L. B. 5, 52, 73, 82, 86, 101, 110, 169, 234, 322, 338, 381, 398, 407, 470, 479, 498, 513, with others.

JOHN S. CALLAN

74 County highway commissioner, road fund.
92 School buses in national colors.
188 Conveyances of real property.
266 Bridge over Big Blue river.
330 Extension of public power and irrigation districts.
340 Disposition of certain records by auditor of public accounts.
396 Application for license to lend money.
459 Refund of tax on gasoline used for agricultural purposes.
478 Tax levy for schools.

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SWAN CARLSON

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L. B. 7, 16, 30, 33, 34, 38, 52, 86, 89, 93, 94, 96, 97, 102, 103, 114, 131, 132, 133, 141, 174, 222, 223, 231, 234, 263, 275, 276, 277, 278, 334, 336, 378, 398, 443, 444, 447, 451, 470, 513, 514, with others.

ARTHUR CARMODY

108 Surveyors for board of educational lands and funds.
283 Bounties for wild animals.
284 Distribution of school funds.
376 Publication of proceedings of school boards.
377 School districts, power to purchase real estate.

L. B. 9, 38, 52, 54, 70, 73, 86, 93, 94, 114, 150, 153, 157, 174, 185, 207, 234, 275, 276, 277, 278, 429, 443, 444, 447, 470, 471, 494, 499, 502, 508, with others.

ROBERT B. CROSBY

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149 Cemetery districts, maintenance.

173 Holding of real estate by charitable and fraternal organizations.
219 Salaries of assistants in department of banking.
285 Irrigation, change in storage sites.
286 Valuation of life insurance policies.
287 Bonds for state employees.
288 Governmental employees exempt from trespass.

L. B. 17, 86, 131, 143, 174, 191, 196, 220, 234, 262, 268, 269, 271, 275, 276, 277, 278, 281, 301, 322, 367, 390, 443, 444, 447, 464, 495, 496, 497, 511, 512, 513, with others.

WILLIAM A. CROSSLAND

392 Publication of official proceedings of cities and villages.

L. B. 59, 63, 86, 96, 97, 228, 234, 268, 271, 402, 495, 496, 497, 498, with others.

HARRY E. GANTZ

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172 Bounties for wild animals.
205 Powers and limitations of irrigation districts.
242 Nomination of county judge and county superintendent.
244 School lands sold for aviation fields.
245 Sites for school buildings.
452 Claims against estates of decedents.
454 Legal publications.

L. B. 1, 2, 22, 23, 24, 25, 27, 28, 96, 97, 99, 135, 139, 143, 144, 145, 146, 168, 171, 174, 191, 201, 232, 234, 241, 275, 276, 277, 278, 299, 300, 375, 378, 380, 400, 443, 444, 447, 460, 495, 498, with others.

DANIEL GARBER

165 Title to motor vehicles.
166 Unemployment compensation.
177 Commission on intergovernmental cooperation.
178 Determination of benefits for unemployment compensation.
415 Legislators, immunity.
448 Registration fee on motor vehicles.
487 Regulations for restaurants.

L. B. 16, 30, 38, 52, 54, 132, 222, 223, 334, 336, 395, 451, 470, 513, 514, with others.

H. G. GREENAMYRE

84 Penalties for habitual petit larceny.

120 Terms of county court.
121 Claim of Erwin Thewke.
129 Revolving funds for state institutions.
312, 317 Licensing of agents of insurance companies.
313 Corporations, certificates of ownership.
314 Notice of alibi.
315 Certificates of title to motor vehicles.
316 Levy for repair of county buildings.
382 Motor carriers, intrastate commerce.
425 Permitting voluntary patients at state hospitals.
426 Relief of Opal Bredehoft.
486 Employment of women, public service corporations.

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DON E. HANNA

L. B. 5, 52, 86, 102, 139, 150, 157, 169, 171, 174, 191, 231, 234, 255, 263, 275, 276, 277, 278, 351, 398, 443, 444, 447, 455, 458, 473, 499, 500, 513, with others.

R. M. HOWARD

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72 Taxation of public utility districts.
109 License fees for school buses.
212 Suits against state when interested in bonds of local governmental subdivisions.
418 Allocation of drivers' license fees.
431 Homesteads subject to debts of deceased spouse.
432 Allocation of fees from motor vehicle title and transfer law.
433 Extension of municipal light and power plants.

L. B. 16, 22, 23, 24, 25, 26, 27, 28, 30, 85, 86, 101, 132, 157, 183, 220, 222, 223, 234, 275, 276, 277, 278, 334, 336, 351, 443, 444, 447, 451, 473, with others.

LOUIS M. JEPPESEN

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318 Tax on trading stamps and coupons.
319 Income tax.

L. B. 16, 24, 30, 52, 86, 101, 103, 130, 132, 136, 157, 207, 222, 223, 234, 320, 334, 336, 451, 514, with others.

RICHARD N. JOHNSON

43 U. S. flag on state captiol.
44 Legislature, officers and employees, duties.
66 Joint tenancy of property.
160 Registration of fictitious names.
246 Uniform property act.
298 Listing price and tax on motor vehicle fuels.
374 Machine guns.
474 Public service corporations, taxation.
475 Earnings of municipal public utilities.

L. B. 97, 99, 138, 144, 145, 146, 157, 217, 218, 228, 230, 232, 234, 237, 267, 272, 289, 300, 311, 339, 351, 368, 370, 371, 372, 391, 403, 498, 507, 513, with others.

JOSEPH T. KNEZACEK

L. B. 52, 86, 234, 267, 328, 337, 380, 398, 424, 470, 495, 496, 497, 505, 508, 513, with others.

OTTO KOTOUC, JR.

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55 Group insurance.
57 Bonus for discovery of oil.
75 Liquidation of banks.
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81 Powers and duties of department of banking.
229 Purchase of petroleum products by state.
295 Distribution of journals and session laws.
373 Liens on oil and gas wells.
404 Revenue bonds for interstate county bridges.
503 Liability of stockholders in banks.

L. B. 5, 52, 54, 78, 102, 141, 153, 161, 168, 196, 201, 213, 218, 232, 234, 275, 276, 277, 278, 280, 297, 299, 300, 333, 339, 347, 349, 367, 373, 380, 398, 495, with others.

TOM LAMBERT

6 Licenses for sale of tobacco.
8 Planning board.
10 Proposed constitutional amendment to abolish State Railway Commission.
11 Regulations for boxing and wrestling matches.
12 State sheriff.
13 Ports of entry.
14 Passes on railroads.

15 Appointments by the governor.

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STANLEY A. MATZKE

112 Joint trials of persons charged with same offense.
148 Nebraska state trade school at Milford.
175 Minimum rate of interest on loans.
243 State abandons claims to certain lands.
309 Payment of checks by banks.
445 Investments of domestic insurance companies.

L. B. 67, 86, 96, 97, 99, 127, 157, 228, 232, 234, 263, 339, 450, 470, 495, 496, 497, 507, 508, with others.

JOHN E. MEKOTA

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69 Cold storage plants in cities and villages.
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209 Fee to county judge for inheritance tax hearing.
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211 County judge to deposit fees with county treasurer.
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258 Instruments affecting title to real estate.
259 Election of delegates to county conventions.
329 Election of register of deeds.
490 Open season on game.

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WILLIAM A. METZGER

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307 Killing wild life in protection of property.
342 Eligibility of applicants for license as loan agents.
506 Iowa, Nebraska boundary.

L. B. 5, 52, 54, 78, 168, 169, 201, 234, 275, 276, 277, 278, 280, 297, 339, 347, 398, 443, 444, 447, 456, 463, 464, 470, 495, 502, 508, 509, 513, with others.

MARTIN J. MISCHKE

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80 Transfer of pupils to another school district.
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187 Marriage licenses, physician's certificate.
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303 State property, purchase and custody.
304 Terms and salaries of members, and sessions of legislature.
305 Title and transfer of motor vehicles.

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FRED A. MUELLER

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193 Standardization of salaries of state employees.
199 County assessors.

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L. B. MURPHY

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343 Motor vehicles, registration.
420 County tax lists, delivery.

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E. M. NEUBAUER

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45 Disposal of state railroad fish car.
95 Insanity as grounds for divorce.
115 Amusement tax.
116 Tax on motion picture distributors.
117 Cigarette tax.
118 Tax on toilet preparations.
119 Tax on soft drinks.
180 Public grain warehouses.
186 Regulation of billboard advertising.
208 Motion picture theaters not to be owned by producers or distributors.

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WILLIAM J. NORMAN

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C. PETRUS PETERSON

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126 Insurance coverage, limited liability.
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155 Appointment and duties of deputy tax commissioners.
194 Execution of foreign wills.
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389 Industrial finance companies.
436 College of electors.
437 State building fund.

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JACK W. PRICE

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157 Nebraska agricultural society.
159 Procedure in municipal courts.
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215 Standard for weights and measures.
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239 Easements to telephone and telegraph companies over school lands.
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261 Fees of county sheriffs.
264 Small estates, procedure.
265 Disposition of small estates.
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409 Securities exempt from Blue Sky Law.
410 Installment investment companies.
411 Fees of foreign investment companies.
412. Examination of installment investment companies.
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480 Public power and irrigation districts, commissions on sales.

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WALTER R. RAECKE

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308 Legal settlement of poor persons.
421 Nonresident electors of irrigation districts.

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ELMER C. RAKOW

107 Cancellation of interest on personal taxes.
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324 Administration of estates.
325 Qualifications of county judges.
326 Time of assessment and payment of inheritance taxes.
417 Salary of assistant to county judge.
423 Executive managers for public utilities.
428 Transfer of pupils to other districts.

L. B. 60, 86, 144, 145, 146, 196, 214, 217, 293, 300, 323, 380, 510, 511, with others.

JAMES E. REED

310 Unemployment compensation.
321 Itinerant merchants to stop at ports of entry.
422 Title to certain saline lands.

L. B. 16, 30, 46, 52, 70, 77, 85, 86, 102, 132, 141, 158, 169, 174, 207, 222, 223, 231, 269, 293, 294, 327, 334, 336, 451, 514, with others.

FRANK SORRELL

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36 Women on juries.
56 Hours of sale of liquor.
58 Apple grading.
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90 Abandonment of oil wells.
104 Bonds of guardians.
206 Workmen's compensation for firemen.
235 Constitutional amendment, tax limitation.
273 State Board of Agriculture.
274 Indebtedness of rural fire protection districts.
279 Disposal of waste products from oil wells.
387 Disposition of dormant estates and guardianships.
434 Publication of personal tax roll.
483 Detachment of rural territory from high school districts.
484 Home guard units.
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GEORGE T. SULLIVAN

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AMOS THOMAS

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18 Fraternal benefit societies changed to life insurance companies.

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RAY THOMAS

62 Delinquent taxes, remission.

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J. LYNDON THORNTON

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394 Checks to clear at par.
414 County bridges, bids.

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CHARLES F. TVRDIK

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360 Salaries of judges of workmen's compensation court.
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A. C. VAN DIEST

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202 Public power and irrigation districts.
485 Gross revenue tax.

L. B. 5, 47, 48, 49, 50, 52, 89, 102, 153, 169, 191, 232, 234, 255, 267, 269, 275, 276, 277, 280, 291, 327, 337, 351, 398, 424, 443, 444, 445, 447, 456, 458, 479, 502, 505, 507, 509, 513, with others.

GEORGE C. WEBORG

29 Delinquent taxes on real property.
100 Action against foreign insurance companies.
282 Small loan act.
419 Real property, tax sale.
427 Sale of real estate by municipal libraries.
491 Notice of delinquent taxes.

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1 Exercise of eminent domain for public utilities—Sorrell, Gantz.
2 Waterworks and gas plants—Sorrell, Gantz.
5 Emergency tax, relief—Metzger, Van Diest, E. Adams, Kotouc, Hanna, Brodahl.
7 Bridges over irrigation ditches—Bowman, Carlson.
9 Legislative council—Lambert, Carmody.
16 Appropriation, salary, members of Legislature—Callan, Reed, Norman, Tvrdik, Greenamyre, Raecke, Jeppesen, Carlson, Garber, Mueller, Howard.
17 Injunctive relief for irrigators—Mueller, Crosby.
19 Interest rate, special taxes, metropolitan utilities districts—A. Thomas, Sullivan, Tvrdik, Bevins, E. Adams, J. Adams.
20 Funds of metropolitan utilities districts—A. Thomas, Sullivan, Tvrdik, Bevins, E. Adams, J. Adams.
21 Insurance of employees of metropolitan utilities districts—A. Thomas, Tvrdik, Bevins, J. Adams.
22 Registration of delayed birth certificates—A. Thomas, Thornton, E. Adams, Callan, Tvrdik, Gantz, Howard, Norman.
23 Absent voters' ballots—A. Thomas, Callan, E. Adams, Howard, Thornton, Tvrdik, Gantz, Norman.
24 Cancellation of drivers' licenses—A. Thomas, Callan, Thornton, E. Adams, Howard, Tvrdik, Gantz, Blome, Jeppesen.
25 Preprimary conventions—A. Thomas, Howard, Callan, E. Adams, Thornton, Gantz.
26 Legislative comptroller—A. Thomas, Callan, Howard, Thornton.
27 Powers of board of educational lands and funds—A. Thomas, Thornton, Callan, Tvrdik, E. Adams, Gantz, Howard.
28 Probation and parole—A. Thomas, Gantz, Howard, Thornton, E. Adams, Tvrdik, Callan.
30 Appropriations for the legislature—Callan, Garber, Tvrdik, Carlson, Greenamyre, Howard, Jeppesen, Mueller, Norman, Reed, Raecke.
31 Terms of members of housing authorities—Tvrdik, Bevins, Sullivan, J. Adams, Norman, E. Adams.
33 Vacancies in civil offices—Carlson, Callan, Peterson.
34 Livestock sales rings—Carlson, Mueller.

38 Rentals for school lands—Carmody, Carlson, Garber.
41 Arbitration of labor disputes—Bevins, Sullivan.
46 Unfair sales—Tvrdik, Reed, Sullivan, Norman, E. Adams, Bevins, Murphy.
47 Loans of domestic insurance companies—Van Diest, Callan.
48 Domestic mutual insurance companies—Callan, Van Diest.
49 Burial associations—Van Diest, Callan.
50 Reinsurance—Van Diest, Callan.
51 Noxious weeds, eradication—Sorrell, Weborg, Lambert.
52 Nebraska advertising commission—Lambert, Metzger, Kotouc, Knezacek, Asimus, Brodahl, Carlson, Hanna, R. Thomas, Van Diest, Bowman, Jeppesen, Thornton, Carmody, Raecke, J. Adams, Weborg, Reed, Callan, Garber.
54 Real estate brokers, regulations—Carmody, Kotouc, Metzger, Garber.
59 Appropriation for egg inspection—R. Thomas, Weborg, Crossland.
60 Conditional sales contracts—Price, Rakow.
63 Sale of commercial chicks—R. Thomas, Crossland.
67 Safety deposit boxes—Matzke, Lambert.
70 Motor vehicle fuels, allocation of tax—Sullivan, Bevins, Tvrdik, E. Adams, J. Adams, Blome, Callan, Sorrell, Neubauer, Carmody, Price, Reed.
73 Rate of interest on delinquent real property taxes—Carmody, Weborg, Lambert, Blome, Brodahl, Neubauer.
77 Salaries of precinct assessors—Reed, Price.
78 Reports of banks to department of banking—Kotouc, Metzger.
82 Right-of-way for telephone and telegraph companies—Peterson, Bowman, Brodahl.
83 Motor vehicle fuel tax, allocation—Callan, Tvrdik, Norman.
85 Inheritance tax, allocation—Reed, Tvrdik, Norman, Price, Howard.
86 Date of Thanksgiving—E. Adams, J. Adams, Norman, Peterson, Reed, Price, Jeppesen, Matzke, Neubauer, Lambert, Thornton, Asimus, Blome, Brodahl, Carlson, Weborg, Howard, Sorrell, Knezacek, Mischke, Murphy, Bowman, Crossland, Greenamyre, Rakow, Crosby, Hanna, Carmody, Raecke, R. Thomas.
89 Abolish liens for assistance—R. Thomas, Neubauer, Tvrdik, Sullivan, J. Adams, Callan, Van Diest, Thornton, Mueller, Carlson.
93 County clerk, surveyor's records—Carmody, Carlson.
94 Plats of county surveyor, public records—Carmody, Carlson.
96 Fireworks, sale and use—Crossland, Raecke, Matzke, Sullivan, Carlson, Sorrell, Gantz.
97 Occupation tax on fire insurance companies—Crossland, Raecke, Matzke, Sullivan, Carlson, Sorrell, Johnson, Gantz.

99 Electricity, wiring and equipment—Matzke, Sullivan, Sorrell, Johnson, Gantz.
101 Pharmacy regulations—Howard, Murphy, Brodahl, Jeppesen, Thornton, Lambert, R. Thomas, Peterson.
102 Weights and measures of coal, charcoal, and coke—Norman, Tvrdik, E. Adams, Sullivan, J. Adams, Hanna, Carlson, Reed, Callan, Van Diest, Kotouc.
103 Foreclosure of mortgages—R. Thomas, Mueller, Neubauer, Carlson, Jeppesen, Bowman.
105 Allocation of motor vehicle registration fees—Mueller, Tvrdik.
106 Bread, standard loaf—Callan, Tvrdik.
110 Bond of registers of deeds—Bowman, Sorrell, Brodahl.
111 Relief of Mike O'Donnell—Sullivan, Tvrdik, Norman, E. Adams.
114 Admission to the bar—E. Adams, J. Adams, Sullivan, Carlson, Sorrell, Neubauer, Mueller, Carmody, Norman, Tvrdik.
123 Owners and occupants of land not required to pay fee for hunting permits—Asimus, Weborg.
125 Cemeteries, perpetual care—E. Adams, Price.
127 Small loans, regulations—Matzke, Bowman.
128 Reporting and paying fees by county officers—Tvrdik, Norman, E. Adams, J. Adams, Bevins.
130 Cancellation of interest on delinquent real and personal taxes—Jeppesen, Sullivan, R. Thomas, E. Adams, Bevins, Neubauer.
131 Burial expenses, assistance recipients—Crosby, Carlson.
132 State treasurer's bond—Callan, Garber, Tvrdik, Carlson.
133 Public power and irrigation districts, directors—Sorrell, Carlson.
135 Change of city or village from one class to another—Blome, Greenamyre, Howard, Jeppesen, Mueller, Norman, Reed, Raecke.
138 Wage claims against decedents' estates—Johnson, Greenamyre Sullivan, Bevins, Lambert.
139 Sale of school lands to U. S. A.—Hanna, Gantz.
140 Barber shops, regulations—Sullivan, Bevins, Tvrdik, Norman.
141 State printing, regulations—Norman, Mueller, Kotouc, Reed, Price, Sullivan, E. Adams, Bevins, Carlson.
142 Civil service, county employees—Sullivan, Bevins, Tvrdik, E. Adams, Norman.
143 Prosecution when grand jury fails to return indictment—Crosby, Gantz.
144 Instruments affecting real estate—Johnson, Mekota, Price, Rakow, J. Adams, Gantz.
145 Recording changes in partnerships—Johnson, Price, Rakow, J. Adams, Gantz.
146 Validation of instruments affecting real property—Mekota, Gantz, Johnson, Rakow, Price, J. Adams.
147 Salaries of clerk and reporter of supreme court—Blome, Mischke.

150 Permit trapping of beaver—Hanna, Carmody.
151 Salary of governor's secretary—Murphy, Callan.
153 State hail insurance—Thornton, Peterson, Carmody, E. Adams, Sullivan, Kotouc, Van Diest, Bowman, Raecke, Lambert.
156 Duties of tax commissioner—Peterson, Matzke.
157 Nebraska agricultural society, creation—Blome, Johnson, Price, Jeppesen, Lambert, Carmody, Howard, Mischke, Matzke, Weborg, Murphy, J. Adams, Hanna, Bowman.
158 U. S. highway No. 6 as Grand Army of the Republic highway—Reed, Price, Bowman.
161 Purchase of aircraft by aeronautics commission—Kotouc, Murphy.
162 Civil service for state employees—Sullivan, Bevins.
163 Payment of wages, regulations—Thornton, Bevins.
168 Tuition for children of soldiers and sailors—Gantz, Metzger, Kotouc, E. Adams.
169 Maximum rate of interest on installment loans—Metzger, E. Adams, Hanna, Reed, Brodahl, Van Diest.
171 Community trusts and foundations—Hanna, Gantz.
174 Bureau of nursing education—Sullivan, Callan, Lambert, Price, Reed, Tvrdik, Norman, E. Adams, J. Adams, Hanna, Carlson, Crosby, Mischke, Gantz, Carmody, R. Thomas, Murphy.
181 Board of control to give preference to Nebraska products—Blome, Mischke.
183 Funding bonds of governmental subdivisions—Howard, Mueller.
184 Employer's liability in unemployment compensation—J. Adams, Sullivan, Bevins.
185 Bonds of indebtedness of governmental subdivisions—Mischke, Carmody.
189 Elevator inspection—Tvrdik, Sullivan.
190 Unemployment compensation, regulations—Blome, Bevins.
191 Election or appointment of county officers—Gantz, E. Adams, Norman, Tvrdik, Murphy, Van Diest, Crosby, Hanna.
196 Rules of the road—Raecke, Rakow, Crosby, Kotouc.
200 Allocation of motor vehicle registration fees—Tvrdik, Norman.
201 County zoning commissions—Metzger, Gantz, Kotouc, Murphy, Lambert.
207 Game and fish regulations—Jeppesen, Carmody, Mueller, Reed.
213 Interstate county bridges—Weborg, Kotouc, Norman.
214 Prohibiting extension of credit to retailers of alcoholic liquors—Price, Rakow.
216 Adoption of children—Bevins, Sullivan.
217 Fees of county clerks in probate proceedings—Thornton, Raecke, Johnson, Rakow.
218 Frozen food and locker service plants—Johnson, Kotouc, Raecke, Mischke.

220 Change of name of religious corporations—Howard, Crosby, Bowman, Neubauer.
221 Surplus agricultural revolving fund—Callan, Sorrell, Peterson, J. Adams, E. Adams, Murphy.
222 Appropriation for maintenance of state government—Callan, Garber, Tvrdik, Carlson, Greenamyre, Howard, Jeppesen, Mueller, Norman, Reed, Raecke.
223 Appropriation for salaries of state officers—Callan, Garber, Tvrdik, Carlson, Greenamyre, Howard, Jeppesen, Mueller, Norman, Reed, Raecke.
224 Salary and mileage of grand and petit jurors—J. Adams, E. Adams.
225 Record of judgments—J. Adams, E. Adams.
226 Record of bills of exception—J. Adams, E. Adams.
227 Delinquent personal taxes deducted from jurors' fees—J. Adams, E. Adams.
228 Rules for fishing and for sale of game—Price, Mueller, Sorrell, Johnson, Crossland, Matzke.
230 Transfer of earnings of public utilities—Johnson, Raecke.
231 Rules governing elections in Douglas county—Norman, Bevins, Tvrdik, Reed, Hanna, Carlson, J. Adams, Sullivan.
232 Nebraska advisory defense committee—Peterson, Murphy, Van Diest, Callan, Matzke, Gantz, Johnson, Kotouc, Neubauer, R. Thomas, Mischke, J. Adams, Weborg.
234 Contracts with Federal Government by state agencies—Lambert, J. Adams, Asimus, Bevins, Blome, Bowman, Brodahl, Callan, Carlson, Carmody, Crosby, Crossland, Gantz, Greenamyre, Hanna, Howard, Johnson, Jeppesen, Knezacek, Kotouc, Matzke, Metzger, Mischke, Murphy, Neubauer, Norman, Peterson, Price, Raecke, R. Thomas, Sorrell, Thornton, Tvrdik, Van Diest, Weborg.
237 Uniform trust receipts act—Johnson, J. Adams.
240 Possession and use of machine guns—Mekota, Murphy.
241 Uniform bills of lading—Raecke, Gantz.
253 Railroads to furnish hospital service within state—Sullivan, Tvrdik, Norman.
254 Grand Island permit to sue the state—Raecke, Sullivan.
255 Premiums on bonds of county officers—Bevins, Mischke, Tvrdik, E. Adams, Weborg, Hanna, J. Adams, Sullivan, Van Diest, Norman.
262 Housing facilities, State University and Normal Schools—Peterson, Crosby.
263 Checks on non-existing accounts—Carlson, Greenamyre, Hanna, Matzke.
267 Hitchhiking—Mischke, Johnson, Neubauer, Van Diest, Mueller, Knezacek.

268 Defamation of building and loan associations—Crossland, Crosby.
269 Counties, supervisor districts—Blome, Crosby, Mischke, Van Diest, Reed.
270 Railroads, notice of accidents—Sullivan, Bevins.
271 Withdrawal of funds from building and loan associations—Crossland, Crosby.
272 Fees for towing motor vehicles on highways—Asimus, Mueller, Blome, Johnson, R. Thomas.
275 Brand inspection of livestock shipments—Howard, Hanna, Van Diest, Blome, Crosby, Mischke, Gantz, Metzger, Kotouc, Murphy, Carmody, Carlson.
276 Estray fund—Hanna, Howard, Gantz, Van Diest, Metzger, Kotouc, Blome, Murphy, Carmody, Crosby, Carlson, Mischke.
277 Sale, purchase and slaughter of unbranded livestock—Howard, Hanna, Gantz, Van Diest, Metzger, Kotouc, Blome, Murphy, Carmody, Crosby, Carlson, Mischke.
278 Sale of branded livestock—Howard, Hanna, Gantz, Metzger, Kotouc, Blome, Murphy, Carmody, Crosby, Carlson, Mischke.
280 Qualifications of county surveyor—Van Diest, Mischke, Kotouc, Metzger.
281 Agricultural and industrial development and advertising commission—Sorrell, Crosby, A. Thomas, Bevins, Tvrdik, Sullivan.
289 Competitive bids for construction or improvement of public buildings—E. Adams, Johnson, Greenamyre, Sullivan.
291 Delegates to county conventions—Peterson, Van Diest.
292 Police civil service—Thornton, J. Adams, Tvrdik, Norman, Sullivan, Bevins, Greenamyre, Mueller, Sorrell.
293 Liquefied petroleum gases—Rakow, Reed.
294 Discontinuance of sanitary districts—Reed, Peterson, Price.
297 Charters to banks—Greenamyre, Metzger, Sorrell, Kotouc.
299 Recompilation of Nebraska statutes—Gantz, Kotouc, J. Adams.
300 Compiled Statutes Supplement, 1941—Gantz, Price, J. Adams, Johnson, Mekota, A. Thomas, Rakow, Murphy, Kotouc.
301 Retention of office of clerk of district court—Neubauer, Crosby.
302 Manufacture of bedding and upholstered furniture—E. Adams, Norman, Sullivan.
311 Revenue and unexpended balances to general fund—Johnson, Greenamyre.
320 Proposed constitutional amendment, tax on agricultural lands—Jeppesen, R. Thomas.
322 Practice of photography—Blome, Norman, Sullivan, E. Adams, Crosby, Brodahl.
323 Grand stand debentures, state fair—Peterson, R. Thomas, Sorrell, Neubauer, Rakow.
327 Advertising alcoholic liquors—Price, Reed, Van Diest.

328 State agency for blind—J. Adams, Sorrell, Bevins, Weborg, R. Thomas, Sullivan, Asimus, Knezacek, Tvrdik.
331 License to sell beer in cities and villages—Bevins, Tvrdik.
332 Retirement for employees of school districts—Norman, Tvrdik, Sullivan, Bevins.
333 Preference to Nebraska products in governmental contracts—Norman, Tvrdik, Sullivan, Bevins, Kotouc, Mueller.
334 Compensation for animals infected with bovine tuberculosis—Callan, Carlson, Garber, Greenamyre, Howard, Jeppesen, Mueller, Norman, Raecke, Reed, Tvrdik.
335 Interest rate of cooperative credit associations—Tvrdik, Sullivan.
336 Compensation for animals infected with Bang's disease—Callan, Carlson, Garber, Greenamyre, Howard, Jeppesen, Mueller, Norman, Raecke, Reed, Tvrdik.
337 Health and accident insurance companies—Van Diest, Asimus, Knezacek, J. Adams.
338 Game refuge on Platte river—Tvrdik, Sullivan, Bevins, Norman, J. Adams, E. Adams, Brodahl.
339 Licensing of loan agents—Mischke, Tvrdik, Johnson, Kotouc, Peterson, Metzger, Greenamyre, Matzke.
345 Occupation tax on wholesalers—Price, Lambert, Thornton.
346 Salaries of members of fire departments—Sullivan, Tvrdik, J. Adams, Bevins, Price.
347 Occupation tax on fire insurance companies—Blome, J. Adams, Kotouc, Metzger, Bevins.
348 Legal investment of funds of estates—A. Thomas, Price.
349 Zoning for airports—Murphy, Kotouc.
350 Date of assessment of real property—Tvrdik, J. Adams, A. Thomas, Norman.
351 Children born out of wedlock—Van Diest, J. Adams, Bevins, Tvrdik, Sullivan, Johnson, Neubauer, Howard, Hanna, Asimus.
352 Bonds of county officers and deputies—Norman, Sullivan, Bevins, Tvrdik, J. Adams, E. Adams.
353 Sewage disposal plants—E. Adams, Norman.
361 Retirement and pensions for judges of supreme and district courts—Sullivan, Norman, Tvrdik.
367 Regulations regarding length and weight of motor vehicles—Crosby, Kotouc.
368 Nebraska state guard—Mekota, A. Thomas, Sullivan, Johnson, Callan, Raecke.
369 Home guards—Mekota, A. Thomas, Sullivan, Callan, Raecke.
370 Sabotage prevention—A. Thomas, Sullivan, Johnson, Callan.
371 Nebraska naval militia—A. Thomas, Sullivan, Johnson, Callan, Raecke.
372 Nebraska armory board—A. Thomas, Sullivan, Johnson, Callan.

375 County revolving funds for food or cotton stamps—Raecke, Gantz, Peterson.
378 Dependent children—Gantz, Weborg, Carlson.
379 Teachers, retirement system—Price, Thornton, Blome, Sullivan, Norman, Bevins.
380 Uniform expert testimony—Gantz, Mekota, J. Adams, Johnson, Kotouc, Murphy, Price, Rakow, A. Thomas.
381 Change of boundaries of school districts—Brodahl, Weborg.
386 Wage and hour standards—Bevins, Sullivan.
388 Membership of county boards of equalization—E. Adams, Sullivan, Bevins.
389 Deposit of funds of public power and irrigation districts—Peterson, Lambert, R. Thomas, Crosby, Neubauer.
390 Funds of public power and irrigation districts—Peterson, Lambert, R. Thomas, Crosby, Neubauer.
391 Practice of cosmetology—Raecke, Greenamyre, Neubauer, Bevins, Sullivan, Johnson.
395 Motor vehicle fuels, transportation—Callan, Garber, Thornton.
398 Relief of Lela Brock—Van Diest, Knezacek, Kotouc, Mueller, Neubauer, Asimus, Brodahl, Metzger, Carlson, Norman, Hanna, Blome.
399 State assistance fund—Sullivan, Bevins, J. Adams.
400 Poultry stealing—Blome, Gantz.
401 Gallonage tax on alcoholic liquors—Sullivan, Tvrdik, J. Adams, Bevins.
402 Severance tax on oil—Raecke, Crossland.
403 Unemployment compensation—Peterson, Sullivan, J. Adams, Callan, Johnson.
424 Acquisition of Fort Hartsuff for state park—Knezacek, Asimus, Van Diest.
429 Republican river compact—Neubauer, Carmody.
430 Nonprofit hospital corporations—Peterson, Sullivan.
439 Acquisition of municipal plants by public power and irrigation districts—Norman, Tvrdik.
443 Livestock brand area—Hanna, Howard, Gantz, Van Diest, Murphy, Metzger, Carlson, Carmody, Crosby.
444 Open livestock markets—Hanna, Howard, Gantz, Van Diest, Murphy, Metzger, Carlson, Carmody, Crosby.
447 Inspection of brands on livestock—Hanna, Howard, Carlson, Gantz, Van Diest, Murphy, Metzger, Carmody, Crosby.
449 Public administrator, Douglas county—E. Adams, Price.
450 Date personal property taxes become delinquent—Matzke, Sorrell.
451 Appropriation for Bang's disease eradication fund—Callan, Garber, Tvrdik, Carlson, Greenamyre, Howard, Jeppesen, Mueller, Norman, Reed, Raecke.

453 Bonds of indebtedness for interstate county bridges—Norman, Sullivan, Tvrdik.
455 Establishing and altering county roads—Van Diest, Hanna.
456 Trade school at Broken Bow—Van Diest, Metzger.
457 Petit larceny, habitual offender—Tvrdik, Sullivan.
458 Recount of votes—Van Diest, Hanna.
460 Irrigation, ground water—Gantz, Blome.
462 Chemurgy—E. Adams, Callan, Neubauer.
463 Training for physically handicapped children—E. Adams, Sullivan, A. Thomas, Norman, Tvrdik, Bevins, Metzger.
464 Fuel tax for aircraft—Crosby, Sullivan, Tvrdik, A. Thomas, E. Adams.
465 Acceptance of federal funds for physical education—E. Adams, Blome.
467 Railway commission hearings—Tvrdik, E. Adams, Norman.
470 Refund tax on gasoline used for agricultural purposes—Neubauer, Brodahl, Metzger, Carlson, E. Adams, Thornton, Bowman, R. Thomas, Weborg, Matzke, Garber, Carmody, Blome, Asimus, Knezacek, Sorrell, Callan.
471 Division of water conservation in department of roads and irrigation—Neubauer, Carmody.
472 Regulation of installment investment companies—Sullivan-Tvrdik, Norman.
473 Motor vehicle tax and fees, highways and bridges—Neubauer, Howard, Hanna.
479 Lobbying by state and municipal officers and employees—Asimus, Brodahl, Van Diest, Lambert.
481 Ton-mile tax on motor vehicles—Tvrdik, Sullivan, Bevins.
489 Assessment and valuation of railroads—E. Adams, Sullivan.
492 License fees collected by liquor control commission—E. Adams, Norman, Tvrdik.
493 Disabled veterans exempt from per capita tax—Blome, E. Adams.
494 Construction of dams for water conservation—Neubauer, Carmody.
495 State zoning agency—Sorrell, Peterson, Crossland, Bowman, Bevins, Crosby, Knezacek, Matzke, Weborg, Metzger, Kotouc, Gantz, Lambert, E. Adams.
496 Board of examiners, engineers—Sorrell, Peterson, Crossland, Bowman, Bevins, Crosby, Knezacek, Matzke, Weborg.
497 Embalmers' fund—Sorrell, Peterson, Crossland, Knezacek, Matzke, Weborg, Crosby, Bevins, Bowman.
498 Dealers in motor vehicle fuels—Murphy, Brodahl, A. Thomas, Johnson, Mekota, Price, J. Adams, Crossland, Gantz.
499 Pest control by counties—Neubauer, Metzger, Weborg, Carmody, Hanna.
501 Housing authorities, national defense—Sullivan, Tvrdik.

502 Water conservation board—Mischke, E. Adams, Neubauer, Carmody, Lambert, Blome, Van Diest, Metzger, Sullivan.

504 Collective bargaining, race discrimination—Bevins, J. Adams.

505 Deposits of accident or health insurance companies—Van Diest, Asimus, Knezacek.

506 Iowa, Nebraska, boundary—Metzger.

507 Establishing congressional districts—Greenamyre, Callan, Matzke, Tvrdik, E. Adams, Asimus, Johnson, Neubauer, Thornton, Murphy, Van Diest.

508 Public grain warehouse receipts—Neubauer, Metzger, Weborg, Carmody, Hanna, Matzke, Mischke, R. Thomas, Knezacek.

509 Claims and deficiencies—Lambert, Metzger, Bowman, Van Diest, Blome.

510 Nebraska state fair grand stand bonds—Peterson, Neubauer, Sorrell, Rakow.

511 Tax stamps on liquor—Crosby, Sorrell, Bevins, Blome, Rakow.

512 Governor as sponsor of federal projects—Tvrdik, Crosby.

513 Practice of osteopathy—Van Diest, Blome, Carlson, Brodahl, Metzger, Hanna, Neubauer, Weborg, J. Adams, Norman, Knezacek, Crosby, R. Thomas, Howard, Asimus, Mueller, Sorrell, Thornton, Garber, Peterson, Johnson, Price, Bowman.

514 Appropriation for the Legislature—Callan, Garber, Tvrdik, Carlson, Greenamyre, Howard, Jeppesen, Mueller, Norman, Reed, Raecke.

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Referred to Committee on

Agriculture

Chairman—E. M. Neubauer

34 Live stock sales rings
45 Railroad fish car
51 Weeds, eradication
58 Apples, grading and inspection
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87 Hunting and fishing licenses
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157 Nebraska agricultural society
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180 Grain warehouse receipts
195 Bird dogs, licenses
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218 Frozen foods and locker service
228 Game and fish regulations
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275 Nebraska Brand Committee
276 Livestock estray fund
277 Livestock brand inspection
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338 State game refuge
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444 Open livestock markets
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462 Chemurgy, research
490 Hunting, open season

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Chairman—John S. Callan

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30 Incidental expenses of legislature
59 Egg inspection
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132 Bond of state treasurer and deputy, premium
148 Nebraska state trade school
151 Salary of secretary to governor
161 Aircraft, purchase and use
164 Audit and investigation, department of roads and irrigation
168 Tuition, children of soldiers and sailors
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192 Mileage and expense of state employees
221 State surplus agricultural revolving fund
222 State government, general appropriation
223 State officers, salary
252 Appropriation from special fee fund to general fund
266 Bridge over Big Blue river
281 Nebraska advertising commission
311 Revenue and unexpended balances to general fund
334 Bovine tuberculosis, eradication
336 Compensation for animals infected with Bang's disease.
340 Disposition of records, state auditor
360 Salaries of judges and employees of workmen's compensation court
361 Retirement and pensions for judges of supreme and district courts
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422 Title to certain Nebraska lands
425 Voluntary patients at state hospitals
432 Motor vehicle title and transfer fees
451 Bang's disease, eradication fund
456 Trade school at Broken Bow
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Chairman—J. Lyndon Thornton

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14 Free transportation by railroads
18 Fraternal benefit societies
46 Unfair Sales Act
47 Loans to domestic insurance companies
48 Organization of domestic insurance companies
49 Burial associations
50 Reinsurance, consolidation
53 Insurance contracts
55 Group insurance
67 Safety deposit boxes
75 Liquidation of banks
76 Property statements to banks
78 Reports by banks
81 Banking, terms defined
82 Right-of-way for telephone and telegraph companies
97 Occupation tax, fire insurance companies
100 Process on foreign insurance companies
102 Weights and measures, coal
106 Bread, standard loaf
122 Intrastate motor carriers
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127 Small loans
153 Hail insurance
160 Fictitious name, registration
169 Installment loans
170 Investments, savings banks
175 Loans, minimum rate of interest
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215 Standard for weights and measures

219 Department of banking, salaries
238 Telephone lines over state lands
239 Right-of-way over school lands
270 Railroads, notice of accidents
271 Building and loan associations, withdrawals
282 Small loan act
286 Life insurance policies, valuation
297 Charters to banks
298 Motor vehicle fuels
309 Payment of checks by banks
312, 317 Insurance brokers, registration
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345 Occupation tax, wholesalers
389 Industrial finance companies
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412 Installment investment companies
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111 Mike O'Donnell, claim
254 Grand Island, permit to sue state
398 Lela Brock, appropriation
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Chairman—Stanley A. Matzke

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134 Transportation of school children
139 Sale of school lands to U. S. A.
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376 Proceedings of school boards, publication
377 School districts, purchase of real estate
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381 School districts, boundaries
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Chairman—Frank Sorrell

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15 Appointments by governor
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21 Metropolitan utilities districts, insurance
25 Preprimary conventions
26 Legislative comptroller
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65 Elections, corrupt practices
69 Cold storage plants
77 Compensation of precinct assessors
89 Liens for assistance
93 County clerk, surveyors' records
94 Surveyors' records, public
108 State surveyor and draftsman, appointment
110 County officers, qualifications
128 County officers, fees
135 Cities and villages, reorganization
142 Merit system for county employees
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162 Civil service for state employees
171 Cities and villages, powers and duties
177 Intergovernmental cooperation
191 County officers, constitutional amendment
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199 County assessors, duties
201 County zoning commission
211 County judge, deposit of funds
217 Probate proceedings, filing decree
227 Jurors' fees
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497 Embalmers' fund
506 Iowa, Nebraska boundary

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17 Injunctive relief, irrigation
22 Birth certificates, delayed
23 Absent voters, procedure
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125 Cemetery associations
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229 Petroleum products, purchase
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236 State board of examiners
243 State, claims to certain lands
253 Hospital facilities, railroads

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285 Irrigation water, diversion
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315 Motor vehicles, certificate of title
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433 Municipal light and power plants, extension
439 Public power and irrigation districts, municipal plants
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448 Motor vehicles, registration fee
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466 Highway lighting systems
468 Highways and bridges, construction contracts
471 Division of water conservation
475 Municipal corporations, improvement funds
481 Motor vehicles, ton-mile tax
482 Fuel tax, diesel motors
488 Highways and bridges, gross load
494 Water conservation, construction of dams

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Chairman—L. B. Murphy

5 Emergency tax, relief
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29 Real property, delinquent taxes
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91 Motor vehicles, registration fees
105 Motor vehicle registration fees, allocation
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115 Amusement places, tax
116 Motion pictures, tax
117 Cigarettes, tax
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Bills introduced.....515

The following table shows the final disposition of each bill

Approved by Governor

1	21	44	64	84	125	148	180	214	239	271	332	390	441	500
2	22	45	65	85	126	151	182	215	243	275	334	398	451	501
4	23	46	67	86	128	152	183	217	246	278	336	399	455	503
5	24	47	68	89	129	153	192	220	250	282	340	401	461	504
6	30	48	69	90	131	154	194	221	251	283	341	403	462	505
8	31	49	70	94	132	156	196	222	252	285	349	418	463	506
12	32	51	75	101	133	159	198	223	255	290	351	424	466	507
14	33	53	77	108	134	161	202	225	257	291	353	426	470	508
15	34	55	78	109	137	167	206	226	258	294	368	427	378	509
16	37	57	79	110	139	168	207	231	262	299	372	428	486	510
17	40	59	80	113	144	171	210	232	263	300	375	429	494	511
19	42	60	81	114	145	173	212	233	265	323	377	430	495	512
20	43	63	82	120	146	174	213	234	270	331	389	432	499	

Passed over Governor's veto

130

Passed by Legislature

(Governor's approval not required)

191

Vetoed by Governor

29 39 135 150 301 329

Withdrawn

11 98 111 121 238 240 318 370 423 460 471

Failed on third reading

464 513

Indefinitely postponed

3	71	112	162	195	241	277	309	338	365	394	421	453	485
7	72	115	163	197	242	279	310	339	366	395	422	454	487

9	73	116	164	199	244	280	311	342	367	396	425	456	488
10	74	117	165	200	245	281	312	343	369	397	431	457	489
13	76	118	166	201	247	284	313	344	371	400	433	458	490
18	83	119	169	203	248	286	314	345	373	402	434	459	491
25	87	122	170	204	249	287	315	346	374	404	435	465	492
26	88	123	172	205	253	288	316	347	376	405	436	467	493
27	91	124	175	208	254	289	317	348	378	406	437	468	496
28	92	127	176	209	256	292	319	350	379	407	438	469	497
35	93	136	177	211	259	293	320	352	380	408	439	472	498
36	95	138	178	216	260	295	321	354	381	409	440	473	502
38	96	140	179	218	261	296	322	355	382	410	442	474	514
41	97	141	181	219	264	297	324	356	383	411	443	475	515
50	99	142	184	224	266	298	325	357	384	412	444	476	
52	100	143	185	227	267	302	326	358	385	413	445	477	
54	102	147	186	228	268	303	327	359	386	414	446	479	
56	103	149	187	229	269	304	328	360	387	415	447	480	
58	104	155	188	230	272	305	330	361	388	416	448	481	
61	105	157	189	235	273	306	333	362	391	417	449	482	
62	106	158	190	236	274	307	335	363	392	419	450	483	
66	107	160	193	237	276	308	337	364	393	420	452	484	

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LEGISLATIVE BILL NO. 1 By Sorrell, Gantz

Jan. 9	Read first time	32
Jan. 10	Read second time. Referred to Committee on Government	68
Jan. 13	Notice of hearing	70
Jan. 23	Placed on General File	140
Jan. 23	Referred for review	141
Jan. 29	Placed on Select File	173
Feb. 3	Select File. Referred for engrossment	225
Feb. 4	Correctly engrossed	228
Feb. 7	Read third time and passed	306
Feb. 10	Correctly enrolled	315
Feb. 10	Signed by President	315
Feb. 10	Presented to Governor	320
Feb. 15	Approved by Governor	367

LEGISLATIVE BILL NO. 2 Sorrell, Gantz

Jan. 9	Read first time	32
Jan. 10	Read second time Referred to Committee on Government	68
Jan. 13	Notice of hearing	70
Jan. 23	Placed on General File	140
Jan. 23	Referred for review	141
Jan. 29	Placed on Select File	173
Feb. 3	Select File. Referred for engrossment	225
Feb. 4	Correctly engrossed	228
Feb. 7	Read third time and passed	305
Feb. 10	Correctly enrolled	315
Feb. 10	Signed by President	315
Feb. 10	Presented to Governor	320
Feb. 15	Approved by Governor	367

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LEGISLATIVE BILL NO. 3 By Amos Thomas

Jan. 9	Read first time	33
Jan. 10	Read second time. Referred to Committee on Judiciary	68
Jan. 28	Notice of hearing	155
Mar. 28	Indefinitely postponed	776

LEGISLATIVE BILL NO. 4 By John Adams, Jr.

Jan. 9	Read first time	33
Jan. 10	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	68
Jan. 23	Notice of hearing	138
Feb. 3	Notice of hearing	212
Feb. 10	Placed on General File	315
Feb. 12	Laid over	333
Feb. 13	Laid over	354
Feb. 14	Laid over	364
Feb. 18	Referred for review	382
Feb. 21	Placed on Select File	412
Feb. 24	Select File. Referred for engrossment	430
Feb. 26	Correctly engrossed	447
Mar. 3	Read third time and passed	495
Mar. 5	Correctly enrolled	515
Mar. 5	Signed by Speaker	515
Mar. 6	Presented by Governor	537
Mar. 8	Approved by Governor	564

LEGISLATIVE BILL NO. 5 By Metzger et al

Jan. 9	Read first time	33
Jan. 10	Read second time. Referred to Committee on Revenue	68
Jan. 17	Notice of hearing	105
Jan. 28	Placed on General File	155
Jan. 29	Referred for review	179
Feb. 4	Placed on Select File	228
Feb. 5	Select File. Referred for engrossment	267
Feb. 10	Correctly engrossed	315
Feb. 13	Read third time and passed	350
Feb. 17	Correctly enrolled	368
Feb. 17	Signed by Speaker	368
Feb. 17	Presented by Governor	379
Feb. 18	Approved by Governor	383

LEGISLATIVE BILL NO. 6 By Lambert

Jan. 9	Read first time	33

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Jan. 10	Read second time. Referred to Committee on Revenue	68
Jan. 17	Notice of hearing	105
Jan. 28	Placed on General File	155
Jan. 29	Referred for review	179
Feb. 4	Placed on Select File	229
Feb. 5	Select File. Referred for engrossment	267
Feb. 10	Correctly engrossed	315
Feb. 13	Read third time and passed	351
Feb. 17	Correctly enrolled	368
Feb. 17	Signed by Speaker	368
Feb. 17	Presented to Governor	379
Feb. 18	Approved by Governor	383

LEGISLATIVE BILL NO. 7 By Bowman

Jan. 10	Read first time	67
Jan. 13	Read second time. Referred to Committee on Public Works	77
Jan. 20	Notice of hearing	111
Jan. 31	Notice of hearing	193
Mar. 10	Placed on General File	563
Mar. 28	Laid over	786
May 6	Indefinitely postponed	1261

LEGISLATIVE BILL NO. 8 By Lambert

Jan. 13	Read first time	71
Jan. 13	Read second time. Referred to Committee on Government	78
Jan. 14	Notice of hearing	80
Jan. 28	Placed on General File	156
Jan. 29	Referred for review	180
Feb. 4	Placed on Select File	229
Feb. 5	Select File. Referred for engrossment	267
Feb. 10	Correctly engrossed	315
Feb. 13	Read third time and failed of passage with emergency clause	349
Feb. 13	Read third time and passed with emergency clause stricken	349
Feb. 17	Correctly enrolled	368
Feb. 17	Signed by Speaker	368
Feb. 17	Presented to Governor	379
Feb. 18	Approved by Governor	383

LEGISLATIVE BILL NO. 9 By Lambert, Carmody

Jan. 13	Read first time	71

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Jan. 13	Read second time. Referred to Committee on Government	78
Jan. 14	Notice of hearing	80
Jan. 31	Notice of hearing	193
Feb. 21	Indefinitely postponed	410
Feb. 25	Motion	433

LEGISLATIVE BILL NO. 10 By Lambert

Jan. 13	Read first time	71
Jan. 13	Read second time. Referred to Committee on Public Works	78
Jan. 20	Notice of hearing	111
Feb. 3	Placed on General File	212
Feb. 5	General File	267
Feb. 6	Returned to Committee	293
Feb. 19	Time extended	390
Feb. 20	Placed on General File	399
Feb. 24	Referred for review	431
Mar. 4	Placed on Select File	505
Mar. 5	Replaced on General File	516
Mar. 5	Laid over	516
Mar. 6	Indefinitely postponed	535

LEGISLATIVE BILL NO. 11 By Lambert

Jan. 13	Read first time	71
Jan. 13	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	78
Jan. 30	Withdrawn	190

LEGISLATIVE BILL NO. 12 By Lambert

Jan. 13	Read first time	72
Jan. 13	Read second time. Referred to Committee on Government	78
Jan. 14	Notice of hearing	80
Jan. 31	Notice of hearing	193
Feb. 17	Placed on General File	369
Feb. 18	Laid over	383
Feb. 19	Laid over	395
Feb. 20	Laid over	406
Feb. 21	Laid over	422
Feb. 24	Laid over	430
Feb. 25	Returned to Committee on Government	438

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Mar. 10	Placed on General File	551
Mar. 21	Laid over	694
Mar. 26	Laid over	729
Mar. 27	Laid over	767
Mar. 28	Laid over	787
Apr. 1	General File. Laid over	807
Apr. 2	Referred for review	829
Apr. 9	Placed on Select File	915
Apr. 10	Select File. Referred for engrossment	936
Apr. 15	Replaced on Select File	960
Apr. 16	Select File. Referred for engrossment	990
Apr. 16	Correctly engrossed	993
Apr. 21	Read third time and passed	1035
Apr. 22	Correctly enrolled	1052
Apr. 23	Signed by President	1071
Apr. 23	Presented to Governor	1083
Apr. 26	Approved by Governor	1108

LEGISLATIVE BILL NO. 13 By Lambert

Jan. 13	Read first time	72
Jan. 13	Read second time. Referred to Committee on Banking, Commerce and Insurance	78
Jan. 22	Notice of hearing	126
Feb. 10	Indefinitely postponed	310

LEGISLATIVE BILL NO. 14 By Lambert

Jan. 13	Read first time	72
Jan. 13	Read second time. Referred to Committee on Banking, Commerce and Insurance	73
Jan. 29	Notice of hearing	172
Feb. 6	Placed on General File	291
Feb. 11	Referred for review	323
Feb. 19	Placed on Select File	386
Feb. 20	Select File. Referred for engrossment	404
Feb. 26	Correctly engrossed	447
Mar. 3	Read third time and passed	496
Mar. 5	Correctly enrolled	515
Mar. 5	Signed by Speaker	515
Mar. 6	Presented to Governor	537
Mar. 8	Approved by Governor	564

LEGISLATIVE BILL NO. 15 By Lambert

Jan. 13	Read first time	72

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Jan. 13	Read second time. Referred to Committee on Government	78
Jan. 14	Notice of hearing	80
Jan. 28	Placed on General File	156
Jan. 30	Referred for review	190
Feb. 12	Placed on Select File	328
Feb. 13	Select File. Referred for engrossment	353
Feb. 19	Replaced on Select File	390
Feb. 20	Select File. Referred for engrossment	406
Feb. 24	Correctly engrossed	426
Feb. 27	Read third time and passed	460
Feb. 28	Correctly engrossed	485
Feb. 28	Signed by President	485
Feb. 28	Presented to Governor	487
Mar. 3	Approved by Governor	507

LEGISLATIVE BILL NO. 16 By Committee on Appropriations

Jan. 13	Read first time	72
Jan. 13	Read second time. Referred to Committee on Appropriations	78
Jan. 13	Notice of hearing	78
Jan. 14	Placed on General File. Referred for review....81,	88
Jan. 15	Placed on Select File. Referred for engrossment 91,	95
Jan. 16	Correctly engrossed	99
Jan. 21	Read third time and passed	124
Jan. 21	Correctly enrolled	125
Jan. 21	Signed by Speaker	125
Jan. 21	Presented to Governor	127
Jan. 21	Approved by Governor	137

LEGISLATIVE BILL NO. 17 By Mueller

Jan. 13	Read first time	72
Jan. 13	Read second time. Referred to Committee on Judiciary	78
Jan. 14	Notice of hearing	81
Feb. 10	Notice of hearing	309
Apr. 10	Placed on General File	928
Apr. 18	Report	1006
Apr. 22	Referred for review	1050
Apr. 28	Placed on Select File	1106
Apr. 29	Select File. Laid over	1140
Apr. 30	Laid over	1156
May 1	Laid over	1168

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May 2	Laid over	1192
May 3	Laid over	1210
May 5	Referred for engrossment	1224
May 8	Replaced on Select File	1296
May 9	Selet File. Referred for engrossment	1326
May 12	Correctly engrossed	1346
May 16	Read third time and passed	1426
May 19	Correctly enrolled. Signed by President	1459
May 20	Presented to Governor	1488
May 22	Approved by Governor	1529

LEGISLATIVE BILL NO. 18 By Amos Thomas

Jan. 13	Read first time	73
Jan. 13	Read second time. Referred to Committee on Banking, Commerce and Insurance	79
Feb. 5	Notice of hearing	255
Apr. 22	Indefinitely postponed	1051

LEGISLATIVE BILL NO. 19 By Amos Thomas et al

Jan. 13	Read first time	73
Jan. 13	Read second time. Referred to Committee on Public Works	79
Jan. 20	Notice of hearing	111
Jan. 31	Notice of hearing	193
Feb. 7	Placed on General File	299
Feb. 12	Referred for review	330
Feb. 19	Placed on Select File	387
Feb. 20	Select File. Referred for engrossment	404
Feb. 24	Correctly engrossed	426
Feb. 27	Read third time and passed	463
Feb. 28	Correctly enrolled	484
Feb. 28	Signed by President	485
Feb. 28	Presented to Governor	487
Mar. 3	Approved by Governor	507

LEGISLATIVE BILL NO. 20 By Amos Thomas et al

Jan. 13	Read first time	74
Jan. 13	Read second time. Referred to Committee on Government	79
Jan. 14	Notice of hearing	80
Feb. 3	Placed on General File	212
Feb. 6	General File. Referred for review	295
Feb. 12	Placed on Select File	328

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Feb. 13	Select File. Referred for engrossment	353
Feb. 19	Replaced on Select File	390
Feb. 20	Select File. Referred for engrossment	406
Feb. 24	Correctly engrossed	426
Feb. 27	Read third time and passed	460
Feb. 28	Correctly enrolled. Signed by President	485
Feb. 28	Presented to Governor	487
Mar. 3	Approved by Governor	507

LEGISLATIVE BILL NO. 21 By Amos Thomas et al

Jan. 13	Read first time	74
Jan. 13	Read second time. Referred to Committee on Government	79
Jan. 14	Notice of hearing	81
Feb. 3	Placed on General File	212
Feb. 6	General File	295
Feb. 10	General File. Request	318
Feb. 11	Laid over	323
Feb. 12	Laid over	333
Feb. 13	Laid over	355
Feb. 14	Laid over	364
Feb. 18	General File. Laid over	380
Feb. 19	General File. Laid over	394
Feb. 20	Laid over	406
Feb. 26	Laid over	449
Mar. 5	Referred for review	519
Mar. 21	Placed on Select File	689
Mar. 24	Select File. Laid over	705
Mar. 27	Laid over	765
Mar. 28	Laid over	785
Apr. 1	Select File	804
Apr. 1	General File. Referred for review	806
Apr. 4	Placed on Select File	845
Apr. 7	Select File. Referred for engrossment	889
Apr. 15	Correctly engrossed	961
Apr. 18	Read third time and passed	1010
Apr. 19	Correctly enrolled. Signed by President	1018, 1022
Apr. 21	Presented to Governor	1040
Apr. 22	Approved by Governor	1048

LEGISLATIVE BILL NO. 22 By Amos Thomas et al

Jan. 13	Read first time	74
Jan. 13	Read second time. Referred to Committee on Judiciary	77

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Jan. 14	Notice of hearing	81
Feb. 14	Placed on General File	358
Feb. 17	General File. Referred for review	375
Feb. 21	Placed on Select File	411
Feb. 24	Select File. Referred for engrossment	429
Feb. 27	Correctly engrossed	466
Mar. 4	Read third time and passed	508
Mar. 4	Correctly enrolled. Signed by Speaker	511
Mar. 4	Presented to Governor. Approved by Acting Governor	515

LEGISLATIVE BILL NO. 23 By Amos Thomas et al

Jan. 13	Read first time	75
Jan. 13	Read second time. Referred to Committee on Judiciary	79
Jan. 14	Notice of hearing	81
Mar. 27	Placed on General File	731
May 6	Motion. Request	1260, 1263
May 9	General File. Referred for review	1336
May 16	Placed on Select File. Referred for engrossment	1420, 1425
May 19	Replaced on Select File. Referred for engrossment	1457, 1464
May 20	Correctly engrossed	1480
May 22	Read third time and passed	1520
May 22	Statement	1525, 1529
May 23	Correctly enrolled. Signed by Speaker	1532
May 23	Presented to Governor. Approved by Governor	1539, 1548

LEGISLATIVE BILL NO. 24 By Amos Thomas et al

Jan. 13	Read first time	75
Jan. 13	Read second time. Referred to Committee on Judiciary	79
Jan. 21	Notice of hearing	116
Apr. 7	Placed on General File	873
Apr. 25	Report	1093
May 2	General File. Referred for review	1206
May 5	Placed on Select File	1246
May 7	Select File. Laid over	1292
May 8	Select File. Referred for engrossment	1302
May 14	Replaced on Select File	1387
May 15	Select File. Referred for engrossment	1415
May 16	Correctly engrossed	1443

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May 21	Read third time and passed	1504
May 21	Correctly enrolled. Signed by Speaker	1512
May 22	Presented to Governor	1529
May 22	Statement	1529
May 23	Approved by Governor	1542

LEGISLATIVE BILL NO. 25 By Amos Thomas et al

Jan. 13	Read first time	76
Jan. 13	Read second time. Referred to Committee on Government	79
Jan. 14	Notice of hearing	81
Feb. 21	Indefinitely postponed	410

LEGISLATIVE BILL NO. 26 By Amos Thomas et al

Jan. 13	Read first time	76
Jan. 13	Read second time. Referred to Committee on Government	79
Jan. 23	Notice of hearing	139
Feb. 14	Indefinitely postponed	358

LEGISLATIVE BILL NO. 27 By Amos Thomas et al

Jan. 13	Read first time	76
Jan. 13	Read second time. Referred to Committee on Education	79
Jan. 14	Notice of hearing	81
Feb. 5	Placed on General File	255
Feb. 7	General File	307
Feb. 10	Laid over	317
Feb. 11	Laid over	323
Feb. 12	Laid over	330
Feb. 13	Laid over	353
Feb. 14	Laid over	364
Feb. 17	Laid over	375
Feb. 18	Laid over	380
Feb. 19	Returned to Standing Committee	390
Mar. 4	Notice of hearing	501
Apr. 9	Placed on General File	913
Apr. 18	Report	1006
Apr. 22	General File. Laid over	1049
Apr. 25	General File. Laid over	1095
Apr. 28	Indefinitely postponed	1121

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LEGISLATIVE BILL NO. 28 By Amos Thomas et al

Jan. 13 Read first time..... 77
Jan. 13 Read second time. Referred to Committee on Judiciary..... 79
Jan. 14 Notice of hearing..... 81
Jan. 30 Notice of hearing..... 182
Feb. 17 Indefinitely postponed..... 369

LEGISLATIVE BILL NO. 29 By Weborg

Jan. 14 Read first time..... 81
Jan. 14 Read second time. Referred to Committee on Revenue..... 87
Jan. 29 Notice of hearing..... 173
Feb. 21 Placed on General File..... 413
Feb. 26 General File. Referred for review..... 451
Feb. 27 Placed on Select File..... 467
Feb. 28 Select File. Referred for engrossment..... 482
Mar. 3 Correctly engrossed..... 488
Mar. 6 Read third time and passed..... 530
Mar. 10 Correctly enrolled. Signed by President..... 564
Mar. 10 Presented to Governor..... 578
Mar. 14 Vetoed by Governor..... 631

LEGISLATIVE BILL NO. 30 By Committee on Appropriations

Jan. 14 Read first time..... 82
Jan. 14 Read second time. Referred to Committee on Appropriations..... 87
Jan. 14 Notice of hearing..... 88
Jan. 15 Placed on General File. Referred for review 91, 95
Jan. 16 Placed on Select File. Referred for engrossment 99, 104
Jan. 17 Correctly engrossed..... 106
Jan. 22 Read third time and passed..... 136
Jan. 22 Correctly enrolled. Signed by President..... 137
Jan. 22 Presented to Governor. Approved by Governor 139, 140

LEGISLATIVE BILL NO. 31 By Tvrdik et al

Jan. 14 Read first time..... 82
Jan. 14 Read second time. Referred to Committee on Public Health and Miscellaneous Subjects..... 87
Jan. 30 Notice of hearing..... 182

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Feb. 7	Notice of hearing	297
Feb. 25	Placed on General File	434
Feb. 28	Laid over	483
Mar. 14	General File. Referred for review	617
Mar. 19	Placed on Select File	661
Mar. 20	Select File. Referred for engrossment	679
Mar. 24	Correctly engrossed	702
Mar. 27	Read third time and passed	757
Mar. 31	Correctly enrolled. Signed by President	795, 796
Mar. 31	Presented to Governor	803
Apr. 1	Approved by Governor	815

LEGISLATIVE BILL NO. 32 By John Adams, Jr.

Jan. 14	Read first time	82
Jan. 14	Read second time. Referred to Committee on Government	87
Jan. 15	Notice of hearing	90
Feb. 6	Placed on General File	290
Feb. 10	General File. Referred for review	317
Feb. 14	Placed on Select File	363
Feb. 17	Select File. Referred for engrossment	374
Feb. 19	Correctly engrossed	386
Feb. 24	Read third time and passed	426
Feb. 25	Correctly enrolled	437
Feb. 25	Signed by President. Presented to Governor	437, 447
Feb. 28	Approved by Governor	494

LEGISLATIVE BILL NO. 33 By Carlson

Jan. 14	Read first time	82
Jan. 14	Read second time. Referred to Committee on Government	87
Jan. 15	Notice of hearing	90
Mar. 10	Placed on General File	565
Mar. 19	Request	668
Mar. 28	General File. Laid over	786
Apr. 25	Report	1093
May 2	General File. Referred for review	1202
May 5	Placed on Select File	1244
May 7	Select File. Referred for engrossment	1291
May 12	Correctly engrossed	1346
May 16	Read third time and passed	1427
May 19	Correctly enrolled. Signed by President	1459
May 20	Presented to Governor	1488
May 23	Approved by Governor	1542

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LEGISLATIVE BILL NO. 34 By Carlson

Jan. 14 Read first time..... 83
Jan. 14 Read second time. Referred to Committee on Agriculture..... 87
Jan. 17 Notice of hearing..... 105
Jan. 28 Request 171
Jan. 29 Placed on General File..... 173
Jan. 30 General File. Referred for review..... 190
Feb. 7 Placed on Select File..... 299
Feb. 10 Select File. Referred for engrossment..... 316
Feb. 13 Correctly engrossed..... 348
Feb. 18 Read third time and passed..... 379
Feb. 19 Correctly enrolled. Signed by Speaker.....386, 395
Feb. 19 Presented to Governor..... 401
Feb. 20 Approved by Governor..... 414

LEGISLATIVE BILL NO. 35 By Sorrell

Jan. 14 Read first time..... 83
Jan. 14 Read second time. Referred to Committee on Public Health and Miscellaneous Subjects..... 88
Jan. 21 Notice of hearing..... 117
Jan. 23 Notice of hearing..... 139
Mar. 17 Indefinitely postponed..... 627

LEGISLATIVE BILL NO. 36 By Sorrell

Jan. 14 Read first time..... 83
Jan. 14 Read second time. Referred to Committee on Judiciary..... 88
Jan. 21 Notice of hearing..... 116
Mar. 27 Indefinitely postponed..... 730

LEGISLATIVE BILL NO. 37 By Raecke

Jan. 15 Read first time..... 92
Jan. 16 Read second time. Referred to Committee on Revenue..... 103
Jan. 24 Notice of hearing..... 147
Jan. 31 Placed on General File..... 194
Feb. 3 General File. Referred for review..... 226
Feb. 7 Placed on Select File..... 300
Feb. 10 Select File. Referred for engrossment..... 316
Feb. 12 Correctly engrossed..... 328
Feb. 17 Read third time and passed..... 372
Feb. 19 Correctly enrolled. Signed by President.....386, 395

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Feb. 19	Presented to Governor	401
Feb. 21	Approved by Governor	414

LEGISLATIVE BILL NO. 38 By Carmody et al

Jan. 15	Read first time	92
Jan. 16	Read second time. Referred to Committee on Education	103
Jan. 21	Notice of hearing	117
Apr. 8	Indefinitely postponed	895

LEGISLATIVE BILL NO. 39 By Gantz

Jan. 15	Read first time	92
Jan. 16	Read second time. Referred to Committee on Public Works	103
Jan. 24	Notice of hearing	147
Feb. 10	Placed on General File	309
Feb. 12	General File. Laid over	330
Feb. 13	General File. Laid over	353
Feb. 14	General File	364
Feb. 17	General File. Referred for review	375
Feb. 26	Placed on Select File	445
Feb. 27	Select File. Referred for engrossment	468
Mar. 3	Replaced on Select File	487
Mar. 4	Laid over	509
Mar. 5	Select File. Referred for engrossment	516
Mar. 7	Replaced on Select File	538
Mar. 10	Select File. Referred for engrossment	568
Mar. 11	Correctly engrossed	574
Mar. 14	Read third time and passed	615
Mar. 17	Correctly enrolled. Signed by President	628
Mar. 17	Presented to Governor	642
Mar. 21	Vetoed by Governor	695

LEGISLATIVE BILL NO. 40 By Murphy

Jan. 15	Read first time	92
Jan. 16	Read second time. Referred to Committee on Education	103
Jan. 21	Notice of hearing	117
Jan. 28	Placed on General File	156
Jan. 29	General File. Referred for review	180
Feb. 4	Placed on Select File	228
Feb. 5	Select File. Referred for engrossment	267
Feb. 10	Correctly engrossed	315
Feb. 13	Read third time and passed	352

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Feb. 13 Statement 353
Feb. 17 Correctly enrolled..... 368
Feb. 17 Signed by Speaker. Presented to Governor....368, 379
Feb. 18 Approved by Governor..... 383

LEGISLATIVE BILL NO. 41 By Bevins, Sullivan

Jan. 15 Read first time..... 93
Jan. 16 Read second time. Referred to Committee on Labor and Public Welfare..... 103
Feb. 4 Notice of hearing..... 228
Mar. 4 Indefinitely postponed..... 505
Mar. 6 Motion 523

LEGISLATIVE BILL NO. 42 By Neubauer

Jan. 15 Read first time..... 93
Jan. 16 Read second time. Referred to Committee on Judiciary..... 103
Jan. 23 Notice of hearing..... 139
Mar. 27 Placed on General File..... 742
May 6 Motion 1258
May 9 General File. Laid over.....1334
May 12 General File. Referred for review.....1349
May 16 Placed on Select File. Referred for engrossment 1423, 1425
May 19 Correctly engrossed.....1459
May 21 Read third time and passed.....1502
May 21 Correctly enrolled. Signed by Speaker.....1512, 1516
May 22 Presented to Governor.....1529
May 22 Statement 1529
May 23 Approved by Governor.....1548

LEGISLATIVE BILL NO. 43 By Johnson

Jan. 15 Read first time..... 93
Jan. 16 Read second time. Referred to Committee on Public Health and Miscellaneous Subjects..... 103
Jan. 23 Notice of hearing..... 139
Feb. 3 Notice of hearing..... 212
Feb. 14 Placed on General File..... 362
Feb. 18 General File. Referred for review..... 382
Feb. 26 Placed on Select File..... 447
Feb. 27 Select File. Referred for engrossment..... 469
Mar. 3 Correctly engrossed..... 488
Mar. 6 Read third time and passed..... 533
Mar. 10 Correctly enrolled. Signed by President..... 564

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Mar. 10	Presented to Governor	578
Mar. 12	Approved by Governor	594

LEGISLATIVE BILL NO. 44 By Johnson

Jan. 15	Read first time	93
Jan. 16	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	103
Jan. 23	Notice of hearing	139
Feb. 3	Notice of hearing	212
Feb. 14	Placed on General File	363
Feb. 18	General File. Referred for review	382
Feb. 26	Placed on Select File	445
Feb. 27	Select File. Referred for engrossment	468
Mar. 3	Correctly engrossed	488
Mar. 6	Read third time and passed	532
Mar. 10	Correctly enrolled. Signed by President	564
Mar. 10	Presented to Governor	578
Mar. 12	Approved by Governor	594

LEGISLATIVE BILL NO. 45 By Neubauer

Jan. 15	Read first time	93
Jan. 16	Read second time. Referred to Committee on Agriculture	103
Jan. 17	Notice of hearing	105
Jan. 29	Placed on General File	173
Jan. 30	General File. Referred for review	190
Feb. 4	Placed on Select File	229
Feb. 5	Select File. Laid over	267
Feb. 11	Laid over	316, 323
Feb. 12	Laid over	333
Feb. 13	Laid over	353
Feb. 14	Laid over	363
Feb. 17	Laid over	373
Feb. 18	Laid over	380
Feb. 19	Select File. Referred for engrossment	390
Feb. 21	Correctly engrossed	411
Feb. 26	Read third time and passed	448
Feb. 27	Correctly enrolled	466
Feb. 27	Signed by Speaker. Presented to Governor	467, 487
Feb. 28	Approved by Governor	494

LEGISLATIVE BILL NO. 46 By Tvrdik et al

Jan. 15	Read first time	93

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Jan. 16	Read second time. Referred to Committee on Banking, Commerce and Insurance	103
Jan. 29	Notice of hearing	172
Feb. 17	Placed on General File	369
Feb. 20	Laid over	406
Feb. 21	Laid over	422
Feb. 26	General File	451
Feb. 27	Laid over	470
Feb. 28	General File. Laid over	484
Mar. 3	General File. Referred for review	498
Mar. 7	Placed on Select File	537
Mar. 10	Select File. Returned to General File.....567,	568
Mar. 11	General File. Referred for review	577
Mar. 14	Placed on Select File	612
Mar. 18	Select File. Returned to General File	645
Mar. 18	General File. Laid over	646
Mar. 19	General File. Referred for review	669
Mar. 24	Select File	701
Mar. 25	Laid over	712
Mar. 26	Select File. Referred for engrossment	727
Apr. 1	Select File. Referred for engrossment.....803,	806
Apr. 1	Correctly engrossed	815
Apr. 4	Read third time and failed of passage with emergency	862
Apr. 4	Read third time and passed with emergency stricken	863
Apr. 4	Correctly enrolled. Signed by President.....904,	905
Apr. 10	Presented to Governor. Approved by Governor	939

LEGISLATIVE BILL NO. 47 By Van Diest, Callan

Jan. 15	Read first time	94
Jan. 16	Read second time. Referred to Committee on Banking, Commerce and Insurance	103
Jan. 22	Notice of hearing	126
Jan. 31	Placed on General File	194
Feb. 3	General File. Referred for review	226
Feb. 7	Placed on Select File	300
Feb. 10	Select File. Referred for engrossment	316
Feb. 13	Replaced on Select File	348
Feb. 14	Select File. Referred for engrossment	364
Feb. 17	Correctly engrossed	368
Feb. 20	Read third time and passed	403
Feb. 21	Correctly enrolled. Signed by President.....411,	413
Feb. 21	Presented to Governor	425

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Feb. 25	Approved by Governor	448

LEGISLATIVE BILL NO. 48 By Callan, Van Diest

Jan. 15	Read first time	94
Jan. 16	Read second time. Referred to Committee on Banking, Commerce and Insurance	103
Jan. 22	Notice of hearing	126
Jan. 31	Placed on General File	194
Feb. 3	General File Referred for review	226
Feb. 7	Placed on Select File	300
Feb. 10	Select File. Referred for engrossment	316
Feb. 12	Correctly engrossed	328
Feb. 17	Read third time and passed	371
Feb. 19	Correctly enrolled. Signed by Speaker.....386,	395
Feb. 19	Presented to Governor	401
Feb. 20	Approved by Governor	414

LEGISLATIVE BILL NO. 49 By Van Diest, Callan

Jan. 15	Read first time	94
Jan. 16	Read second time. Referred to Committee on Banking, Commerce and Insurance	103
Jan. 22	Notice of hearing	127
Feb. 10	Placed on General File	310
Feb. 12	General File. Referred for review	330
Feb. 19	Placed on Select File	388
Feb. 19	Replaced on General File	394
Feb. 20	Select File. Referred for review	406
Feb. 26	Replaced on Select File	443
Feb. 27	Select File. Referred for engrossment	467
Mar. 3	Correctly engrossed	488
Mar. 6	Read third time and passed	527
Mar. 6	Motion. Correction	534
Mar. 11	Replaced on Select File	573
Mar. 12	Select File. Referred for engrossment	594
Mar. 14	Correctly engrossed	611
Mar. 17	Select File	628
Mar. 18	Select File. Referred for reengrossment	644
Mar. 21	Correctly reengrossed	686
Mar. 26	Read third time and passed	725
Mar. 27	Correctly enrolled. Signed by President.....756,	757
Mar. 27	Presented to Governor	783
Apr. 1	Approved by Governor	815

LEGISLATIVE BILL NO. 50 By Van Diest, Callan

Jan. 15	Read first time	95

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Jan. 16 Read second time. Referred to Committee on Banking, Commerce and Insurance..... 103
Jan. 22 Notice of hearing..... 127
Apr. 22 Indefinitely postponed.....1051

LEGISLATIVE BILL NO. 51 By Sorrell et al

Jan. 16 Read first time..... 101
Jan. 17 Read second time. Referred to Committee on Agriculture..... 109
Jan. 22 Notice of hearing..... 127
Feb. 6 Placed on General File..... 290
Feb. 10 General File. Laid over..... 317
Feb. 11 Laid over..... 323
Feb. 12 General File. Referred for review..... 330
Feb. 21 Placed on Select File..... 412
Feb. 24 Referred to General File..... 428
Feb. 24 General File. Referred for review..... 430
Feb. 27 Replaced on Select File..... 466
Feb. 28 Referred for engrossment..... 482
Mar. 3 Correctly engrossed..... 488
Mar. 6 Read third time and passed..... 524
Mar. 11 Correctly enrolled. Signed by President.....574, 575
Mar. 11 Presented to Governor..... 587
Mar. 12 Approved by Governor..... 594

LEGISLATIVE BILL NO. 52 By Lambert et al

Jan. 16 Read first time..... 101
Jan. 17 Read second time. Referred to Committee on Public Health and Miscellaneous Subjects.....109
Jan. 23 Notice of hearing..... 139
Jan. 30 Notice of hearing..... 182
Feb. 10 Indefinitely postponed..... 315

LEGISLATIVE BILL NO. 53 By Kotouc

Jan. 16 Read first time..... 102
Jan. 17 Read second time. Referred to Committee on Banking, Commerce and Insurance..... 109
Jan. 22 Notice of hearing..... 127
Feb. 10 Placed on General File..... 311
Feb. 12 General File. Referred for review..... 331
Feb. 26 Placed on Select File..... 446
Feb. 27 Select File. Referred for engrossment..... 468
Mar. 3 Replaced on Select File..... 487
Mar. 4 Referred for engrossment..... 509

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Mar. 6	Correctly engrossed	523
Mar. 11	Read third time and passed	575
Mar. 13	Correctly enrolled. Signed by President	601
Mar. 13	Presented to Governor. Approved by Governor	613, 618

LEGISLATIVE BILL NO. 54 By Carmody et al

Jan. 16	Read first time	102
Jan. 17	Read second time. Referred to Committee on Revenue	109
Jan. 24	Notice of hearing	147
Jan. 31	Indefinitely postponed	194

LEGISLATIVE BILL NO. 55 By Kotouc

Jan. 16	Read first time	102
Jan. 17	Read second time. Referred to Committee on Banking, Commerce and Insurance	109
Jan. 22	Notice of hearing	127
Jan. 31	Placed on General File	194
Feb. 3	General File. Referred for review	226
Feb. 7	Placed on Select File	300
Feb. 10	Select File. Referred for engrossment	316
Feb. 12	Correctly engrossed	328
Feb. 17	Read third time and passed	372
Feb. 19	Correctly enrolled. Signed by Speaker	386, 395
Feb. 19	Presented to Governor	401
Feb. 20	Approved by Governor	414

LEGISLATIVE BILL NO. 56 By Sorrell

Jan. 16	Read first time	102
Jan. 17	Read second time. Referred to Committee on Judiciary	109
Jan. 28	Notice of hearing	155
Mar. 28	Indefinitely postponed	776

LEGISLATIVE BILL NO. 57 By Kotouc

Jan. 16	Read first time	102
Jan. 17	Read second time. Referred to Committee on Claims and Deficiencies	109
Mar. 10	Placed on General File	550
Mar. 21	General File. Referred for review	694
Mar. 26	Placed on Select File	721
Mar. 27	Select File. Referred for engrossment	766

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Apr. 1	Correctly engrossed	804
Apr. 4	Read third time and passed	858
Apr. 7	Correctly enrolled. Signed by President	888
Apr. 7	Presented to Governor. Approved by Governor	901, 905

LEGISLATIVE BILL NO. 58 By Sorrell

Jan. 16	Read first time	103
Jan. 17	Read second time. Referred to Committee on Agriculture	109
Jan. 22	Notice of hearing	127
Feb. 7	Placed on General File	298
Feb. 11	General File. Returned to Standing Committee	324
Feb. 27	Replaced on General File	456
Mar. 7	Indefinitely postponed	541

LEGISLATIVE BILL NO. 59 By Ray Thomas, Weborg

Jan. 17	Read first time	106
Jan. 20	Read second time. Referred to Committee on Appropriations	114
Jan. 20	Request	115
Jan. 29	Notice of hearing	173
Feb. 21	Placed on General File	409
Feb. 26	General File. Referred for review	449
Mar. 11	Placed on Select File	574
Mar. 12	Select File. Referred for engrossment	596
Mar. 14	Correctly engrossed	611
Mar. 19	Read third time and passed	664
Mar. 20	Correctly enrolled. Signed by President	677, 678
Mar. 20	Presented to Governor	702
Mar. 21	Approved by Governor	695

LEGISLATIVE BILL NO. 60 By Price, Rakow

Jan. 17	Read first time	106
Jan. 20	Read second time. Referred to Committee on Judiciary	114
Jan. 28	Notice of hearing	154
Feb. 10	Placed on General File	314
Feb. 12	General File. Referred for review	333
Feb. 19	Placed on Select File	388
Feb. 20	Select File. Referred for engrossment	405
Feb. 24	Correctly engrossed	426
Feb. 27	Read third time and passed	461

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Feb. 28	Correctly enrolled. Signed by President.....484,	485
Feb. 28	Presented to Governor	487
Mar. 3	Approved by Governor	507

LEGISLATIVE BILL NO. 61 By Blome

Jan. 17	Read first time	106
Jan. 20	Read second time. Referred to Committee on Public Works	114
Jan. 31	Notice of hearing	193
Feb. 27	Indefinitely postponed	455

LEGISLATIVE BILL NO. 62 By Ray Thomas

Jan. 17	Read first time	107
Jan. 20	Read second time. Referred to Committee on Revenue	114
Jan. 29	Notice of hearing	173
Mar. 14	Indefinitely postponed	607

LEGISLATIVE BILL NO. 63 By Ray Thomas

Jan. 17	Read first time	107
Jan. 20	Read second time. Referred to Committee on Agriculture	114
Jan. 20	Request	115
Jan. 28	Notice of hearing	154
Feb. 7	Placed on General File. Report withdrawn	298
Feb. 10	Placed on General File. Laid over	312
Feb. 12	Laid over	332
Feb. 13	General File. Referred for review	354
Feb. 19	Placed on Select File	389
Feb. 20	Select File. Referred for engrossment	405
Feb. 26	Replaced on Select File	447
Feb. 27	Select File. Referred for engrossment	469
Mar. 3	Correctly engrossed	488
Mar. 6	Read third time and passed	531
Mar. 10	Correctly enrolled. Signed by President	564
Mar. 10	Presented to Governor	578
Mar. 14	Approved by Governor	619

LEGISLATIVE BILL NO. 64 By Raecke

Jan. 17	Read first time	107
Jan. 20	Read second time. Referred to Committee on Government	114
Jan. 23	Notice of hearing	139

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Feb. 17	Placed on General File	369
Feb. 18	Laid over	383
Feb. 19	Returned to Standing Committee	395
Mar. 17	Placed on General File	626
Apr. 25	Report	1093
May 3	General File. Referred for review	1220
May 6	Placed on Select File	1256
May 7	Select File. Referred for engrossment	1292
May 9	Motion. Referred for engrossment	1312
May 12	Correctly engrossed	1346
May 16	Read third time and passed	1433
May 19	Correctly enrolled. Signed by President	1459
May 20	Presented to Governor	1488
May 24	Approved by Governor	1561

LEGISLATIVE BILL NO. 65 By Raecke

Jan. 17	Read first time	107
Jan. 20	Read second time. Referred to Committee on Government	114
Jan. 23	Notice of hearing	139
Feb. 28	Placed on General File	478
Mar. 11	Laid over	577
Mar. 12	Laid over	596
Mar. 13	Laid over	605
Mar. 14	Laid over	617
Mar. 18	Laid over	646
Mar. 19	Laid over	670
Mar. 25	General File. Referred for review	714
Mar. 28	Placed on Select File	778
Mar. 31	Select File. Laid over	800
Apr. 1	Laid over	805
Apr. 2	Replaced on General File	828
Apr. 3	General File. Referred for review	838
Apr. 9	Replaced on Select File	916
Apr. 10	Select File. Referred for engrossment	937
Apr. 16	Replaced on Select File	987
Apr. 17	Select File. Referred for engrossment	996
Apr. 17	Correctly engrossed	1004
Apr. 21	Read third time and passed	1039
Apr. 22	Correctly enrolled	1052
Apr. 23	Signed by President	1071
Apr. 23	Presented to Governor. Approved by Governor	1083, 1087

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LEGISLATIVE BILL NO. 66 By Johnson

Jan. 17	Read first time	107
Jan. 20	Read second time. Referred to Committee on Judiciary	114
Jan. 28	Notice of hearing	155
May 5	Indefinitely postponed	1247

LEGISLATIVE BILL NO. 67 By Matzke, Lambert

Jan. 17	Read first time	108
Jan. 20	Read second time. Referred to Committee on Banking, Commerce and Insurance	114
Feb. 19	Notice of hearing	385
Apr. 2	Placed on General File	818
Apr. 25	Report	1093
Apr. 25	General File. Referred for review	1100
Apr. 30	Placed on Select File	1161
May 1	Select File. Referred for engrossment	1169
May 2	Correctly engrossed	1195
May 7	Read third time and passed	1278
May 8	Correctly enrolled. Signed by President	1305, 1306
May 8	Presented to Governor	1307
May 9	Approved by Governor	1313

LEGISLATIVE BILL NO. 68 By Mekota

Jan. 17	Read first time	108
Jan. 20	Read second time. Referred to Committee on Revenue	114
Jan. 29	Notice of hearing	173
Feb. 13	Placed on General File	346
Feb. 14	General File. Referred for review	364
Feb. 19	Placed on Select File	389
Feb. 20	Select File. Referred for engrossment	406
Feb. 24	Correctly engrossed	426
Feb. 27	Read third time and passed	463
Feb. 28	Correctly enrolled. Signed by President	484, 485
Feb. 28	Presented to Governor	487
Mar. 3	Approved by Governor	507

LEGISLATIVE BILL NO. 69 By Mekota

Jan. 17	Read first time	108
Jan. 20	Read second time. Referred to Committee on Government	114
Jan. 23	Notice of hearing	139

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Feb. 21	Placed on General File	410
Feb. 26	General File. Referred for review	451
Feb. 28	Placed on Select File	480
Mar. 3	Select File. Referred for engrossment	497
Mar. 4	Correctly engrossed	505
Mar. 7	Read third time and passed	539
Mar. 10	Correctly enrolled. Signed by President	564
Mar. 10	Presented to Governor	578
Mar. 14	Approved by Governor	619

LEGISLATIVE BILL NO. 70 By Sullivan et al

Jan. 17	Read first time	108
Jan. 20	Read second time. Referred to Committee on Revenue	114
Jan. 30	Request	190
Jan. 31	Notice of hearing	193
Feb. 21	Placed on General File	413
Feb. 26	General File. Referred for review	451
Mar. 5	Placed on Select File	514
Mar. 6	Select File. Referred for engrossment	535
Mar. 13	Correctly engrossed	601
Mar. 18	Read third time and passed	643
Mar. 20	Correctly enrolled. Signed by President	677, 678
Mar. 20	Presented to Governor	702
Mar. 21	Approved by Governor	695

LEGISLATIVE BILL NO. 71 By Howard

Jan. 20	Read first time	111
Jan. 21	Read second time. Referred to Committee on Revenue	123
Jan. 29	Notice of hearing	173
Feb. 13	Indefinitely postponed	347

LEGISLATIVE BILL NO. 72 By Howard

Jan. 20	Read first time	111
Jan. 21	Read second time. Referred to Committee on Revenue	123
Jan. 29	Notice of hearing	173
Feb. 17	Notice of hearing	367
Feb. 27	Placed on General File	746
Apr. 25	Report	1093
May 3	General File. Laid over	1217, 1220
May 6	General File. Indefinitely postponed	1254, 1255

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LEGISLATIVE BILL NO. 73 By Carmody et al

Jan. 20	Read first time	111
Jan. 21	Read second time. Referred to Committee on Revenue	123
Jan. 29	Notice of hearing	173
Feb. 17	Indefinitely postponed	369

LEGISLATIVE BILL NO. 74 By Callan

Jan. 20	Read first time	112
Jan. 21	Read second time. Referred to Committee on Public Works	123
Feb. 13	Notice of hearing	335
Mar. 10	Placed on General File	562
Mar. 28	General File. Laid over	785
Mar. 31	Indefinitely postponed	799

LEGISLATIVE BILL NO. 75 By Kotouc

Jan. 20	Read first time	112
Jan. 21	Read second time. Referred to Committee on Banking, Commerce and Insurance	123
Feb. 5	Notice of hearing	255
Feb. 12	Notice of hearing	326
Feb. 21	Placed on General File	411
Feb. 26	General File. Referred for review	451
Mar. 19	Placed on Select File	661
Mar. 20	Select File. Referred for engrossment	679
Mar. 24	Correctly engrossed	702
Mar. 27	Read third time and passed	757
Mar. 31	Correctly enrolled. Signed by President	795, 796
Mar. 31	Presented to Governor	803
Apr. 1	Approved by Governor	830

LEGISLATIVE BILL NO. 76 By Kotouc

Jan. 20	Read first time	112
Jan. 21	Read second time. Referred to Committee on Banking, Commerce and Insurance	123
Feb. 5	Notice of hearing	255
Apr. 4	Indefinitely postponed	843

LEGISLATIVE BILL NO. 77 By Reed, Price

Jan. 20	Read first time	112
Jan. 21	Read second time. Referred to Committee on Government	123

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Jan. 22	Notice of hearing	127
Feb. 14	Placed on General File	358
Feb. 18	General File. Referred for review	382
Feb. 26	Placed on Select File	444
Feb. 27	Select File. Referred for engrossment	468
Mar. 3	Correctly engrossed	488
Mar. 6	Read third time and passed	528
Mar. 10	Correctly enrolled. Signed by President	564
Mar. 10	Presented to Governor	578
Mar. 13	Approved by Governor	618

LEGISLATIVE BILL NO. 78 By Kotouc, Metzger

Jan. 20	Read first time	112
Jan. 21	Read second time. Referred to Committee on Banking, Commerce and Insurance	123
Feb. 5	Notice of hearing	255
Feb. 12	Placed on General File	327
Feb. 13	General File. Referred for review	354
Feb. 19	Placed on Select File	389
Feb. 20	Select File. Referred for engrossment	405
Feb. 24	Correctly engrossed	426
Feb. 27	Read third time and passed	456
Feb. 28	Correctly enrolled. Signed by President	484, 485
Feb. 28	Presented to Governor	487
Mar. 1	Approved by Governor	506

LEGISLATIVE BILL NO. 79 By Mischke

Jan. 20	Read first time	113
Jan. 21	Read second time. Referred to Committee on Education	123
Jan. 28	Notice of hearing	155
Feb. 4	Placed on General File	228
Feb. 6	Laid over	295
Feb. 7	Laid over	307
Feb. 10	Laid over	317
Feb. 11	Laid over. Referred for review	323, 324
Feb. 19	Placed on Select File	389
Feb. 20	Select File. Referred for engrossment	404
Feb. 24	Correctly engrossed	426
Feb. 27	Read third time and passed	462
Feb. 28	Correctly enrolled. Signed by President	485
Feb. 28	Presented to Governor	487
Mar. 3	Approved by Governor	507

LEGISLATIVE BILL NO. 80 By Mischke

Jan. 20	Read first time	113

		Page
Jan. 21	Read second time. Referred to Committee on Education	123
Jan. 28	Notice of hearing	155
Feb. 4	Placed on General File	228
Feb. 6	General File. Referred for review	295
Feb. 14	Placed on Select File	363
Feb. 17	Referred to General File	373
Feb. 17	General File. Referred for review	375
Feb. 21	Placed on Select File	411
Feb. 24	Select File. Returned to General File	429
Feb. 24	Referred for review	430
Feb. 28	Placed on Select File	480
Mar. 3	Laid over	497
Mar. 4	Replaced on General File. Referred for review	509, 510
Mar. 6	Placed on Select File	523
Mar. 7	Laid over	541
Mar. 10	Select File. Laid over	567
Mar. 11	Laid over	576
Mar. 12	Laid over	594
Mar. 13	Laid over	602
Mar. 14	Laid over	616
Mar. 18	Select File. Referred for engrossment	645
Mar. 24	Correctly engrossed	702
Mar. 27	Read third time and passed	758
Mar. 31	Correctly enrolled. Signed by President	795, 796
Mar. 31	Presented to Governor	803
Apr. 1	Approved by Governor	830

LEGISLATIVE BILL NO. 81 By Kotouc

Jan. 20	Read first time	113
Jan. 21	Read second time. Referred to Committee on Banking, Commerce and Insurance	123
Feb. 5	Notice of hearing	255
Feb. 12	Placed on General File	327
Feb. 13	General File. Referred for review	354
Feb. 19	Placed on Select File	389
Feb. 20	Select File. Referred for engrossment	405
Feb. 24	Correctly engrossed	426
Feb. 27	Read third time and passed	464
Feb. 28	Correctly enrolled. Signed by President	485
Feb. 28	Presented to Governor	487
Mar. 1	Message from Govenor	499
Mar. 4	Recalled from Governor	508
Apr. 29	Reconsidered. Placed on Select File	1130
Apr. 29	Referred for engrossment	1132

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May 1	Replaced on Select File	1164
May 2	Select File. Referred for engrossment	1192
May 2	Correctly engrossed	1199
May 7	Read third time and passed	1281
May 9	Correctly enrolled. Signed by President	1308
May 12	Presented to Governor. Approved by Governor	1347, 1351

LEGISLATIVE BILL NO. 82 By Peterson et al

Jan. 20	Read first time	114
Jan. 21	Read second time. Referred to Committee on Banking, Commerce and Insurance	123
Jan. 29	Notice of hearing	172
Feb. 10	Placed on General File	312
Feb. 12	General File. Referred for review	332
Feb. 19	Placed on Select File	389
Feb. 20	Select File. Referred for engrossment	405
Feb. 24	Correctly engrossed	426
Feb. 27	Read third time and passed	458
Feb. 28	Correctly enrolled. Signed by President	485
Feb. 28	Presented to Governor	487
Mar. 3	Approved by Governor	507

LEGISLATIVE BILL NO. 83 By Callan et al

Jan. 20	Read first time	114
Jan. 21	Read second time. Referred to Committee on Revenue	123
Feb. 5	Notice of hearing	255
Feb. 21	Indefinitely postponed	413

LEGISLATIVE BILL NO. 84 By Greenamyre

Jan. 21	Read first time	118
Jan. 22	Read second time. Referred to Committee on Judiciary	135
Jan. 28	Notice of hearing	155
Mar. 12	Placed on General File	583
May 6	Motion	1260
May 9	General File. Referred for review	1336
May 16	Placed on Select File	1423
May 16	Select File. Referred for engrossment	1426
May 19	Correctly engrossed	1459
May 21	Read third time and passed	1503
May 21	Correctly enrolled. Signed by Speaker	1512, 1516
May 22	Presented to Governor	1529

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May 22	Statement	1529
May 23	Approved by Governor	1542

LEGISLATIVE BILL NO. 85 By Reed et al

Jan. 21	Read first time	118
Jan. 22	Read second time. Referred to Committee on Revenue	135
Jan. 29	Notice of hearing	173
Feb. 13	Placed on General File	347
Feb. 14	Laid over	365
Feb. 18	General File. Referred for review	382
Feb. 26	Placed on Select File	445
Feb. 27	Select File. Referred for engrossment	468
Mar. 3	Correctly engrossed	488
Mar. 6	Read third time and passed	530
Mar. 10	Correctly enrolled. Signed by President	564
Mar. 10	Presented to Governor	578
Mar. 13	Approved by Governor	618

LEGISLATIVE BILL NO. 86 By Ernest A. Adams et al

Jan. 21	Read first time	118
Jan. 22	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	135
Feb. 3	Notice of hearing	212
Feb. 10	Placed on General File	315
Feb. 12	General File. Referred for review	333
Feb. 19	Placed on Select File	387
Feb. 20	Select File. Returned to General File	405
Feb. 21	Select File. Referred for review	422
Feb. 26	Replaced on Select File	447
Feb. 27	Select File. Referred for engrossment	469
Mar. 3	Correctly engrossed	488
Mar. 6	Read third time and passed	526
Mar. 10	Correctly enrolled. Signed by President	564
Mar. 10	Presented to Governor	578
Mar. 12	Approved by Governor	594

LEGISLATIVE BILL NO. 87 By Asimus

Jan. 21	Read first time	119
Jan. 22	Read second time. Referred to Committee on Agriculture	135
Jan. 29	Notice of hearing	172
Feb. 12	Indefinitely postponed	327

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LEGISLATIVE BILL NO. 88 By Sorrell

Jan. 21 Read first time..... 119
Jan. 22 Read second time. Referred to Committee on Revenue..... 135
Jan. 22 Rereferred to Committee on Agriculture..... 144
Feb. 3 Notice of hearing..... 211
Feb. 14 Rereferred to Committee on Revenue..... 357
Feb. 19 Notice of hearing..... 385
Mar. 7 Notice of hearing..... 537
Apr. 8 Placed on General File..... 899
May 6 Indefinitely postponed.....1261

LEGISLATIVE BILL NO. 89 By Ray Thomas et al

Jan. 21 Read first time..... 119
Jan. 22 Read second time. Referred to Committee on Government..... 135
Jan. 24 Notice of hearing..... 147
Feb. 28 Indefinitely postponed..... 478
Mar. 4 Motion. Placed on General File..... 507
Mar. 20 Laid over..... 680
Mar. 21 Laid over..... 693
Mar. 24 Laid over..... 707
Mar. 25 General File. Referred for review..... 712
Mar. 28 Placed on Select File..... 778
Mar. 31 Replaced on General File..... 798
Apr. 1 General File. Referred for review..... 806
Apr. 9 Placed on Select File..... 916
Apr. 10 Laid over..... 937
Apr. 14 Laid over..... 946
Apr. 15 Select File. Laid over..... 966
Apr. 16 Select File. Referred for engrossment..... 990
Apr. 19 Correctly engrossed..... 1018
Apr. 24 Read third time and passed.....1082
Apr. 25 Correctly enrolled.....1104
Apr. 28 Returned to Third Reading File.....1113
Apr. 30 Replaced on Select File. Referred for engrossment 1155, 1159
May 2 Correctly reengrossed.....1180
May 7 Read third time and passed.....1274
May 9 Correctly enrolled. Signed by President.....1308
May 12 Presented to Governor. Approved by Governor 1347, 1351

LEGISLATIVE BILL NO. 90 By Sorrell

Jan. 21 Read first time..... 119

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Jan. 22 Read second time. Referred to Committee on Judiciary..... 135
Jan. 30 Notice of hearing..... 182
Mar. 27 Placed on General File..... 743
May 6 Motion 1254, 1258
May 9 General File. Referred for review..... 1334
May 14 Placed on Select File.....1388
May 15 Select File. Laid over.....1418
May 16 Select File. Referred for engrossment.....1424
May 19 Correctly engrossed.....1459
May 21 Read third time and passed.....1500
May 21 Correctly enrolled. Signed by Speaker.....1512, 1516
May 22 Statement 1529
May 22 Presented to Governor.....1529
May 23 Approved by Governor.....1548

LEGISLATIVE BILL NO. 91 By Asimus

Jan. 21 Read first time..... 119
Jan. 22 Read second time. Referred to Committee on Revenue..... 135
Jan. 29 Notice of hearing..... 173
Feb. 17 Indefinitely postponed..... 369

LEGISLATIVE BILL NO. 92 By Callan

Jan. 21 Read first time..... 120
Jan. 22 Read second time. Referred to Committee on Public Health and Miscellaneous Subjects..... 135
Feb. 10 Notice of hearing..... 309
Mar. 17 Indefinitely postponed..... 627

LEGISLATIVE BILL NO. 93 By Carmody, Carlson

Jan. 21 Read first time..... 120
Jan. 22 Read second time. Referred to Committee on Government..... 135
Jan. 24 Notice of hearing..... 147
Feb. 10 Indefinitely postponed..... 314

LEGISLATIVE BILL NO. 94 By Carmody, Carlson

Jan. 21 Read first time..... 120
Jan. 22 Read second time. Referred to Committee on Government..... 135
Jan. 24 Notice of hearing..... 147
Feb. 10 Placed on General File..... 313

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Feb. 12	General File. Referred for review	332
Feb. 19	Placed on Select File	389
Feb. 20	Select File. Referred for engrossment	405
Feb. 24	Correctly engrossed	426
Feb. 27	Read third time and passed	457
Feb. 28	Correctly enrolled. Signed by President.....484,	485
Feb. 28	Presented to Governor	487
Mar. 3	Approved by Governor	507

LEGISLATIVE BILL NO. 95 By Neubauer

Jan. 21	Read first time	120
Jan. 22	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	135
Feb. 20	Notice of hearing	398
Feb. 28	Placed on General File	479
Mar. 12	Indefinitely postponed	596

LEGISLATIVE BILL NO. 96 By Crossland et al

Jan. 21	Read first time	121
Jan. 22	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	136
Feb. 10	Notice of hearing	309
Feb. 25	Indefinitely postponed	436

LEGISLATIVE BILL NO. 97 By Crossland et al

Jan. 21	Read first time	121
Jan. 22	Read second time. Referred to Committee on Banking, Commerce and Insurance	136
Apr. 2	Notice of hearing	817
Apr. 9	Indefinitely postponed	907

LEGISLATIVE BILL NO. 98 By Mischke

Jan. 21	Read first time	121
Jan. 22	Read second time. Referred to Committee on Judiciary	136
Jan. 30	Notice of hearing	182
Mar. 28	Withdrawn	783

LEGISLATIVE BILL NO. 99 By Matzke et al

Jan. 21	Read first time	121
Jan. 22	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	136

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Feb. 12 Notice of hearing..... 327
Mar. 17 Indefinitely postponed..... 627

LEGISLATIVE BILL NO. 100 By Weborg

Jan. 21 Read first time..... 122
Jan. 22 Read second time. Referred to Committee on Banking, Commerce and Insurance..... 136
Apr. 2 Notice of hearing..... 817
Apr. 22 Indefinitely postponed.....1051

LEGISLATIVE BILL NO. 101 By Howard et al

Jan. 21 Read first time..... 122
Jan. 22 Read second time. Referred to Committee on Public Health and Miscellaneous Subjects..... 136
Feb. 12 Notice of hearing..... 327
Feb. 25 Place on General File..... 434
Feb. 28 Laid over..... 483
Mar. 4 General File. Laid over..... 510
Mar. 5 General File. Referred for review..... 518
Mar. 21 Placed on Select File..... 687
Mar. 24 Laid over..... 705
Mar. 26 Select File. Replaced on General File.....727
Mer. 26 General File. Referred for review..... 727
Apr. 2 Replaced on Select File..... 820
Apr. 3 Select File. Referred for engrossment..... 837
Apr. 14 Replaced on Select File..... 945
Apr. 15 Select File. Referred for engrossment..... 969
Apr. 18 Correctly engrossed.....1015
Apr. 22 Read third time and passed.....1042
Apr. 23 Correctly enrolled. Signed by President.....1070, 1071
Apr. 23 Presented to Governor.....1083
Apr. 23 Approved by Governor.....1087

LEGISLATIVE BILL NO. 102 By Norman et al

Jan. 22 Read first time..... 133
Jan. 23 Read second time. Referred to Committee on Banking, Commerce and Insurance..... 144
Feb. 7 Notice of hearing..... 297
Feb. 26 Notice of hearing..... 441
Apr. 2 Indefinitely postponed..... 818

LEGISLATIVE BILL NO. 103 By Ray Thomas et al

Jan. 22 Read first time..... 133

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Jan. 23 Request 140
Jan. 23 Read second time. Referred to Committee on Judiciary..... 144
Jan. 30 Notice of hearing..... 182
Mar. 28 Indefinitely postponed..... 776

LEGISLATIVE BILL NO. 104 By Sorrell

Jan. 22 Read first time..... 133
Jan. 23 Read second time. Referred to Committee on Judiciary..... 144
Jan. 30 Notice of hearing..... 182
Mar. 28 Indefinitely postponed..... 776

LEGISLATIVE BILL NO. 105 By Mueller, Tvrdik

Jan. 22 Read first time..... 133
Jan. 23 Read second time. Referred to Committee on Public Works..... 144
Jan. 24 Rereferred to Committee on Revenue..... 152
Feb. 4 Statement 251
Feb. 5 Notice of hearing..... 255
Feb. 21 Indefinitely postponed..... 413

LEGISLATIVE BILL NO. 106 By Callan, Tvrdik

Jan. 22 Read first time..... 133
Jan. 23 Read second time. Referred to Committee on Banking, Commerce and Insurance..... 144
Feb. 7 Notice of hearing..... 297
Mar. 10 Indefinitely postponed..... 550
Mar. 11 Motion 576

LEGISLATIVE BILL NO. 107 By Rakow

Jan. 22 Read first time..... 134
Jan. 23 Read second time. Referred to Committee on Revenue..... 144
Feb. 7 Notice of hearing..... 297
Mar. 14 Placed on General File..... 607
May 6 Indefinitely postponed.....1261

LEGISLATIVE BILL NO. 108 By Carmody

Jan. 22 Read first time..... 134
Jan. 23 Read second time. Referred to Committee on Government..... 144

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Jan. 31	Notice of hearing	193
Feb. 17	Placed on General File	369
Feb. 18	General File. Referred for review	383
Feb. 21	Placed on Select File	412
Feb. 24	Select File. Referred for engrossment	430
Feb. 26	Correctly engrossed	447
Mar. 3	Read third time and passed	496
Mar. 5	Correctly enrolled. Signed by Speaker	515
Mar. 6	Presented to Governor	537
Mar. 8	Approved by Governor	564

LEGISLATIVE BILL NO. 109 By Howard

Jan. 22	Read first time	134
Jan. 23	Read second time. Referred to Committee on Education	144
Jan. 28	Notice of hearing	155
Feb. 4	Placed on General File	228
Feb. 7	General File. Referred for review	307
Feb. 12	Placed on Select File	328
Feb. 13	Select File. Referred for engrossment	353
Feb. 17	Correctly engrossed	368
Feb. 19	Replaced on Select File	392
Feb. 20	Laid over	406
Feb. 21	Select File. Referred for engrossment	421
Feb. 26	Correctly engrossed	447
Feb. 28	Request	484
Mar. 7	Select File. Special order	544, 546
Mar. 10	Laid over	567
Mar. 11	Select File. Referred for engrossment	576
Mar. 13	Correctly engrossed	601
Mar. 18	Read third time and passed	642
Mar. 20	Correctly enrolled. Signed by President	677, 678
Mar. 20	Presented to Governor	702
Mar. 21	Approved by Governor	703

LEGISLATIVE BILL NO. 110 By Bowman, Sorrell

Jan. 22	Read first time	134
Jan. 23	Read second time. Referred to Committee on Government	144
Jan. 31	Notice of hearing	193
Jan. 31	Request	194
Feb. 21	Placed on General File	410
Feb. 26	General File. Referred for review	449
Mar. 4	Placed on Select File	506
Mar. 5	Select File. Referred for engrossment	517

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Mar. 7 Correctly engrossed..... 538
Mar. 12 Laid over..... 593
Mar. 13 Read third time and passed..... 601
Mar. 14 Correctly enrolled. Signed by Speaker.....611, 613
Mar. 14 Presented to Governor..... 628
Mar. 19 Approved by Governor..... 680

LEGISLATIVE BILL NO. 111 By Sullivan et al

Jan. 22 Read first time..... 134
Jan. 23 Read second time. Referred to Committee on Claims and Deficiencies..... 144
Jan. 23 Withdrawn 145

LEGISLATIVE BILL NO. 112 By Matzke

Jan. 22 Read first time..... 135
Jan. 23 Read second time. Referred to Committee on Judiciary..... 144
Jan. 30 Notice of hearing..... 182
Feb. 17 Indefinitely postponed..... 369
Feb. 19 Motion 395

LEGISLATIVE BILL NO. 113 By Van Diest

Jan. 22 Read first time..... 135
Jan. 23 Read second time. Referred to Committee on Public Works..... 144
Jan. 31 Notice of hearing..... 193
Feb. 10 Placed on General File..... 310
Feb. 12 General File. Referred for review..... 330
Feb. 19 Placed on Select File..... 389
Feb. 20 Select File. Referred for engrossment..... 404
Feb. 26 Correctly engrossed..... 447
Mar. 3 Read third time and passed..... 495
Mar. 5 Correctly enrolled. Signed by Speaker..... 515
Mar. 6 Presented to Governor..... 537
Mar. 8 Approved by Governor.....564

LEGISLATIVE BILL NO. 114 By Ernest A. Adams et al

Jan. 22 Read first time..... 135
Jan. 23 Read second time. Referred to Committee on Education..... 144
Jan. 23 Request 145
Jan. 28 Notice of hearing..... 155
Feb. 14 Placed on General File..... 358

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Feb. 18	General File. Referred for review	382
Feb. 28	Placed on Select File	480
Mar. 3	Select File. Referred for engrossment	497
Mar. 4	Correctly engrossed	505
Mar. 7	Read third time and passed	540
Mar. 7	Explanation of vote	541
Mar. 10	Correctly enrolled. Signed by President	564
Mar. 10	Presented to Governor	578
Mar. 12	Approved by Governor	594

LEGISLATIVE BILL NO. 115 By Neubauer

Jan. 23	Read first time	140
Jan. 24	Read second time. Referred to Committee on Revenue	151
Jan. 31	Notice of hearing	193
Feb. 21	Indefinitely postponed	413

LEGISLATIVE BILL NO. 116 By Neubauer

Jan. 23	Read first time	141
Jan. 24	Read second time. Referred to Committee on Revenue	151
Jan. 31	Notice of hearing	193
Feb. 21	Indefinitely postponed	413

LEGISLATIVE BILL NO. 117 By Neubauer

Jan. 23	Read first time	141
Jan. 24	Read second time. Referred to Committee on Revenue	151
Jan. 31	Notice of hearing	194
Mar. 14	Indefinitely postponed	607

LEGISLATIVE BILL NO. 118 By Neubauer

Jan. 23	Read first time	141
Jan. 24	Read second time. Referred to Committee on Revenue	151
Jan. 31	Notice of hearing	194
Feb. 21	Indefinitely postponed	413

LEGISLATIVE BILL NO. 119 By Neubauer

Jan. 23	Read first time	141
Jan. 24	Read second time. Referred to Committee on Revenue	151

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Jan. 31	Notice of hearing	194
Feb. 21	Indefinitely postponed	413

LEGISLATIVE BILL NO. 120 By Greenamyre

Jan. 23	Read first time	142
Jan. 24	Read second time. Referred to Committee on Judiciary	151
Feb. 3	Notice of hearing	211
Feb. 20	Placed on General File	398
Feb. 21	General File. Referred for review	422
Feb. 26	Placed on Select File	444
Feb. 27	Select File. Referred for engrossment	468
Mar. 3	Correctly engrossed	488
Mar. 6	Read third time and passed	525
Mar. 10	Correctly enrolled. Signed by President	564
Mar. 10	Presented to Governor	578
Mar. 14	Approved by Governor	619

LEGISLATIVE BILL NO. 121 By Greenamyre

Jan. 23	Read first time	142
Jan. 23	Withdrawn	145

LEGISLATIVE BILL NO. 122 By Asimus

Jan. 23	Read first time	142
Jan. 24	Read second time. Referred to Committee on Banking, Commerce and Insurance	151
Mar. 12	Notice of hearing	582
Mar. 24	Placed on General File	698
May 6	Indefinitely postponed	1261

LEGISLATIVE BILL NO. 123 By Asimus, Weborg

Jan. 23	Read first time	142
Jan. 24	Read second time. Referred to Committee on Agriculture	151
Jan. 29	Notice of hearing	172
Feb. 12	Indefinitely postponed	327

LEGISLATIVE BILL NO. 124 By Peterson

Jan. 23	Read first time	142
Jan. 24	Read second time. Referred to Committee on Judiciary	151
Feb. 3	Notice of hearing	211
Mar. 14	Indefinitely postponed	610

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LEGISLATIVE BILL NO. 125 By Ernest A. Adams, Price

Jan. 23	Read first time	143
Jan. 24	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	152
Feb. 20	Notice of hearing	398
Feb. 28	Placed on General File	479
Mar. 12	General File. Referred for review	597
Mar. 19	Placed on Select Flie	662
Mar. 20	Select File. Referred for engrossment	679
Mar. 24	Correctly engrossed	702
Mar. 27	Read third time and passed	759
Mar. 31	Correctly enrolled. Signed by President	795, 796
Mar. 31	Presented to Governor	803
Apr. 2	Approved by Governor	856

LEGISLATIVE BILL NO. 126 By Peterson

Jan. 23	Read first time	143
Jan. 24	Read second time. Referred to Committee on Banking, Commerce and Insurance	152
Feb. 19	Notice of hearing	385
Mar. 28	Placed on General File	775
Apr. 25	Report	1093
May 3	General File. Referred for review	1220
May 6	Placed on Select File	1256
May 7	Select File. Referred for engrossment	1292
May 9	Correctly engrossed	1307
May 15	Read third time and passed	1403
May 19	Correctly enrolled. Signed by President	1459
May 20	Presented to Governor	1489
May 22	Approved by Governor	1518

LEGISLATIVE BILL NO. 127 By Matzke, Bowman

Jan. 23	Read first time	143
Jan. 24	Read second time. Referred to Committee on Banking, Commerce and Insurance	152
Mar. 19	Notice of hearing	652
Apr. 22	Indefinitely postponed	1051

LEGISLATIVE BILL NO. 128 By Tvrdik et al

Jan. 24	Read first time	147
Jan. 28	Read second time. Referred to Committee on Government	169
Jan. 31	Notice of hearing	193

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Feb. 28	Placed on General File	478
Mar. 11	General File. Referred for review	577
Mar. 19	Placed on Select File	660
Mar. 20	Laid over	679
Mar. 24	Select File. Referred for engrossment	705
Mar. 26	Correctly engrossed	724
Mar. 31	Read third time and passed	797
Apr. 1	Correctly enrolled	815
Apr. 2	Signed by President. Presented to Governor	824, 834
Apr. 2	Approved by Governor	856

LEGISLATIVE BILL NO. 129 By Greenamyre

Jan. 24	Read first time	148
Jan. 28	Read second time. Referred to Committee on Appropriations	169
Jan. 31	Notice of hearing	193
Feb. 7	Placed on General File	298
Feb. 11	General File. Referred for review	324
Feb. 19	Placed on Select File	390
Feb. 20	Select File. Referred for engrossment	404
Feb. 24	Correctly engrossed	426
Feb. 27	Read third time and passed	459
Feb. 28	Correctly enrolled. Signed by President	484, 485
Feb. 28	Presented to Governor	487
Mar. 1	Approved by Governor	506

LEGISLATIVE BILL NO. 130 By Jeppesen et al

Jan. 24	Read first time	148
Jan. 28	Read second time. Referred to Committee on Revenue	169
Feb. 7	Notice of hearing	297
Feb. 28	Placed on General File	479
Mar. 13	Laid over	605
Mar. 14	General File. Referred for review	617
Apr. 2	Placed on Select File	820
Apr. 3	Select File. Referred for engrossment	837
Apr. 14	Replaced on Select File. Referred for engrossment	942, 948
Apr. 17	Correctly engrossed	996
Apr. 21	Read third time and passed	1038
Apr. 22	Correctly enrolled	1052
Apr. 24	Signed by Speaker	1083
Apr. 25	Presented to Governor	1091
Apr. 29	Vetoed by Governor	1141

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May 1	Passed over Governor's veto	1166
May 2	President signs	1188
May 2	Delivered to Secretary of State	1196

LEGISLATIVE BILL NO. 131 By Crosby, Carlson

Jan. 24	Read first time	148
Jan. 28	Read second time. Referred to Committee on Labor and Public Welfare	169
Feb. 4	Notice of hearing	228
Feb. 25	Placed on General File	436
Feb. 28	General File. Referred for review	483
Mar. 5	Placed on Select File	514
Mar. 6	Select File. Referred for engrossment	535
Mar. 12	Replaced on Select File	586
Mar. 13	Select File. Referred for engrossment	604
Mar. 14	Correctly engrossed	611
Mar. 19	Read third time and passed	667
Mar. 20	Correctly enrolled. Signed by President	677, 678
Mar. 20	Presented to Governor	702
Mar. 24	Approved by Governor	710

LEGISLATIVE BILL NO. 132 By Committee on Appropriations

Jan. 24	Read first time	149
Jan. 28	Read second time. Referred to Committee on Appropriations	169
Jan. 31	Notice of hearing	193
Feb. 7	Placed on General File	298
Feb. 11	General File. Referred for review	324
Feb. 17	Placed on Select File	368
Feb. 18	Select File. Referred for engrossment	380
Feb. 19	Correctly engrossed	386
Feb. 24	Read third time and passed	427
Feb. 25	Correctly enrolled. Signed by President	437
Feb. 25	Presented to Governor	447
Feb. 26	Approved by Governor	466

LEGISLATIVE BILL NO. 133 By Sorrell

Jan. 24	Read first time	149
Jan. 28	Read second time. Referred to Committee on Public Works	169
Feb. 3	Request	213
Feb. 6	Notice of hearing	290
Feb. 28	Placed on General File	479
Mar. 12	General File. Laid over	597

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Mar. 13	Laid over	605
Mar. 14	Laid over	617, 618
Mar. 18	General File. Referred for review	646
Mar. 28	Placed on Select File	781
Mar. 31	Laid over	801
Apr. 1	Select File. Laid over	805
Apr. 2	Motion. Laid over	827
Apr. 4	Select File. Laid over	864
Apr. 7	Select File. Referred for engrossment	893
Apr. 15	Correctly engrossed	960
Apr. 18	Read third time and passed	1009
Apr. 19	Correctly enrolled. Signed by President	1018; 1022
Apr. 21	Presented to Governor	1040
Apr. 22	Approved by Governor	1048

LEGISLATIVE BILL NO. 134 By Crosby

Jan. 24	Read first time	149
Jan. 28	Read second time. Referred to Committee on Education	169
Feb. 4	Notice of hearing	228
Feb. 14	Placed on General File	357
Feb. 18	General File. Referred for review	382
Mar. 5	Placed on Select File	513
Mar. 6	Select File. Referred for engrossment	534
Mar. 12	Replaced on Select File	586
Mar. 13	Select File. Referred for engrossment	604
Mar. 14	Correctly engrossed	611
Mar. 19	Read third time and passed	665
Mar. 20	Correctly enrolled. Signed by President	677, 678
Mar. 20	Presented to Governor	702
Mar. 21	Approved by Governor	703

LEGISLATIVE BILL NO. 135 By Blome (By request)

Jan. 24	Read first time	149
Jan. 28	Read second time. Referred to Committee on Government	169
Jan. 31	Notice of hearing	193
Mar. 10	Placed on General File	558
Mar. 25	General File. Referred for review	714
Apr. 4	Placed on Select File	847
Apr. 7	Laid over	890
Apr. 8	Select File. Referred for engrossment	902
Apr. 15	Correctly engrossed	960
Apr. 18	Read third time and failed of passage	1007
Apr. 18	Passed with energency clause stricken	1008

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Apr. 21	Correctly enrolled. Signed by President	1032
Apr. 21	Presented to Governor	1042
Apr. 25	Vetoed by Governor	1091

LEGISLATIVE BILL NO. 136 By Jeppesen

Jan. 24	Read first time	149
Jan. 28	Read second time. Referred to Committee on Revenue	169
Feb. 7	Notice of hearing	297
Mar. 5	Indefinitely postponed	515

LEGISLATIVE BILL NO. 137 By Price

Jan. 24	Read first time	150
Jan. 28	Read second time. Referred to Committee on Judiciary	169
Feb. 4	Notice of hearing	228
Feb. 20	Placed on General File	398
Feb. 21	General File. Referred for review	422
Feb. 26	Placed on Select File	444
Feb. 27	Select File. Referred for engrossment	467
Mar. 3	Correctly engrossed	488
Mar. 6	Read third time and passed	524
Mar. 10	Correctly enrolled. Signed by President	564
Mar. 10	Presented to Governor	578
Mar. 14	Approved by Governor	619

LEGISLATIVE BILL NO. 138 By Johnson et al

Jan. 24	Read first time	150
Jan. 28	Read second time. Referred to Committee on Judiciary	169
Feb. 4	Notice of hearing	228
Mar. 28	Placed on General File	776
May 6	Indefinitely postponed	1261

LEGISLATIVE BILL NO. 139 By Hanna, Gantz

Jan. 24	Read first time	150
Jan. 28	Read second time. Referred to Committee on Education	169
Feb. 4	Notice of hearing	228
Mar. 11	Placed on General File	570
Apr. 25	Report	1093
May 2	General File. Referred for review	1202
May 5	Placed on Select File	1244

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May 7 Select File. Referred for engrossment....1291
May 9 Correctly engrossed....1330
May 15 Read third time and passed....1408
May 19 Correctly enrolled. Signed by President....1459
May 20 Presented to Governor....1488
May 21 Approved by Governor....1518

LEGISLATIVE BILL NO. 140 By Sullivan et al

Jan. 24 Read first time.... 150
Jan. 28 Read second time. Referred to Committee on Public Health and Miscellaneous Subjects.... 169
Mar. 12 Notice of hearing.... 582
Apr. 10 Indefinitely postponed.... 927
Apr. 14 Motion 948

LEGISLATIVE BILL NO. 141 By Norman et al

Jan. 24 Read first time.... 151
Jan. 28 Read second time. Referred to Committee on Public Health and Miscellaneous Subjects.... 169
Feb. 13 Notice of hearing.... 334
Feb. 28 Indefinitely postponed.... 479

LEGISLATIVE BILL NO. 142 By Sullivan et al

Jan. 28 Read first time.... 157
Jan. 29 Read second time. Referred to Committee on Government.... 178
Jan. 31 Notice of hearing.... 193
Apr. 4 Indefinitely postponed.... 844

LEGISLATIVE BILL NO. 143 By Crosby, Gantz

Jan. 28 Read first time.... 157
Jan. 29 Read second time. Referred to Committee on Judiciary.... 178
Feb. 6 Notice of hearing.... 289
Feb. 27 Indefinitely postponed.... 456

LEGISLATIVE BILL NO. 144 By Johnson et al

Jan. 28 Read first time.... 157
Jan. 29 Read second time. Referred to Committee on Judiciary.... 178
Feb. 6 Notice of hearing.... 289
Feb. 24 Placed on General File.... 425

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Feb. 28	General File. Referred for review	482
Mar. 4	Placed on Select File	506
Mar. 5	Select File. Referred for engrossment	517
Mar. 7	Correctly engrossed	538
Mar. 12	Read third time and passed	593
Mar. 14	Correctly enrolled. Signed by Speaker.....611,	613
Mar. 14	Presented to Governor	628
Mar. 19	Approved by Governor	680

LEGISLATIVE BILL NO. 145 By Johnson et al

Jan. 28	Read first time	158
Jan. 29	Read second time. Referred to Committee on Judiciary	178
Feb. 6	Notice of hearing	289
Mar. 4	Placed on General File	501
Mar. 18	General File. Referred for review	649
Mar. 26	Placed on Select File	723
Mar. 27	Select File. Referred for engrossment	767
Apr. 1	Correctly engrossed	804
Apr. 4	Read third time and passed	857
Mar. 9	Correctly enrolled. Signed by Speaker.....915,	920
Apr. 9	Presented to Governor	935
Apr. 12	Approved by Governor	946

LEGISLATIVE BILL NO. 146 By Mekota et al

Jan. 28	Read first time	158
Jan. 29	Read second time. Referred to Committee on Judiciary	178
Feb. 6	Notice of hearing	289
Feb. 24	Placed on General File	425
Feb. 28	General File. Referred for review	482
Mar. 4	Placed on Select File	506
Mar. 5	Select File. Referred for engrossment	516
Mar. 7	Correctly engrossed	538
Mar. 12	Read third time and passed	592
Mar. 14	Correctly enrolled. Signed by Speaker.....611,	613
Mar. 14	Presented to Governor	628
Mar. 19	Approved by Governor	680

LEGISLATIVE BILL NO. 147 By Blome, Mischke

Jan. 28	Read first time	158
Jan. 29	Read second time. Referred to Committee on Judiciary	178
Feb. 18	Notice of hearing	378

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Mar. 14 Indefinitely postponed..... 610
Mar. 17 Motion 628

LEGISLATIVE BILL NO. 148 By Matzke

Jan. 28 Read first time..... 158
Jan. 29 Read second time. Referred to Committee on Appropriations..... 179
Jan. 31 Notice of hearing..... 193
Feb. 13 Placed on General File..... 348
Feb. 14 General File. Laid over..... 364
Feb. 18 General File. Referred for review..... 381
Feb. 26 Placed on Select File..... 446
Feb. 26 Message from Governor..... 465
Feb. 27 Laid over..... 470
Feb. 28 Replaced on General File. Referred for review 481, 482
Mar. 11 Replaced on Select File..... 574
Mar. 12 Select File. Replaced on General File..... 594
Mar. 12 General File. Referred for review..... 596
Mar. 14 Placed on Select File..... 612
Mar. 18 Select File. Referred for engrossment..... 645
Mar. 24 Correctly engrossed..... 702
Mar. 27 Read third time and passed..... 760
Mar. 28 Correctly enrolled. Signed by Speaker..... 783
Mar. 28 Presented to Governor. Approved by Governor 787, 789
Apr. 1 Message from Governor..... 815

LEGISLATIVE BILL NO. 149 By Crosby

Jan. 28 Read first time..... 159
Jan. 29 Read second time. Referred to Committee on Revenue..... 179
Feb. 5 Notice of hearing..... 255
Feb. 8 Placed on General File..... 899
May 6 Indefinitely postponed.....1261

LEGISLATIVE BILL NO. 150 By Hanna, Carmody (By request)

Jan. 28 Read first time..... 160
Jan. 29 Read second time. Referred to Committee on Agriculture..... 179
Feb. 19 Notice of hearing..... 385
Feb. 28 Placed on General File..... 477
Mar. 11 General File. Referred for review..... 577
Mar. 14 Placed on Select File..... 612

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Mar. 18	Select File. Referred for engrossment	645
Mar. 21	Correctly engrossed	686
Mar. 25	Read third time and passed	724
Mar. 27	Correctly enrolled. Signed by Speaker	756, 757
Mar. 27	Presented to Governor	783
Apr. 2	Vetoed by Governor	827

LEGISLATIVE BILL NO. 151 By Murphy, Callan

Jan. 28	Read first time	160
Jan. 29	Read second time. Referred to Committee on Appropriations	179
Jan. 31	Notice of hearing	193
Mar. 19	Placed on General File	653
Apr. 2	Motion	829
Apr. 4	General File. Referred for review	865
Apr. 9	Placed on Select File	918
Apr. 10	Select File. Referred for engrossment	937
Apr. 16	Correctly engrossed	988
Apr. 21	Read third time and passed	1033
Apr. 22	Correctly enrolled	1052
Apr. 23	Signed by President. Presented to Governor	1071, 1083
Apr. 23	Approved by Governor	1087

LEGISLATIVE BILL NO. 152 By Mekota

Jan. 28	Read first time	160
Jan. 29	Read second time. Referred to Committee on Government	179
Jan. 31	Notice of hearing	193
Feb. 28	Placed on General File	478
Mar. 11	Laid over	578
Mar. 14	General File. Referred to review	617
Mar. 26	Placed on Select File	722
Mar. 27	Select File. Referred for engrossment	766
Apr. 1	Replaced on Select File	803
Apr. 2	Select File. Referred for engrossment	828
Apr. 2	Correctly engrossed	829
Apr. 7	Read third time and passed	888
Apr. 9	Correctly enrolled. Signed by President	915, 920
Apr. 9	Presented to Governor	935
Apr. 12	Approved by Governor	946

LEGISLATIVE BILL NO. 153 By Thornton et al

Jan. 28	Read first time	160

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Jan. 29 Read second time. Referred to Committee on Banking, Commerce and Insurance..... 179
Feb. 21 Notice of hearing..... 409
Mar. 3 Placed on General File..... 488
Mar. 18 General File. Referred for review..... 647
Mar. 24 Placed on Select File..... 701
Mar. 25 Select File. Referred for engrossment..... 711
Mar. 28 Correctly engrossed..... 782
Apr. 2 Read third time and passed..... 826
Apr. 3 Correctly enrolled. Signed by President..... 834
Apr. 3 Presented to Governor..... 844
Apr. 4 Approved by Governor..... 864

LEGISLATIVE BILL NO. 154 By Peterson

Jan. 28 Read first time..... 160
Jan. 29 Read second time. Referred to Committee on Agriculture..... 179
Feb. 3 Notice of hearing..... 211
Feb. 18 Placed on General File..... 379
Feb. 19 Returned to Standing Committee..... 395
Mar. 21 Placed on General File..... 684
Apr. 25 Report 1093
May 2 Laid over.....1201
May 5 General File. Referred for review.....1243, 1244
May 8 Placed on Select File.....1296
May 9 Select File. Referred for engrossment.....1326
May 12 Replaced on Select File.....1338
May 14 Select File. Referred for engrossment.....1384
May 16 Correctly engrossed.....1443
May 20 Motion 1480
May 20 Read third time and passed.....1481
May 22 Statement 1529
May 22 Correctly enrolled. Signed by President.....1529, 1530
May 23 Presented to Governor.....1532
May 27 Approved by Governor.....1561

LEGISLATIVE BILL NO. 155 By Peterson

Jan. 28 Read first time..... 160
Jan. 29 Read second time. Referred to Committee on Revenue..... 179
Feb. 5 Notice of hearing..... 255
Apr. 14 Indefinitely postponed..... 942

LEGISLATIVE BILL NO. 156 By Peterson, Matzke

Jan. 28 Read first time..... 161

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Jan. 29 Read second time. Referred to Committee on Revenue..... 179
Feb. 5 Notice of hearing..... 255
Apr. 14 Placed on General File..... 942
Apr. 18 Report 1006
Apr. 22 General File. Referred for review.....1047
Apr. 24 Placed on Select File.....1084
Apr. 25 Select File. Referred for engrossment.....1095, 1097
Apr. 28 Replaced on Select File.....1121
Apr. 29 Select File. Referred for engrossment.....1140
Apr. 30 Correctly engrossed.....1152
May 6 Read third time and passed.....1251
May 7 Correctly enrolled. Signed by President.....1288
May 8 Presented to Governor.....1305
May 9 Approved by Governor.....1313

LEGISLATIVE BILL NO. 157 By Blome et al

Jan. 28 Read first time..... 161
Jan. 29 Read second time. Referred to Committee on Agriculture..... 179
Feb. 10 Notice of hearing..... 309
May 5 Indefinitely postponed.....1247

LEGISLATIVE BILL NO. 158 By Reed et al

Jan. 28 Read first time..... 162
Jan. 29 Read second time. Referred to Committee on Public Works..... 179
Feb. 7 Notice of hearing..... 297
Mar. 24 Indefinitely postponed..... 699

LEGISLATIVE BILL NO. 159 By Price

Jan. 28 Read first time..... 162
Jan. 29 Read second time. Referred to Committee on Judiciary..... 179
Feb. 6 Notice of hearing..... 289
Feb. 24 Placed on General File..... 425
Feb. 28 Laid over.....482
Mar. 3 General File. Referred for review..... 498
Mar. 12 Placed on Select File..... 584
Mar. 13 Select File. Referred for engrossment.....602, 604
Mar. 18 Correctly engrossed..... 642
Mar. 21 Read third time and passed..... 692
Mar. 25 Correctly enrolled. Signed by President..... 710
Mar. 25 Presented to Governor..... 724
Mar. 28 Approved by Governor..... 796

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LEGISLATIVE BILL NO. 160 By Johnson

Jan. 29 Read first time..... 176
Jan. 30 Read second time. Referred to Committee on Banking, Commerce and Insurance..... 188
Feb. 7 Notice of hearing..... 297
Mar. 10 Indefinitely postponed..... 550

LEGISLATIVE BILL NO. 161 By Kotouc, Murphy

Jan. 29 Read first time..... 176
Jan. 30 Read second time. Referred to Committee on Appropriations..... 188
Feb. 14 Notice of hearing..... 357
Feb. 17 Placed on General File..... 622
Apr. 2 Motion 829
Apr. 3 General File. Referred for review..... 839
Apr. 9 Placed on Select File..... 918
Apr. 10 Select File. Referred for engrossment..... 937
Apr. 16 Correctly engrossed..... 988
Apr. 21 Read third time and passed.....1034
Apr. 22 Correctly enrolled.....1052
Apr. 23 Signed by President. Presented to Governor 1071, 1083
Apr. 23 Approved by Governor.....1087

LEGISLATIVE BILL NO. 162 By Sullivan, Bevins

Jan. 29 Read first time..... 176
Jan. 30 Read second time. Referred to Committee on Government..... 188
Jan. 31 Notice of hearing..... 193
Apr. 7 Placed on General File..... 868
May 6 Indefinitely postponed.....1261

LEGISLATIVE BILL NO. 163 By Thornton, Bevins

Jan. 29 Read first time..... 177
Jan. 30 Read second time. Referred to Committee on Labor and Public Welfare..... 188
Feb. 19 Notice of hearing..... 385
Mar. 18 Placed on General File..... 634
May 6 Indefinitely postponed.....1261

LEGISLATIVE BILL NO. 164 By Rakow

Jan. 29 Read first time..... 177
Jan. 30 Read second time. Referred to Committee on Appropriations..... 188

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Feb. 17	Notice of hearing	367
May 5	Indefinitely postponed	1247

LEGISLATIVE BILL NO. 165 By Garber

Jan. 29	Read first time	177
Jan. 30	Read second time. Referred to Committee on Public Works	188
Feb. 6	Notice of hearing	290
Mar. 17	Indefinitely postponed	627

LEGISLATIVE BILL NO. 166 By Garber

Jan. 29	Read first time	177
Jan. 30	Read second time. Referred to Committee on Labor and Public Welfare	188
Feb. 19	Notice of hearing	386
Mar. 4	Indefinitely postponed	504

LEGISLATIVE BILL NO. 167 By Mekota

Jan. 29	Read first time	177
Jan. 30	Read second time. Referred to Committee on Judiciary	188
Feb. 6	Notice of hearing	290
Feb. 25	Placed on General File	433
Feb. 28	General File. Laid over	483
Mar. 4	General File. Referred for review	510
Mar. 6	Placed on Select File	522
Mar. 7	Select File. Referred for engrossment	541
Mar. 11	Correctly engrossed	574
Mar. 14	Read third time and passed	614
Mar. 17	Correctly enrolled. Signed by President	628
Mar. 17	Presented to Governor	642
Mar. 21	Approved by Governor	703

LEGISLATIVE BILL NO. 168 By Gantz et al

Jan. 29	Read first time	178
Jan. 30	Read second time. Referred to Committee on Appropriations	188
Feb. 14	Notice of hearing	357
Mar. 3	Placed on General File	488
Mar. 14	General File. Referred for review	618
Mar. 19	Placed on Select File	662
Mar. 20	Select File. Referred for engrossment	679
Mar. 24	Correctly engrossed	702

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Mar. 27 Read third time and passed..... 762
Mar. 31 Correctly enrolled. Signed by President.....795, 796
Mar. 31 Presented to Governor..... 803
Apr. 1 Approved by Governor..... 815
May 14 Opinion 1386

LEGISLATIVE BILL NO. 169 By Metzger et al

Jan. 29 Read first time..... 178
Jan. 30 Read second time. Referred to Committee on Banking, Commerce and Insurance..... 188
Mar. 12 Notice of hearing..... 582
Apr. 22 Indefinitely postponed.....1051

LEGISLATIVE BILL NO. 170 By Tvrdik

Jan. 29 Read first time..... 178
Jan. 30 Read second time. Referred to Committee on Banking, Commerce and Insurance..... 188
Feb. 5 Notice of hearing..... 255
Apr. 2 Indefinitely postponed..... 818

LEGISLATIVE BILL NO. 171 By Hanna, Gantz

Jan. 30 Read first time..... 183
Jan. 31 Read second time. Referred to Committee on Government..... 209
Feb. 26 Notice of hearing..... 442
Mar. 10 Placed on General File..... 556
Mar. 21 General File. Referred for review..... 695
Mar. 28 Select File..... 780
Mar. 31 Select File. Referred for engrossment..... 800
Apr. 4 Correctly engrossed..... 845
Apr. 9 Returned to E. and R. for correction..... 922
Apr. 10 Correctly reengrossed..... 933
Apr. 16 Read third time and passed..... 989
Apr. 18 Correctly enrolled. Signed by President.....1006
Apr. 18 Presented to Governor.....1018
Apr. 19 Approved by Governor.....1033

LEGISLATIVE BILL NO. 172 By Gantz

Jan. 30 Read first time..... 183
Jan. 31 Read second time. Referred to Committee on Agriculture..... 209
Feb. 19 Notice of hearing..... 385
Feb. 28 Indefinitely postponed..... 477

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LEGISLATIVE BILL NO. 173 By Crosby

Jan. 30	Read first time	184
Jan. 31	Read second time. Referred to Committee on Judiciary	209
Feb. 7	Notice of hearing	297
Feb. 25	Placed on General File	433
Feb. 28	General File. Referred for review	482
Mar. 4	Placed on Select File	506
Mar. 5	Select File. Referred for engrossment	516
Mar. 7	Correctly engrossed	538
Mar. 12	Read third time and passed	591
Mar. 17	Correctly enrolled. Signed by President	628
Mar. 17	Presented to Governor	642
Mar. 21	Approved by Governor	703

LEGISLATIVE BILL NO. 174 By Sullivan et al

Jan. 30	Read first time	184
Jan. 31	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	209
Mar. 13	Notice of hearing	599
Mar. 21	Placed on General File	686
Apr. 18	Report	1006
Apr. 22	General File. Referred to review	1051
Apr. 23	Place on Select File	1071
Apr. 24	Select File. Referred for engrossment	1085
Apr. 28	Correctly engrossed	1108
May 2	Read third time and passed	1191
May 3	Correctly enrolled. Signed by President	1219, 1222
May 5	Presented to Governor	1224
May 5	Approved by Governor	1234

LEGISLATIVE BILL NO. 175 By Matzke

Jan. 30	Read first time	184
Jan. 31	Read second time. Referred to Committee on Banking, Commerce and Insurance	209
Mar. 12	Notice of hearing	582
Apr. 4	Indefinitely postponed	843

LEGISLATIVE BILL NO. 176 By Price

Jan. 30	Read first time	184
Jan. 31	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	209
Feb. 25	Notice of hearing	432
Mar. 6	Indefinitely postponed	523

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LEGISLATIVE BILL NO. 177 By Garber

Jan. 30 Read first time..... 185
Jan. 31 Read second time. Referred to Committee on Government..... 209
Feb. 26 Notice of hearing..... 442
Mar. 17 Placed on General File..... 626
May 6 Indefinitely postponed.....1261

LEGISLATIVE BILL NO. 178 By Garber

Jan. 30 Read first time..... 185
Jan. 31 Read second time. Referred to Committee on Labor and Public Welfare.....209
Feb. 19 Notice of hearing..... 386
Mar. 4 Indefinitely postponed..... 505

LEGISLATIVE BILL NO. 179 By Blome

Jan. 30 Read first time..... 185
Jan. 31 Read second time. Referred to Committee on Public Works..... 209
Feb. 6 Notice of hearing..... 290
Feb. 27 Indefinitely postponed..... 455

LEGISLATIVE BILL NO. 180 By Neubauer

Jan. 30 Read first time..... 185
Jan. 31 Read second time. Referred to Committee on Agriculture..... 209
Feb. 11 Notice of hearing..... 320
Feb. 26 Placed on General File..... 443
Mar. 5 General File. Referred for review..... 519
Mar. 12 Placed on Select File..... 585
Mar. 13 Select File. Referred for engrossment..... 603
Mar. 18 Correctly engrossed..... 642
Mar. 21 Read third time and passed..... 690
Mar. 25 Correctly enrolled. Signed by President..... 710
Mar. 25 Presented to Governor..... 724
Mar. 28 Approved by Governor..... 789

LEGISLATIVE BILL NO. 181 By Blome, Mischke

Jan. 30 Read first time..... 185
Jan. 31 Read second time. Referred to Committee on Appropriations..... 209
Feb. 17 Notice of hearing..... 367
Mar. 3 Indefinitely postponed..... 488

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LEGISLATIVE BILL NO. 182 By Mekota

Jan. 30	Read first time	185
Jan. 31	Read second time. Referred to Committee on Judiciary	209
Feb. 6	Notice of hearing	290
Feb. 25	Placed on General File	434
Feb. 28	General File. Referred for review	483
Mar. 5	Placed on Select File	514
Mar. 6	Select File. Referred for engrossment	535
Mar. 12	Replaced on Select File	587
Mar. 13	Select File. Referred for engrossment	604
Mar. 14	Correctly engrossed	611
Mar. 19	Read third time and passed	666
Mar. 20	Correctly enrolled. Signed by President	677, 678
Mar. 20	Presented to Governor	702
Mar. 24	Approved by Governor	710

LEGISLATIVE BILL NO. 183 By Howard, Mueller

Jan. 30	Read first time	186
Jan. 31	Read second time. Referred to Committee on Revenue	209
Mar. 21	Notice of hearing	684
Apr. 8	Placed on General File	896
May 6	Motion	1258
May 9	General File. Referred for review	1333
May 14	Placed on Select File	1387
May 15	Select File. Referred for engrossment	1418
May 19	Replaced on Select File	1452
May 19	Select File. Referred for engrossment	1463
May 20	Correctly engrossed	1480
May 22	Read third time and passed	1518
May 22	Statement	1525, 1529
May 22	Correctly enrolled. Signed by President	1530
May 23	Presented to Governor	1532
May 27	Approved by Governor	1561

LEGISLATIVE BILL NO. 184 By John Adams, Jr. et al

Jan. 30	Read first time	186
Jan. 31	Read second time. Referred to Committee on Labor and Public Welfare	209
Mar. 5	Notice of hearing	513
May 5	Indefinitely postponed	1247

LEGISLATIVE BILL NO. 185 By Mischke

Jan. 30	Read first time	186

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Jan. 30 Request 190
Jan. 31 Read second time. Referred to Committee on Revenue..... 209
Mar. 10 Notice of hearing..... 548
Apr. 7 Indefinitely postponed..... 873

LEGISLATIVE BILL NO. 186 By Neubauer

Jan. 30 Read first time..... 186
Jan. 31 Read second time. Referred to Committee on Revenue..... 209
Feb. 26 Notice of hearing..... 442
Mar. 14 Indefinitely postponed..... 607

LEGISLATIVE BILL NO. 187 By Mischke

Jan. 30 Read first time..... 187
Jan. 31 Read second time. Referred to Committee on Public Health and Miscellaneous Subjects.... 209
Feb. 25 Notice of hearing..... 432
Mar. 17 Placed on General File..... 627
May 6 Indefinitely postponed.....1261

LEGISLATIVE BILL NO. 188 By Callan

Jan. 30 Read first time..... 187
Jan. 31 Read second time. Referred to Committee on Judiciary..... 209
Feb. 6 Notice of hearing.....290
Mar. 14 Indefinitely postponed..... 610

LEGISLATIVE BILL NO. 189 By Tvrdik, Sullivan

Jan. 30 Read first time..... 187
Jan. 31 Read second time. Referred to Committee on Labor and Public Welfare..... 209
Feb. 19 Notice of hearing..... 386
Mar. 4 Indefinitely postponed..... 505

LEGISLATIVE BILL NO. 190 By Blome, Bevins

Jan. 30 Read first time..... 187
Jan. 31 Read second time. Referred to Committee on Labor and Public Welfare..... 209
Feb. 19 Notice of hearing..... 386
Mar. 4 Indefinitely postponed..... 505

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LEGISLATIVE BILL NO. 191 By Gantz et al

Jan. 30	Read first time	187
Jan. 31	Read second time. Referred to Committee on Government	209
Feb. 12	Notice of hearing	327
Mar. 10	Placed on General File	566
Mar. 28	General File. Laid over	787
Apr. 3	General File. Referred for review	838, 839
Apr. 9	Placed on Select File	918
Apr. 10	Laid over	937, 938
Apr. 14	Select File. Referred for engrossment	946
Apr. 19	Replaced on Select File	1018
Apr. 22	Select File. Referred for engrossment	1046
Apr. 25	Correctly engrossed	1091
Apr. 30	Read third time and passed	1153
May 2	Correctly enrolled. Signed by President	1179, 1188
May 3	Presented to Governor	1216
May 3	Message from Governor	1216

LEGISLATIVE BILL NO. 192 By Mueller

Jan. 30	Read first time	187
Jan. 31	Read second time. Referred to Committee on Appropriations	209
Feb. 14	Notice of hearing	357
Mar. 24	Placed on General File	697
Apr. 18	Report	1006
Apr. 22	General File. Referred for review	1049
Apr. 25	Placed on Select File	1088
Apr. 28	Select File. Referred for engrossment	1113
May 2	Replaced on select File. Referred for engrossment	1192
May 2	Correctly engrossed	1195
May 8	Laid over	1299
May 9	Read third time and passed	1308
May 12	Correctly enrolled. Signed by Speaker	1358
May 14	Presented to Governor	1387
May 17	Approved by Governor	1452

LEGISLATIVE BILL NO. 193 By Mueller

Jan. 30	Read first time	188
Jan. 31	Read second time. Referred to Committee on Government	209
Feb. 26	Notice of hearing	442
Apr. 4	Indefinitely postponed	844

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LEGISLATIVE BILL NO. 194 By Peterson

Jan. 31	Read first time	198
Feb. 3	Read second time. Referred to Committee on Judiciary	224
Feb. 6	Notice of hearing	290
Feb. 25	Placed on General File	433
Feb. 28	General File. Referred for review	482
Mar. 4	Placed on Select File	505
Mar. 5	Select File. Referred for engrossment	516
Mar. 7	Correctly engrossed	538
Mar. 12	Read third time and passed	590
Mar. 17	Correctly enrolled. Signed by President	628
Mar. 17	Presented to Governor	642
Mar. 21	Approved by Governor	703

LEGISLATIVE BILL NO. 195 By Asimus, Weborg

Jan. 31	Read first time	198
Feb. 3	Request	213
Feb. 3	Read second time. Referred to Committee on Agriculture	224
Feb. 6	Notice of hearing	290
Feb. 12	Indefinitely postponed	327

LEGISLATIVE BILL NO. 196 By Raecke, Rakow

Jan. 31	Read first time	198
Feb. 3	Read second time. Referred to Committee on Judiciary	224
Feb. 6	Notice of hearing	290
Feb. 25	Placed on General File	434
Feb. 28	General File. Referred for review	483
Mar. 5	Placed on Select File	514
Mar. 6	Select File. Referred for engrossment	535
Mar. 12	Replaced on Select File	587
Mar. 12	Request	590
Mar. 13	Select File. Referred for engrossment	604
Mar. 14	Correctly engrossed	611
Mar. 19	Read third time and passed	666
Mar. 20	Correctly enrolled. Signed by President	677, 678
Mar. 20	Presented to Governor	702
Mar. 24	Approved by Governor	710

LEGISLATIVE BILL NO. 197 By Blome

Jan. 31	Read first time	198
Feb. 3	Read second time. Referred to Committee on Judiciary	224

		Page
Mar. 13	Notice of hearing	599
Mar. 27	Indefinitely postponed	730

LEGISLATIVE BILL NO. 198 By Blome

Jan. 31	Read first time	199
Feb. 3	Read second time. Referred to Committee on Public Works	224
Feb. 7	Notice of hearing	297
Feb. 20	Placed on General File	399
Feb. 21	General File. Referred for review	423
Feb. 26	Placed on Select File	444
Feb. 27	Select File. Referred for engrossment	467
Mar. 3	Correctly engrossed	488
Mar. 6	Read third time and passed	529
Mar. 10	Correctly enrolled. Signed by President	564
Mar. 10	Presented to Governor	578
Mar. 13	Approved by Governor	618

LEGISLATIVE BILL NO. 199 By Mueller

Jan. 31	Read first time	199
Feb. 3	Read second time. Referred to Committee on Government	224
Feb. 12	Notice of hearing	327
Mar. 31	Placed on General File	792
Apr. 4	Request	865
Apr. 18	Report	1006
Apr. 22	Laid over	1051
Apr. 25	Laid over	1098
Apr. 28	Laid over	1122
Apr. 29	Motion	1139
May 6	Indefinitely postponed	1261

LEGISLATIVE BILL NO. 200 By Tvrdik, Norman

Jan. 31	Read first time	199
Feb. 3	Read second time. Referred to Committee on Public Works	224
Feb. 4	Rereferred to Committee on Revenue	251
Feb. 12	Notice of hearing	327
Feb. 19	Notice of hearing	385
Mar. 5	Placed on General File	515
Mar. 20	General File. Enacting clause stricken	680
Mar. 24	Motion	708

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LEGISLATIVE BILL NO. 201 By Metzger et al

Jan. 31 Read first time..... 199
Jan. 31 Motion 208
Jan. 31 Read second time. Referred to Committee on Government..... 209
Jan. 31 Notice of hearing..... 193
Apr. 28 Indefinitely postponed.....1105

LEGISLATIVE BILL NO. 202 By Van Diest

Jan. 31 Read first time..... 200
Feb. 3 Read second time. Referred to Committee on Public Works..... 224
Feb. 26 Notice of hearing..... 442
Mar. 13 Placed on General File..... 601
Apr. 18 Report 1006
Apr. 22 Laid over.....1051
Apr. 25 Laid over.....1098
Apr. 29 Laid over.....1140
May 2 Laid over..... 1193
May 3 General File. Laid over.....1213
May 9 General File. Referred for review.....1327
May 14 Placed on Select File.....1389
May 15 Select File. Referred for engrossment.....1419
May 19 Correctly engrossed.....1459
May 21 Read third time and passed.....1499
May 21 Correctly enrolled. Signed by Speaker.....1512
May 22 Presented to Governor.....1529
May 22 Statement 1529
May 23 Approved by Governor.....1548

LEGISLATIVE BILL NO. 203 By Blome

Jan. 31 Read first time..... 200
Feb. 3 Read second time. Referred to Committee on Judiciary..... 225
Feb. 11 Notice of hearing..... 320
May 5 Indefinitely postponed.....1247

LEGISLATIVE BILL NO. 204 By Asimus

Jan. 31 Read first time..... 200
Feb. 3 Read second time. Referred to Committee on Labor and Public Welfare..... 225
Mar. 4 Notice of hearing..... 501
Apr. 2 Placed on General File..... 818
May 6 Indefinitely postponed.....1261

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LEGISLATIVE BILL NO. 205 By Gantz

Jan. 31	Read first time	200
Feb. 3	Read second time. Referred to Committee on Public Works	225
Feb. 7	Notice of hearing	297
Feb. 27	Indefinitely postponed	455

LEGISLATIVE BILL NO. 206 By Sorrell

Jan. 31	Read first time	201
Feb. 3	Read second time. Referred to Committee on Labor and Public Welfare	225
Mar. 5	Notice of hearing	513
Mar. 11	Placed on General File	573
Apr. 25	Report	1093
May 3	General File. Referred for review	1221
May 7	Placed on Select File	1287
May 8	Select File. Referred for engrossment	1305
May 12	Correctly engrossed	1346
May 16	Read third time and passed	1431
May 19	Correctly enrolled. Signed by President	1459
May 20	Presented to Governor	1488
May 21	Approved by Governor	1518

LEGISLATIVE BILL NO. 207 By Jeppesen et al

Jan. 31	Read first time	201
Feb. 3	Read second time. Referred to Committee on Agriculture	225
Feb. 19	Notice of hearing	385
Mar. 18	Placed on General File	639
Apr. 25	Report	1093
Apr. 25	General File. Referred for review	1100
May 2	Placed on Select File	1181
May 3	Select File. Laid over	1210, 1222
May 5	Laid over	1227
May 7	Laid over	1290
May 12	Replaced on General File. Referred for review	1349, 1350
May 16	Replaced on Select File	1446
May 19	Select File. Referred for engrossment	1464
May 21	Correctly engrossed	1512
May 23	Read third time and passed	1533
May 23	Correctly enrolled. Signed by Speaker	1538, 1539
May 23	Presented to Governor. Approved by Governor	1539, 1548
May 23	Statement	1546

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LEGISLATIVE BILL NO. 208 By Neubauer

Jan. 31 Read first time..... 201
Feb. 3 Read second time. Referred to Committee on Banking, Commerce and Insurance..... 225
Feb. 12 Notice of hearing..... 327
Feb. 19 Notice of hearing..... 385
Apr. 22 Indefinitely postponed.....1052

LEGISLATIVE BILL NO. 209 By Mekota

Jan. 31 Read first time..... 201
Feb. 3 Read second time. Referred to Committee on Judiciary..... 225
May 5 Indefinitely postponed.....1247

LEGISLATIVE BILL NO. 210 By Mekota

Jan. 31 Read first time..... 201
Feb. 3 Read second time. Referred to Committee on Judiciary..... 225
Feb. 18 Notice of hearing..... 377
Mar. 4 Placed on General File..... 502
Mar. 18 General File. Referred for review..... 649
Mar. 24 Placed on Select File..... 701
Mar. 25 Select File. Referred for engrossment..... 712
Mar. 28 Correctly engrossed..... 782
Apr. 2 Read third time and passed..... 826
Apr. 3 Correctly enrolled. Signed by President..... 834
Apr. 3 Presented to Governor..... 844
Apr. 7 Approved by Governor..... 905

LEGISLATIVE BILL NO. 211 By Mekota

Jan. 31 Read first time..... 202
Feb. 3 Read second time. Referred to Committee on Government..... 225
Feb. 12 Notice of hearing..... 327
Mar. 3 Placed on General File..... 494
Mar. 18 Laid over..... 649
May 6 Indefinitely postponed.....1261

LEGISLATIVE BILL NO. 212 By Howard

Jan. 31 Read first time..... 202
Feb. 3 Read second time. Referred to Committee on Judiciary..... 225
Feb. 18 Notice of hearing..... 378

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Mar. 14	Placed on General File	609
May 6	Indefinitely postponed	1261
May 15	Reconsidered. Replaced on General File	1401
May 16	General File. Referred for review	1442
May 19	Placed on Select File. Referred for engrossment	1458, 1470
May 20	Correctly engrossed	1489
May 22	Read third time and passed	1523
May 22	Statements	1525, 1529
May 23	Correctly enrolled. Signed by Speaker	1532
May 23	Presented to Governor	1555
May 27	Approved by Governor	1561

LEGISLATIVE BILL NO. 213 By Weborg

Jan. 31	Read first time	202
Feb. 3	Read second time. Referred to Committee on Public Works	225
Feb. 13	Notice of hearing	335
Mar. 3	Placed an General File	488
Mar. 18	General File. Referred for review	647
Mar. 28	Placed on Select File	782
Mar. 31	Select File. Laid over	801
Apr. 1	Laid over	805
Apr. 2	Select File. Referred for engrossment	828
Apr. 9	Correctly engrossed	915
Apr. 15	Read third time and passed	961
Apr. 16	Correctly enrolled	994
Apr. 17	Signed by President	996
Apr. 17	Presented to Governor	1006
Apr. 22	Approved by Governor	1048

LEGISLATIVE BILL NO. 214 By Price, Rakow

Jan. 31	Read first time	203
Feb. 3	Read second time. Referred to Committee on Judiciary	225
Feb. 18	Notice of hearing	378
Mar. 14	Placed on General File	610
Apr. 25	Report	1093
May 3	General File. Referred for review	1221
May 6	Placed on Select File	1257
May 7	Laid over	1293
May 9	Select File. Referred for engrossment	1326
May 12	Replaced on Select File	1338
May 13	Select File. Referred for engrossment	1366
May 14	Correctly engrossed	1387

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May 19 Read third time and passed....1461
May 19 Correctly enrolled. Signed by Speaker....1475
May 20 Presented to Governor....1488
May 23 Approved by Governor....1561

LEGISLATIVE BILL NO 215 By Price

Jan. 31 Read first time.... 203
Feb. 3 Read second time. Referred to Committee on Banking, Commerce and Insurance.... 225
Feb. 7 Notice of hearing.... 297
Mar. 10 Placed on General File. Laid over....549, 693
Mar. 26 General File. Referred for review.... 728
Apr. 2 Placed on Select File.... 819
Apr. 3 Select File. Referred for engrossment.... 836
Apr. 9 Correctly engrossed.... 915
Apr. 15 Read third time and passed.... 961
Apr. 16 Correctly enrolled.... 994
Apr. 17 Signed by President. Presented to Governor 996, 1006
Apr. 18 Approved by Governor....1015

LEGISLATIVE BILL NO. 216 By Bevins, Sullivan

Jan. 31 Read first time.... 203
Feb. 3 Read second time. Referred to Committee on Judiciary.... 225
Feb. 11 Notice of hearing.... 320
Apr. 7 Placed on General File.... 881
May 6 Indefinitely postponed....1261

LEGISLATIVE BILL NO. 217 By Thornton et al

Jan. 31 Read first time.... 203
Feb. 3 Read second time. Referred to Committee on Government.... 225
Feb. 26 Notice of hearing.... 442
Mar. 10 Placed on General File.... 561
Mar. 26 General File. Referred for review.... 728
Apr. 2 Placed on Select File.... 819
Apr. 3 Select File. Referred for engrossment.... 837
Apr. 9 Correctly engrossed.... 915
Apr. 15 Read third time and passed.... 962
Apr. 17 Correctly enrolled.... 996
Apr. 18 Signed by President. Presented to Governor 1006, 1018
Apr. 19 Approved by Governor....1033

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LEGISLATIVE BILL NO. 218 By Johnson et al

Jan. 31	Read first time	204
Feb. 3	Read second time. Referred to Committee on Agriculture	225
Feb. 11	Notice of hearing	320
Mar. 19	Indefinitely postponed	652

LEGISLATIVE BILL NO. 219 By Crosby

Jan. 31	Read first time	204
Feb. 3	Read second time. Referred to Committee on Banking, Commerce and Insurance	225
Mar. 7	Notice of hearing	536
Apr. 4	Placed on General File	843
May 6	Indefinitely postponed	1261

LEGISLATIVE BILL NO. 220 By Howard et al

Jan. 31	Read first time	204
Feb. 3	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	225
Mar. 12	Notice of hearing	582
Mar. 21	Placed on General File	686
Apr. 25	Report	1093
May 3	General File. Referred for review	1221
May 7	Placed on Select File	1288
May 8	Select File. Referred for engrossment	1302
May 12	Correctly engrossed	1346
May 16	Read third time and passed	1432
May 19	Correctly enrolled. Signed by President	1459
May 20	Presented to Governor	1489
May 22	Approved by Governor	1529

LEGISLATIVE BILL NO. 221 By Callan et al

Jan. 31	Read first time	204
Feb. 2	Read second time. Referred to Committee on Appropriations	225
Feb. 14	Notice of hearing	357
Mar. 17	Placed on General File	622
Apr. 2	Motion	829
Apr. 7	General File. Referred for review	893
Apr. 9	Placed on Select File	919
Apr. 10	Select File. Laid over	937
Apr. 14	Laid over	947
Apr. 16	Laid over	969, 990

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Apr. 17 Laid over.... 996
Apr. 18 Select File. Referred for engrossment....1011
Apr. 21 Correctly engrossed....1032
Apr. 22 Motion. Referred for engrossment....1048
Apr. 24 Correctly engrossed....1085
Apr. 29 Laid over....1132
May 1 Read third time and passed....1167
May 2 Correctly enrolled. Signed by President....1203, 1206
May 3 Presented to Governor....1216
May 5 Approved by Governor....1255

LEGISLATIVE BILL NO. 222 By Committee on Appropriations

Jan. 31 Read first time....204
Feb. 3 Read second time. Referred to Committee on Appropriations.... 225
Apr. 23 Placed on General File....1055
Apr. 24 Laid over....1086
Apr. 28 Statement....1114
Apr. 28 General File. Laid over....1121
Apr. 29 General File. Laid over....1140, 1143
Apr. 30 General File. Laid over....1161
May 1 General File. Referred for review....1176
May 12 Placed on Select File....1339
May 14 Select File. Laid over....1384
May 14 Opinions....1386
May 14 Referred to General File....1394
May 16 General File. Referred for review....1436-1439
May 20 Replaced on Select File. Referred for engrossment....1478
May 20 Select File. Referred for engrossment....1486
May 21 Replaced on Select File. Referred for engrossment....1506
May 21 Correctly engrossed....1512
May 23 Read third time and passed....1542
May 23 Statement....1546
May 23 Correctly enrolled. Signed by Speaker....1547
May 23 Presented to Governor....1555
May 24 Approved by Governor....1561

LEGISLATIVE BILL NO. 223 By Committee on Appropriations

Jan. 31 Read first time.... 205
Feb. 3 Read second time. Referred to Committee on Appropriations.... 225
Apr. 23 Placed on General File....1071
Apr. 24 Laid over....1086

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Apr. 28	General File. Referred for review	1114
Apr. 30	Placed on Select File	1162
May 1	Select File. Referred for engrossment	1169
May 2	Correctly engrossed	1199
May 7	Read third time and passed	1280
May 9	Correctly enrolled. Signed by President	1308
May 12	Presented to Governor. Approved by Governor	1347, 1351

LEGISLATIVE BILL NO. 224 By John Adams, Jr., E. A. Adams

Jan. 31	Read first time	205
Feb. 3	Read second time. Referred to Committee on Judiciary	225
Feb. 18	Notice of hearing	377
Mar. 28	Placed on General File	776
May 6	Indefinitely postponed	1261

LEGISLATIVE BILL NO. 225 By John Adams Jr., E. A. Adams

Jan. 31	Read first time	205
Feb. 3	Read second time. Referred to Committee on Judiciary	225
Feb. 18	Notice of hearing	377
Mar. 4	Placed on General File	502
Mar. 18	General File. Referred for review	649
Mar. 26	Placed on Select File	722
Mar. 27	Select File. Referred for engrossment	766
Apr. 1	Correctly engrossed	804
Apr. 4	Read third time and passed	856
Apr. 7	Correctly enrolled. Signed by President	887, 888
Apr. 7	Presented to Governor	901
Apr. 10	Approved by Governor	939

LEGISLATIVE BILL NO. 226 By John Adams, Jr., E. A. Adams

Jan. 31	Read first time	205
Feb. 3	Read second time. Referred to Committee on Judiciary	225
Feb. 18	Notice of hearing	278
Mar. 4	Placed on General File	502
Mar. 18	General File. Referred for review	649
Mar. 26	Placed on Select File	723
Mar. 27	Select File. Referred for engrossment	767
Apr. 1	Correctly engrossed	804
Apr. 1	Select File. Referred for reengrossment	806
Apr. 4	Correctly reengrossed	845

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Apr. 9 Read third time and passed..... 921
Apr. 10 Correctly enrolled. Signed by President.....933, 935
Apr. 11 Presented to Governor..... 942
Apr. 15 Approved by Governor..... 989

LEGISLATIVE BILL NO. 227 By John Adams, Jr., E. A. Adams

Jan. 31 Read first time..... 205
Feb. 3 Read second time. Referred to Committee on Government..... 225
Feb. 26 Notice of hearing..... 442
Mar. 31 Indefinitely postponed..... 794

LEGISLATIVE BILL NO. 228 By Price et al

Jan. 31 Read first time..... 206
Feb. 3 Read second time. Referred to Committee on Agriculture..... 225
Feb. 19 Notice of hearing..... 385
Mar. 7 Indefinitely postponed..... 537

LEGISLATIVE BILL NO. 229 By Kotouc

Jan. 31 Read first time..... 206
Feb. 3 Read second time. Referred to Committee on Public Health and Miscellaneous Subjects..... 225
May 5 Indefinitely postponed.....1247

LEGISLATIVE BILL NO. 230 By Johnson, Raecke

Jan. 31 Read first time..... 206
Feb. 3 Read second time. Referred to Committee on Public Works..... 225
Feb. 26 Notice of hearing..... 442
Mar. 27 Placed on General File..... 754
May 6 Indefinitely postponed.....1261

LEGISLATIVE BILL NO. 231 By Norman et al

Jan. 31 Read first time..... 206
Feb. 3 Read second time. Referred to Committee on Government..... 225
Feb. 12 Notice of hearing..... 327
Mar. 10 Placed on General File..... 550
Mar. 21 General File. Referred for review..... 694
Apr. 2 Placed on Select File..... 823
Apr. 3 Referred for engrossment..... 837
Apr. 9 Replaced on Select File..... 919

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Apr. 10	Select File. Referred for reengrossment	937
Apr. 16	Correctly engrossed	987
Apr. 21	Read third time and passed	1035
Apr. 22	Correctly enrolled	1052
Apr. 23	Signed by President. Presented to Governor	1071, 1083
Apr. 23	Approved by Governor	1087

LEGISLATIVE BILL NO. 232 By Peterson et al

Jan. 31	Read first time	207
Jan. 31	Request	208
Feb. 3	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	225
Feb. 4	Placed on General File. Referred for review	247, 249
Feb. 5	Placed on Select File. Referred for engrossment	257, 261
Feb. 6	Correctly engrossed	293
Feb. 11	Read third time and passed	322
Feb. 12	Correctly enrolled. Signed by Speaker	328
Feb. 13	Presented to Governor	348
Feb. 15	Approved by Governor	367

LEGISLATIVE BILL NO. 233 By Raecke

Jan. 31	Read first time	207
Feb. 3	Read second time. Referred to Committee on Judiciary	225
Feb. 18	Notice of hearing	378
Mar. 12	Placed on General File	582
Apr. 25	Report	1093
May 3	General File. Referred for review	1221
May 7	Placed on Select File	1293
May 8	Select File. Referred for engrossment	1302
May 12	Correctly engrossed	1346
May 16	Read third time and passed	1433
May 19	Correctly enrolled. Signed by President	1459
May 20	Presented to Governor	1488
May 22	Approved by Governor	1529

LEGISLATIVE BILL NO. 234 By Lambert et al

Jan. 31	Read first time	207
Feb. 3	Read second time. Referred to Committee on Judiciary	225
Feb. 11	Notice of hearing	320

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Feb. 20	Placed on General File	398
Feb. 21	General File. Referred for review	422
Feb. 26	Placed on Select File	444
Feb. 27	Select File. Referred for engrossment	468
Mar. 3	Correctly engrossed	488
Mar. 6	Read third time and passed	528
Mar. 10	Correctly enrolled. Signed by President	564
Mar. 10	Presented to Governor	578
Mar. 14	Message from Governor	619
Mar. 17	Recalled from Governor. Placed on Select File	628, 630, 631
Mar. 18	Select File. Referred for engrossment	645
Mar. 21	Correctly engrossed	686
Mar. 25	Read third time and passed	711
Mar. 26	Correctly enrolled. Signed by President	724
Mar. 26	Presented to Governor	756
Mar. 28	Approved by Governor	789

LEGISLATIVE BILL NO. 235 By Sorrell

Jan. 31	Read first time	208
Feb. 3	Read second time. Referred to Committee on Revenue	225
Apr. 10	Notice of hearing	926
May 5	Indefinitely postponed	1247

LEGISLATIVE BILL NO. 236 By Metzger

Feb. 3	Read first time	214
Feb. 4	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	252
Mar. 6	Notice of hearing	520
Mar. 18	Placed on General File	635
May 6	Indefinitely postponed	1261

LEGISLATIVE BILL NO. 237 By Johnson, John Adams, Jr.

Feb. 3	Read first time	214
Feb. 4	Read second time. Referred to Committee on Judiciary	252
Feb. 11	Notice of hearing	320
Mar. 10	Placed on General File	561
Mar. 28	Laid over	785
Apr. 1	General File. Indefinitely postponed	807, 814

LEGISLATIVE BILL NO. 238 By Price

Feb. 3	Read first time	215

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Feb. 4	Read second time. Referred to Committee on Banking, Commerce and Insurance	252
Feb. 26	Notice of hearing	441
Mar. 5	Withdrawn	519

LEGISLATIVE BILL NO. 239 By Price

Feb. 3	Read first time	215
Feb. 4	Read second time. Referred to Committee on Banking, Commerce and Insurance	252
Feb. 26	Notice of hearing	442
Mar. 6	Placed on General File	521
Mar. 21	Laid over	693
Mar. 26	General File. Referred for review	728
Apr. 2	Select File. Referred for engrossment.....820,	829
Apr. 4	Correctly engrossed	850
Apr. 9	Read third time and passed	922
Apr. 10	Correctly enrolled. Signed by President.....933,	935
Apr. 11	Presented to Governor	942
Apr. 15	Approved by Governor	989

LEGISLATIVE BILL NO. 240 By Mekota, Murphy

Feb. 3	Read first time	215
Feb. 4	Read second time. Referred to Committee on Judiciary	252
Feb. 11	Notice of hearing	320
Apr. 9	Withdrawn	923

LEGISLATIVE BILL NO. 241 By Raecke, Gantz

Feb. 3	Read first time	215
Feb. 4	Read second time. Referred to Committee on Judiciary	252
Feb. 18	Notice of hearing	378
Mar. 14	Placed on General File	609
May 6	Indefinitely postponed	1261

LEGISLATIVE BILL NO. 242 By Gantz

Feb. 3	Read first time	216
Feb. 4	Read second time. Referred to Committee on Government	252
Feb. 26	Notice of hearing	442
Apr. 4	Indefinitely postponed	844

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LEGISLATIVE BILL NO. 243 By Matzke

Feb. 3	Read first time	216
Feb. 4	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	252
Feb. 20	Notice of hearing	398
Feb. 28	Placed on General File	479
Mar. 12	General File. Referred for review	597
Mar. 14	Placed on Select File	613
Mar. 18	Select File. Referred for engrossment	646
Mar. 24	Correctly engrossed	702
Mar. 27	Read third time and passed	763
Mar. 31	Correctly enrolled. Signed by President	795, 796
Mar. 31	Presented to Governor	803
Apr. 1	Approved by Governor	815

LEGISLATIVE BILL NO. 244 By Gantz

Feb. 3	Read first time	216
Feb. 4	Read second time. Referred to Committee on Education	252
Feb. 11	Notice of hearing	320
Apr. 8	Indefinitely postponed	895

LEGISLATIVE BILL NO. 245 By Gantz

Feb. 3	Read first time	216
Feb. 4	Read second time. Referred to Committee on Education	252
Feb. 11	Notice of hearing	320
Feb. 18	Indefinitely postponed	379

LEGISLATIVE BILL NO. 246 By Johnson

Feb. 3	Read first time	216
Feb. 4	Read second time. Referred to Committee on Judiciary	252
Feb. 18	Notice of hearing	378
Mar. 12	Placed on General File	584
Apr. 25	Report	1093
May 3	Laid over	1221
May 5	General File. Referred for review	1244
May 8	Placed on Select File	1298
May 9	Select File. Referred for engrossment	1327
May 12	Correctly engrossed	1346
May 16	Read third time and passed	1428
May 19	Correctly enrolled. Signed by President	1459

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May 20 Presented to Governor....1488
May 22 Approved by Governor....1529

LEGISLATIVE BILL NO. 247 By Brodahl

Feb. 3 Read first time.... 217
Feb. 4 Read second time. Referred to Committee on Government.... 252
Mar. 5 Notice of hearing.... 513
Mar. 31 Indefinitely postponed.... 794

LEGISLATIVE BILL NO. 248 By Raecke

Feb. 3 Read first time.... 217
Feb. 4 Read second time. Referred to Committee on Labor and Public Welfare.... 252
Apr. 1 Notice of hearing.... 802
Apr. 10 Indefinitely postponed.... 928

LEGISLATIVE BILL NO. 249 By Raecke

Feb. 3 Read first time.... 217
Feb. 4 Read second time. Referred to Committee on Judiciary.... 252
Feb. 18 Notice of hearing.... 378
Mar. 12 Placed on General File.... 582
May 6 Indefinitely postponed....1261

LEGISLATIVE BILL NO. 250 By Price

Feb. 3 Read first time.... 217
Feb. 4 Read second time. Referred to Committee on Judiciary.... 252
Feb. 11 Notice of hearing. Motion....320, 322
Mar. 27 Placed on General File.... 743
Apr. 18 Report 1006
Apr. 22 Laid over....1047
Apr. 22 General File. Referred for review.... 1049
Apr. 25 Placed on Select File....1100
Apr. 28 Laid over....1113
Apr. 29 Select File. Laid over....1139
Apr. 30 Select File. Referred for engrossment....1156
May 7 Select File....1285
May 8 Select File. Referred for engrossment....1301
May 9 Correctly engrossed....1330
May 15 Read third time and passed....1406
May 19 Correctly enrolled. Signed by Speaker....1475

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May 20 Presented to Governor....1488
May 21 Approved by Governor....1507

LEGISLATIVE BILL NO. 251 By Price

Feb. 3 Read first time.... 217
Feb. 4 Read second time. Referred to Committee on Judiciary.... 252
Feb. 18 Notice of hearing.... 378
Mar. 4 Placed on General File.... 502
Mar. 18 General File. Referred for review.... 650
Mar. 26 Placed on Select File.... 721
Mar. 27 Select File. Referred for engrossment.... 766
Apr. 1 Correctly engrossed.... 804
Apr. 4 Read third time and passed.... 861
Apr. 7 Correctly enrolled. Signed by President....887, 888
Apr. 7 Presented to Governor.... 901
Apr. 12 Approved by Governor.... 946

LEGISLATIVE BILL NO. 252 By Mischke

Feb. 3 Read first time.... 218
Feb. 4 Read second time. Referred to Committee on Appropriations.... 252
Feb. 17 Notice of hearing.... 367
Mar. 24 Placed on General File.... 697
Apr. 2 Motion 829
Apr. 8 General File. Referred for review.... 902
Apr. 10 Placed on Select File.... 933
Apr. 14 Select File. Referred for engrossment.... 947
Apr. 17 Correctly engrossed.... 996
Apr. 21 Read third time and passed.... 1037
Apr. 22 Correctly enrolled....1052
Apr. 23 Signed by President. Presented to Governor 1071, 1083
Apr. 23 Approved by Governor....1087

LEGISLATIVE BILL NO. 253 By Sullivan et al

Feb. 3 Read first time.... 218
Feb. 4 Read second time. Referred to Committee on Public Health and Miscellaneous Subjects....252
Mar. 6 Notice of hearing.... 520
Mar. 17 Indefinitely postponed.... 627
Mar. 18 Placed on General File.... 650
May 6 Indefinitely postponed....1261

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LEGISLATIVE BILL NO. 254 By Raecke, Sullivan

Feb. 3	Read first time	218
Feb. 4	Read second time. Referred to Committee on Claims and Deficiencies	252
Apr. 8	Indefinitely postponed	900

LEGISLATIVE BILL NO. 255 By Mischke

Feb. 3	Read first time	219
Feb. 4	Read second time. Referred to Committee on Government	252
Mar. 4	Notice of hearing	501
Mar. 17	Placed on General File	626
May 6	Motion	1260
May 9	General File. Referred for review	1334
May 14	Placed on Select File	1390
May 16	Select File. Referred for engrossment	1424
May 19	Correctly Engrossed	1459
May 21	Read third time and passed	1500
May 22	Statement	1529
May 22	Correctly enrolled. Signed by President	1529, 1530
May 23	Presented to Governor	1532
May 23	Approved by Governor	1542

LEGISLATIVE BILL NO. 256 By Raecke

Feb. 3	Read first time	219
Feb. 4	Read second time. Referred to Committee on Judiciary	252
Feb. 18	Notice of hearing	378
Mar. 28	Placed on General File	777
May 6	Indefinitely postponed	1261

LEGISLATIVE BILL NO. 257 By Mekota

Feb. 3	Read first time	219
Feb. 4	Read second time. Referred to Committee on Judiciary	252
Feb. 11	Notice of hearing	319
Mar. 4	Placed on General File	502
Mar. 19	General File. Referred for review	670
Mar. 26	Placed on Select File	720
Mar. 27	Select File. Referred for engrossment	766
Apr. 1	Correctly engrossed	804
Apr. 7	Laid over	888
Apr. 14	Laid over	946
Apr. 24	Read third time and passed	1080

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Apr. 25 Correctly enrolled. Signed by President.....1091
Apr. 26 Presented to Governor.....1106
Apr. 28 Approved by Governor.....1136

LEGISLATIVE BILL NO. 258 By Mekota

Feb. 3 Read first time..... 219
Feb. 4 Read second time. Referred to Committee on Judiciary..... 252
Feb. 11 Notice of hearing..... 320
Mar. 4 Placed on General File..... 503
Mar. 20 General File. Referred for review..... 680
Mar. 28 Placed on Select File..... 780
Mar. 31 Select File. Referred for engrossment..... 800
Apr. 7 Motion 889
Apr. 8 Correctly engrossed..... 901
Apr. 14 Laid over..... 946
Apr. 16 Motion 989
Apr. 19 Correctly reengrossed.....1018
Apr. 24 Read third time and passed..... 1081
Apr. 25 Correctly enrolled. Signed by President.....1091
Apr. 26 Presented to Governor.....1106
Apr. 28 Approved by Governor.....1136

LEGISLATIVE BILL NO. 259 By Mekota

Feb. 3 Read first time..... 219
Feb. 4 Read second time. Referred to Committee on Government..... 252
Feb. 20 Notice of hearing..... 398
Apr. 4 Indefinitely postponed..... 844

LEGISLATIVE BILL NO. 260 By Blome

Feb. 3 Read first time..... 219
Feb. 4 Read second time. Referred to Committee on Judiciary..... 253
Feb. 18 Notice of hearing..... 378
Mar. 12 Indefinitely postponed..... 583

LEGISLATIVE BILL NO. 261 By Price

Feb. 3 Read first time..... 220
Feb. 4 Read second time. Referred to Committee on Government..... 253
Feb. 20 Notice of hearing..... 398
Mar. 10 Placed on General File..... 566

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Mar. 28	Laid over	787
May 6	Indefinitely postponed	1261

LEGISLATIVE BILL NO. 262 By Peterson

Feb. 3	Read first time	220
Feb. 4	Request	230
Feb. 4	Read second time. Referred to Committee on Education	253
Feb. 11	Notice of hearing	320
Feb. 18	Placed on General File	379
Feb. 20	General File. Referred for review	406
Feb. 26	Placed on Select File	444
Feb. 27	Select File. Referred for engrossment	468
Mar. 3	Correctly engrossed	488
Mar. 6	Read third time and passed	533
Mar. 10	Correctly enrolled. Signed by President	564
Mar. 10	Presented to Governor	578
Mar. 13	Approved by Governor	618

LEGISLATIVE BILL NO. 263 By Carlson et al

Feb. 3	Read first time	220
Feb. 4	Read second time. Referred to Committee on Judiciary	253
Feb. 18	Notice of hearing	378
Mar. 12	Placed on General File	583
Apr. 25	Report	1093
May 2	General file. Referred for review	1202
May 5	Placed on Select File	1242
May 7	Select File. Referred for engrossment	1292
May 9	Correctly engrossed	1307
May 15	Read third time and passed	1405
May 19	Correctly enrolled. Signed by President	1459
May 20	Presented to Governor	1488
May 24	Approved by Governor	1561

LEGISLATIVE BILL NO. 264 By Price

Feb. 3	Read first time	220
Feb. 4	Read second time. Referred to Committee on Judiciary	253
Feb. 18	Notice of hearing	378
Mar. 12	Placed on General File	583
May 6	Indefinitely postponed	1261

LEGISLATIVE BILL NO. 265 By Price

Feb. 3	Read first time	221

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Feb. 4 Read second time. Referred to Committee on Judiciary 253
Feb. 18 Notice of hearing 378
Mar. 12 Placed on General File 584
May 6 Motion 1261
May 12 General File. Referred for review 1356
May 16 General File. Referred for review 1443
May 19 Placed on Select File. Referred for engrossment 1457, 1470
May 20 Correctly engrossed 1489
May 22 Read third time and passed 1524
May 22 Statement 1525, 1529
May 23 Correctly enrolled. Signed by Speaker 1532
May 23 Presented to Governor. Approved by Governor 1539, 1561

LEGISLATIVE BILL NO. 266 By Callan

Feb. 3 Read first time 221
Feb. 4 Read second time. Referred to Committee on Appropriations 253
Mar. 7 Notice of hearing 536
May 5 Indefinitely postponed 1247

LEGISLATIVE BILL NO. 267 By Mischke et al

Feb. 3 Read first time 221
Feb. 4 Read second time. Referred to Committee on Public Works 253
Feb. 13 Notice of hearing 335
Feb. 27 Indefinitely postponed 455

LEGISLATIVE BILL NO. 268 By Crossland, Crosby

Feb. 3 Read first time 221
Feb. 4 Read second time. Referred to Committee on Judiciary 253
Feb. 18 Notice of hearing 378
Mar. 24 Placed on General File 700
May 6 Indefinitely postponed 1261

LEGISLATIVE BILL NO. 269 By Blome et al

Feb. 3 Read first time 221
Feb. 4 Read second time. Referred to Committee on Government 253
Feb. 20 Notice of hearing 398

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Apr. 7 Placed on General File..... 872
May 6 Indefinitely postponed.....1261

LEGISLATIVE BILL NO. 270 By Sullivan, Bevins

Feb. 3 Read first time..... 222
Feb. 4 Read second time. Referred to Committee on Banking, Commerce and Insurance..... 253
Feb. 12 Notice of hearing..... 326
Mar. 10 Placed on General File..... 549
Mar. 21 General File. Referred for review..... 693
Mar. 26 Placed on Select File..... 720
Mar. 27 Select File. Referred for engrossment.....766
Apr. 1 Correctly engrossed..... 804
Apr. 4 Read third time and passed..... 861
Apr. 7 Correctly enrolled. Signed by President.....887, 888
Apr. 7 Presented to Governor..... 901
Apr. 10 Approved by Governor..... 939

LEGISLATIVE BILL NO. 271 By Crossland, Crosby

Feb. 3 Read first time..... 222
Feb. 4 Read second time. Referred to Committee on Banking, Commerce and Insurance..... 253
Feb. 19 Notice of hearing..... 385
Mar. 14 Placed on General File..... 611
Apr. 25 Report 1093
May 2 General File. Referred for review.....1202
May 5 Placed on Select File.....1242
May 7 Select File. Referred for engrossment.....1291
May 9 Correctly engrossed.....1307
May 15 Placed on Select File. Referred for reengrossment 1404, 1412
May 19 Correctly reengrossed.....1459
May 21 Read third time and passed.....1497
May 22 Statement 1529
May 22 Correctly enrolled. Signed by President.....1530
May 23 Presented to Governor. Approved by Governor 1532, 1542

LEGISLATIVE BILL NO. 272 By Asimus et al

Feb. 3 Read first time.....222
Feb. 4 Read second time. Referred to Committee on Public Works..... 253
Feb. 13 Notice of hearing..... 335
Mar. 14 Placed on General file..... 609

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May 6 Indefinitely postponed....1261

LEGISLATIVE BILL NO. 273 By Sorrell

Feb. 3 Read first time.... 222
Feb. 4 Read second time. Referred to Committee on Agriculture.... 253
Feb. 10 Notice of hearing.... 309
Feb. 26 Placed on General File.... 443
Mar. 7 General File. Referred for review.... 541
Mar. 12 Placed on Select File.... 586
Mar. 13 Replaced on General File.... 603
Mar. 13 Laid over.... 605
Mar. 14 Laid over.... 616
Apr. 28 Motion....1123
Apr. 29 Motion....1139
May 6 Indefinitely postponed....1261

LEGISLATIVE BILL NO. 274 By Sorrell

Feb. 3 Read first time.... 222
Feb. 4 Read second time. Referred to Committee on Plblic Health and Miscellaneous Subjects.... 253
Mar. 6 Notice of hearing.... 520
Mar. 18 Placed on General File.... 635
May 6 Indefinitely postponed....1261

LEGISLATIVE BILL NO. 275 By Howard et al

Feb. 3 Read first time.... 223
Feb. 4 Read second time. Referred to Committee on Agriculture.... 253
Feb. 11 Notice of hearing.... 320
Feb. 28 Placed on General File.... 472
Mar. 7 General File. Referred for review.... 542
Mar. 19 Placed on Select File.... 659
Mar. 20 Select File. Referred for engrossment.... 678
Mar. 24 Replaced on Select File.... 702
Mar. 25 Referred for engrossment.... 712
Mar. 25 Correctly engrossed.... 714
Mar. 28 Read third time and passed.... 783
Mar. 31 Correctly enrolled. Signed by President....795, 796
Mar. 31 Presented to Governor.... 803
Apr. 1 Approved by Governor.... 815

LEGISLATIVE BILL NO. 276 By Hanna et al

Feb. 3 Read first time.... 223

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Feb. 4 Read second time. Referred to Committee on Agriculture..... 253
Feb. 11 Notice of hearing..... 320
Feb. 26 Indefinitely postponed..... 443

LEGISLATIVE BILL NO. 277 By Howard et al

Feb. 3 Read first time..... 223
Feb. 4 Read second time. Referred to Committee on Agriculture..... 253
Feb. 11 Notice of hearing..... 320
Feb. 21 Indefinitely postponed..... 409

LEGISLATIVE BILL NO. 278 By Howard et al

Feb. 3 Read first time..... 223
Feb. 4 Read second time. Referred to Committee on Agriculture..... 253
Feb. 5 Request 268
Feb. 11 Notice of hearing..... 320
Feb. 26 Placed on General File..... 443
Mar. 7 Laid over..... 541
Mar. 11 General File. Laid over..... 577
Mar. 12 General File. Referred for review..... 596
Mar. 19 Placed on Select File..... 659
Mar. 20 Select File. Referred for engrossment..... 678
Mar. 24 Replaced on Select File..... 702
Mar. 25 Select File. Referred for engrossment..... 712
Mar. 25 Correctly engrossed..... 714
Mar. 28 Read third time and passed..... 784
Mar. 31 Correctly enrolled. Signed by President.....795, 796
Mar. 31 Presented to Governor..... 803
Apr. 2 Approved by Governor..... 856

LEGISLATIVE BILL NO. 279 By Sorrell

Feb. 3 Read first time..... 224
Feb. 4 Read second time. Referred to Committee on Pubilc Works..... 253
Feb. 13 Notice of hearing..... 335
Mar. 10 Indefinitely postponed..... 563

LEGISLATIVE BILL NO. 280 By Van Diest et al

Feb. 3 Read first time..... 224
Feb. 4 Read second time. Referred to Committee on Government..... 253

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Mar. 5 Notice of hearing..... 513
Mar. 24 Placed on General File..... 699
May 6 Indefinitely postponed.....1261

LEGISLATIVE BILL NO. 281 By Sorrell et al

Feb. 3 Read first time..... 224
Feb. 4 Read second time. Referred to Committee on Appropriations..... 253
Mar. 7 Notice of hearing..... 537
Mar. 20 Notice of hearing..... 671
Apr. 8 Indefinitely postponed..... 900
Apr. 10 Motion 935

LEGISLATIVE BILL NO. 282 By Weborg

Feb. 4 Read first time..... 230
Feb. 5 Read second time. Referred to Committee on Banking, Commerce and Insurance..... 261
Mar. 19 Notice of hearing..... 652
Apr. 22 Indefinitely postponed..... 1052
Apr. 23 Placed on General File. Motion.....1054, 1055
Apr. 25 Laid over.....1098
Apr. 29 General File. Laid over.....1140
May 2 General File. Laid over.....1193, 1196
May 5 General File. Laid over.....1227
May 6 General File. Laid over.....1259
May 7 General File. Laid over.....1280
May 9 General File. Laid over.....1328, 1332
May 12 Laid over.....1352
May 13 General File. Referred for review.....1367, 1380
May 16 Placed on Select File.....1447
May 19 Select File. Replaced on General File. Referred for review.....1465, 1472,1475
May 20 Replaced on Select File Referred for engrossment 1490, 1492
May 21 Replaced on Select File. Referred for engrossment 1513, 1516
May 21 Correctly engrossed.....1516
May 23 Read third time and passed.....1544
May 23 Statement 1546
May 23 Correctly enrolled. Signed by Speaker.....1547
May 23 Presented to Governor.....1555
May 24 Approved by Governor.....1561

LEGISLATIVE BILL NO. 283 By Carmody

Feb. 4 Read first time..... 230

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Feb. 5 Read second time. Referred to Committee on Agriculture..... 261
Feb. 19 Notice of hearing..... 385
Mar. 7 Placed on General File..... 537
Mar. 21 General File. Referred for review..... 693
Mar. 26 Placed on Select File..... 724
Mar. 27 Select File. Referred for engrossment..... 767
Apr. 1 Correctly engrossed..... 804
Apr. 4 Read third time and passed..... 859
Apr. 7 Correctly enrolled. Signed by President..... 888
Apr. 7 Presented to Governor. Approved by Governor..901, 905

LEGISLATIVE BILL NO. 284 By Carmody

Feb. 4 Read first time..... 230
Feb. 5 Read second time. Referred to Committee on Education..... 261
Feb. 13 Notice of hearing..... 335
Apr. 8 Indefinitely postponed..... 895

LEGISLATIVE BILL NO. 285 By Crosby

Feb. 4 Read first time..... 230
Feb. 5 Read second time. Referred to Committee on Public Works..... 262
Feb. 14 Notice of hearing..... 357
Feb. 24 Placed on General File..... 425
Feb. 28 General File. Referred for review..... 482
Mar. 4 Placed on Select File..... 506
Mar. 5 Select File. Referred for engrossment..... 518
Mar. 7 Correctly engrossed..... 538
Mar. 12 Read third time and passed..... 591
Mar. 17 Correctly enrolled. Signed by President..... 628
Mar. 17 Presented to Governor..... 642
Mar. 20 Approved by Governor..... 681

LEGISLATIVE BILL NO. 286 By Crosby

Feb. 4 Read first time..... 231
Feb. 5 Read second time. Referred to Committee on Banking, Commerce, and Insurance..... 262
Feb. 21 Notice of hearing..... 409
Mar. 7 Notice of hearing..... 536
Apr. 4 Indefinitely postponed..... 843

LEGISLATIVE BILL NO. 287 By Crosby

Feb. 4 Read first time..... 231

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Feb. 5 Read second time. Referred to Committe on Government 262
Mar. 11 Notice of hearing 569
Mar. 24 Placed on General File 699
May 6 Indefinitely postponed 1261

LEGISLATIVE BILL NO. 288 By Crosby

Feb. 4 Read first time 231
Feb. 5 Read second time. Referred to Committee on Judiciary 262
Feb. 18 Notice of hearing 378
Mar. 12 Placed on General File 582
May 6 Indefinitely postponed 1261

LEGISLATIVE BILL NO. 289 By E. A. Adams et al

Feb. 4 Read first time 231
Feb. 5 Read second time. Referred to Committee on Public Works 262
Feb. 14 Notice of hearing 357
Feb. 20 Notice of hearing 398
Mar. 14 Placed on General File 608
May 6 Motion 1261
May 9 Indefinitely postponed 1336

LEGISLATIVE BILL NO. 290 By E. A. Adams

Feb. 4 Read first time 231
Feb. 5 Read second time. Referred to Committee on Government 262
Mar. 11 Notice of hearing 569
Mar. 31 Placed on General File 792
Apr. 2 Motion 829
Apr. 17 General File. Referred for review 1003
Apr. 19 Placed on Select File 1021
Apr. 22 Selcet File. Referred for engrossment 1047
Apr. 24 Correctly engrossed 1085
Apr. 29 Read third time and passed 1132
Apr. 29 Correctly enrolled. Signed by President 1147, 1149
Apr. 30 Presented to Governor. Approved by Governor 1161, 1170

LEGISLATIVE BILL NO. 291 By Peterson, Van Diest

Feb. 4 Read first time 232

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Feb. 5	Read second time. Referred to Committee on Government	262
Feb. 20	Notice of hearing	398
Mar. 10	Placed on General File	561
Mar. 27	General File. Referred for review	768
Apr. 4	Placed on Select File	846
Apr. 7	Select File. Referred for engrossment	890
Apr. 9	Correctly engrossed	915
Apr. 15	Read third time and passed	963
Apr. 16	Correctly enrolled	994
Apr. 17	Signed by President. Presented to Governor	996, 1006
Apr. 18	Approved by Governor	1015

LEGISLATIVE BILL NO. 292 By Thornton et al

Feb. 4	Read first time	232
Feb. 5	Read second time. Referred to Committee on Labor and Public Welfare	262
Mar. 25	Notice of hearing	709
May 5	Indefinitely postponed	1247

LEGISLATIVE BILL NO. 293 By Rakow, Reed

Feb. 4	Read first time	232
Feb. 5	Read second time. Referred to Committee on Labor and Public Welfare	262
Mar. 18	Notice of hearing	633
Apr. 22	Placed on General File	1042
May 6	Indefinitely postponed	1261

LEGISLATIVE BILL NO. 294 By Reed et al

Feb. 4	Read first time	233
Feb. 5	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	262
Mar. 26	Notice of hearing	719
Apr. 4	Placed on General File	844
Apr. 25	Report	1093
May 3	General File. Referred for review	1221
May 6	Placed on Select File	1257
May 7	Select File. Referred for engrossment	1293
May 9	Correctly engrossed	1307
May 15	Read third time and passed	1407
May 19	Correctly enrolled. Signed by President	1459
May 20	Presented to Governor	1488
May 22	Approved by Governor	1529

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LEGISLATIVE BILL NO. 295 By Kotouc

Feb.	4	Read first time	233
Feb.	5	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	262
Mar.	19	Notice of hearing	652
May	5	Indefinitely postponed	1247

LEGISLATIVE BILL NO. 296 By Asimus

Feb.	4	Read first time	233
Feb.	5	Read second time. Referred to Committee on Revenue	262
Feb.	26	Notice of hearing	442
Apr.	16	Placed on General File	987
Apr.	23	Motion	1055
Apr.	25	Laid over	1098
May	2	Request	1199
May	5	Indefinitely postponed. Motion	1243
May	7	Indefinitely postponed	1290

LEGISLATIVE BILL NO. 297 By Greenamyre et al

Feb.	4	Read first time	233
Feb.	5	Read second time. Referred to Committee on Banking, Commerce and Insurance	262
Mar.	7	Notice of hearing	536
Apr.	4	Indefinitely postponed	843

LEGISLATIVE BILL NO. 298 By Johnson

Feb.	4	Read first time	233
Feb.	5	Read second time. Referred to Committee on Banking, Commerce and Insurance	262
Feb.	12	Notice of hearing	327
Mar.	10	Indefinitely postponed	550

LEGISLATIVE BILL NO. 299 By Gantz et al

Feb.	4	Read first time	234
Feb.	5	Read second time. Referred to Committee on Judiciary	262
Feb.	18	Notice of hearing	378
Mar.	24	Placed on General File	700
Apr.	2	Motion	829
Apr.	8	General File. Referred for review	903
Apr.	10	Placed on Select File	934

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Apr. 14	Laid over	947
Apr. 15	Select File. Laid over	969
Apr. 16	Select File. Referred for engrossment	990
Apr. 19	Replaced on Select File	1019
Apr. 22	Select File. Referred for engrossment	1046
Apr. 24	Correctly engrossed	1085
Apr. 29	Read third time and passed	1133
Apr. 29	Correctly enrolled. Signed by President	1147, 1149
Apr. 30	Presented to Governor. Approved by Governor	1161, 1170

LEGISLATIVE BILL NO. 300 By Committee on Judiciary

Feb. 4	Read first time	234
Feb. 5	Read second time. Reierred to Committee on Judiciary	262
Feb. 18	Notice of hearing	378
Mar. 24	Placed on General File	700
Apr. 25	Report	1093
May 3	General File. Referred for review	1221
May 7	Placed on Select File	1288
May 8	Select File. Referred for engrossment	1302
May 9	Correctly engrossed	1330
May 15	Read third time and passed	1409
May 19	Correctly enrolled. Signed by President	1459
May 20	Presented to Governor	1489
May 22	Approved by Governor	1529

LEGISLATIVE BILL NO. 301 By Neubauer, Crosby

Feb. 4	Read first time	234
Feb. 5	Read second time. Referred to Committee on Government	262
Mar. 5	Notice of hearing	513
Mar. 24	Placed on General File	699
Apr. 18	Report	1006
Apr. 22	Laid over	1050
Apr. 25	General File. Referred for review	1095
Apr. 29	Placed on Select File	1148
Apr. 30	Select File. Referred for engrossment	1156
May 2	Replaced on Select File	1180
May 3	Select File. Referred for engrossment	1210
May 5	Correctly engrossed	1243
May 9	Read third time and passed	1310
May 12	Correctly enrolled. Signed by President	1338, 1347
May 14	Presented to Governor	1387
May 17	Vetoed by Governor	1462
May 22	Motion	1527

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LEGISLATIVE BILL NO. 302 By E. A. Adams et al

Feb. 4	Read first time	234
Feb. 5	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	262
Mar. 26	Notice of hearing	719
Apr. 10	Indefinitely postponed	927

LEGISLATIVE BILL NO. 303 By Mischke

Feb. 4	Read first time	234
Feb. 5	Read second time. Referred to Committee on Government	262
Mar. 4	Notice of hearing	500
Mar. 17	Placed on General File	626
May 6	Indefinitely postponed	1261

LEGISLATIVE BILL NO. 304 By Mischke

Feb. 4	Read first time	235
Feb. 5	Read second time. Referred to Committee on Government	262
Mar. 3	Notice of hearing	487
Mar. 17	Indefinitely postponed	626

LEGISLATIVE BILL NO. 305 By Mischke

Feb. 4	Read first time	235
Feb. 5	Read second time. Referred to Committee on Public Works	262
Feb. 20	Notice of hearing	398
Apr. 7	Indefinitely postponed	887

LEGISLATIVE BILL NO. 306 By Raecke

Feb. 4	Read first time	235
Feb. 5	Read second time. Referred to Committee on Revenue	262
Mar. 31	Notice of hearing	791
May 5	Indefinitely postponed	1247

LEGISLATIVE BILL NO. 307 By Metzger

Feb. 4	Read first time	235
Feb. 5	Read second time. Referred to Committee on Agriculture	262
Feb. 19	Notice of hearing	385
Mar. 7	Indefinitely postponed	537

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LEGISLATIVE BILL NO. 308 By Raecke

Feb. 4 Read first time..... 235
Feb. 5 Read second time. Referred to Committee on Judiciary..... 262
Feb. 18 Notice of hearing..... 379
Mar. 24 Placed on General File..... 700
May 6 Indefinitely postponed.....1261

LEGISLATIVE BILL NO. 309 By Matzke

Feb. 4 Read first time..... 236
Feb. 5 Read second time. Referred to Committee on Banking, Commerce and Insurance..... 262
Mar. 7 Notice of hearing..... 536
Apr. 4 Indefinitely postponed..... 844

LEGISLATIVE BILL NO. 310 By Reed

Feb. 4 Read first time..... 236
Feb. 5 Read second time. Referred to Committee on Judiciary 262
Mar. 18 Notice of hearing..... 633
Mar. 27 Indefinitely postponed..... 730

LEGISLATIVE BILL NO. 311 By Johnson, Greenamyre

Feb. 4 Read first time..... 236
Feb. 5 Read second time. Referred to Committee on Appropriations..... 262
Mar. 7 Notice of hearing..... 537
May 5 Indefinitely postponed.....1247

LEGISLATIVE BILL NO. 312 By Greenamyre

Feb. 4 Read first time..... 236
Feb. 5 Read second time. Referred to Committee on Banking, Commerce and Insurance..... 262
Feb. 21 Notice of hearing..... 409
Apr. 4 Indefinitely postponed..... 844

LEGISLATIVE BILL NO. 313 By Greenamyre

Feb. 4 Read first time..... 237
Feb. 5 Read second time. Referred to Committee on Revenue..... 263
Apr. 10 Notice of hearing..... 926
May 5 Indefinitely postponed.....1247

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LEGISLATIVE BILL NO. 314 By Greenamyre

Feb. 4 Read first time..... 237
Feb. 5 Read second time. Referred to Committee on Judiciary..... 263
Mar. 13 Notice of hearing..... 599
Mar. 28 Indefinitely postponed..... 776

LEGISLATIVE BILL NO. 315 By Greenamyre

Feb. 4 Read first time..... 237
Feb. 5 Read second time. Referred to Committee on Public Works..... 263
Feb. 20 Notice of hearing..... 398
Mar. 20 Placed on General File..... 675
May 6 Indefinitely postponed.....1261

LEGISLATIVE BILL NO. 316 By Greenamyre

Feb. 4 Read first time..... 237
Feb. 5 Read second time. Referred to Committee on Government..... 263
Mar. 11 Notice of hearing..... 569
Mar. 31 Placed on General File..... 794
May 6 Indefinitely postponed.....1261

LEGISLATIVE BILL NO. 317 By Greenamyre

Feb. 4 Read first time..... 237
Feb. 5 Read second time. Referred to Committee on Banking, Commerce and Insurance..... 263
Feb. 21 Notice of hearing..... 409
Apr. 2 Indefinitely postponed..... 818

LEGISLATIVE BILL NO. 318 By Jeppesen

Feb. 4 Read first time..... 238
Feb. 5 Read second time. Referred to Committee on Revenue..... 263
Mar. 31 Withdrawn 799

LEGISLATIVE BILL NO. 319 By Jeppesen

Feb. 4 Read first time..... 238
Feb. 5 Read second time. Referred to Committee on Revenue..... 263
Mar. 31 Notice of hearing..... 792
May 5 Indefinitely postponed.....1247

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LEISLATIVE BILL NO. 320 By Jeppesen, Ray Thomas

Feb. 4	Read first time	238
Feb. 5	Read second time. Referred to Committee on Revenue	263
Mar. 21	Notice of hearing	684
Apr. 7	Indefinitely postponed	873

LEGISLATIVE BILL NO. 321 By Reed

Feb. 4	Read first time	238
Feb. 5	Read second time. Referred to Committee on Revenue	263
Mar. 31	Notice of hearing	792
Apr. 9	Placed on General File	906
May 6	Indefinitely postponed	1261

LEGISLATIVE BILL NO. 322 By Blome et al

Feb. 4	Read first time	239
Feb. 5	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	263
Feb. 12	Notice of hearing	327
Feb. 25	Indefinitely postponed	436

LEGISLATIVE BILL NO. 323 By Peterson et al

Feb. 4	Read first time	239
Feb. 5	Read second time. Referred to Committee on Agriculture	263
Feb. 10	Notice of hearing	309
Feb. 19	Placed on General File	386
Feb. 20	Laid over	406, 407
Feb. 21	General File. Referred for review	422
Mar. 4	Placed on Select File	506
Mar. 5	Replaced on General File	517
Mar. 5	Referred for review	518
Mar. 12	Placed on Select File	585
Mar. 13	Select File. Referred for engrossment	603
Mar. 19	Replaced on Select File	658
Mar. 19	Select File. Referred for engrossment	669
Mar. 19	Correctly engrossed	670
Mar. 24	Read third time and passed	704
Mar. 25	Correctly enrolled. Signed by President	710
Mar. 25	Presented to Governor	724
Mar. 26	Approved by Governor	726

LEGISLATIVE BILL NO. 324 By Rakow

Feb. 4	Read first time	239

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Feb. 5 Read second time. Referred to Committee on Judiciary..... 263
Feb. 18 Notice of hearing..... 378
Mar. 27 Placed on General File..... 745
May 6 Indefinitely postponed.....1261

LEGISLATIVE BILL NO. 325 By Rakow

Feb. 4 Read first time..... 239
Feb. 5 Read second time. Referred to Committee on Government..... 263
Mar. 5 Notice of hearing..... 513
Mar. 24 Indefinitely postponed..... 699

LEGISLATIVE BILL NO. 326 By Rakow

Feb. 4 Read first time..... 239
Feb. 5 Read second time. Referred to Committee on Revenue..... 263
Mar. 31 Notice of hearing..... 792
Apr. 9 Placed on General File..... 906
May 6 Indefinitely postponed.....1261

LEGISLATIVE BILL NO. 327 By Price et al

Feb. 4 Read first time..... 240
Feb. 5 Read second time. Referred for Committee on Judiciary..... 263
Feb. 18 Notice of hearing..... 378
Mar. 24 Placed on General File..... 700
May 6 Indefinitely postponed.....1261

LEGISLATIVE BILL NO. 328 By John Adams, Jr.

Feb. 4 Read first time..... 240
Feb. 5 Read second time. Referred to Committee on Labor and Public Welfare..... 263
Feb. 24 Notice of hearing..... 425
Mar. 11 Placed on General File..... 573
Apr. 2 Motion 829
Apr. 2 Request 830
Apr. 3 General File. Laid over..... 839
Apr. 4 Laid over..... 865
Apr. 7 Laid over..... 893
Apr. 8 Laid over..... 902
Apr. 15 General File. Laid over..... 970
Apr. 17 General File. Referred for review..... 997

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Apr. 19 Placed on Select File....1019
Apr. 22 General File. Indefinitely postponed....1046

LEGISLATIVE BILL NO. 329 By Mekota

Feb. 4 Read first time.... 240
Feb. 5 Read second time. Referred to Committee on Government.... 263
Mar. 12 Notice of hearing.... 582
Mar. 31 Placed on General File.... 792
Apr. 25 Report 1093
May 3 General File. Laid over....1220
May 5 Laid over....1244
May 9 General File. Referred for review....1333
May 14 Placed on Select File....1391
May 16 Select File. Referred for engrossment....1424
May 19 Replaced on Select File. Referred for engrossment 1455, 1463
May 20 Correctly engrossed....1480
May 22 Read third time and passed....1527
May 22 Statement 1529
May 23 Correctly enrolled. Signed by Speaker....1532
May 23 Presented to Governor. Vetoed by Governor 1539, 1547

LEGISLATIVE BILL NO. 330 By Callan

Feb. 4 Read first time.... 240
Feb. 5 Read second time. Referred to Committee on Judiciary.... 263
Mar. 13 Notice of hearing.... 599
Mar. 27 Indefinitely postponed.... 730

LEGISLATIVE BILL NO. 331 By Bevins, Tvrdik

Feb. 4 Read first time.... 240
Feb. 5 Read second time. Referred to Committee on Judiciary.... 263
Feb. 18 Notice of hearing.... 378
Mar. 14 Placed on General File.... 609
Apr. 29 Report 1093
May 3 General File. Referred for review....1220
May 6 Placed on Select File....1257
May 7 Select File. Referred for engrossment....1293
May 9 Correctly engrossed....1307
May 15 Read third time and passed....1404
May 19 Correctly enrolled. Signed by President....1459

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May 20 Presented to Governor....1488
May 22 Approved by Governor....1518

LEGISLATIVE BILL NO. 332 By Norman et al

Feb. 4 Read first time.... 241
Feb. 5 Read second time. Referred to Committee on Education.... 263
Feb. 13 Notice of hearing.... 335
Mar. 25 Indefinitely postponed.... 709
Mar. 27 Placed on General File.... 767
Apr. 23 Motion....1068
Apr. 25 Laid over....1099
May 2 General File. Indefinitely postponed....1199
May 5 Replaced on General File....1234
May 9 Laid over....1333
May 12 General File. Referred for review....1354
May 16 Placed on Select File. Referred for engrossment....1423, 1426
May 19 Correctly engrossed....1459
May 21 Read third time and passed....1503
May 22 Statement....1529
May 22 Correctly enrolled. Signed by President....1529, 1530
May 23 Presented to Governor. Approved by Governor....1532, 1548

LEGISLATIVE BILL NO. 333 By Norman et al

Feb. 4 Read first time.... 241
Feb. 5 Read second time. Referred to Committee on Labor and Public Welfare.... 263
Apr. 1 Notice of hearing.... 803
May 5 Indefinitely postponed....1247

LEGISLATIVE BILL NO. 334 By Committee on Appropriations

Feb. 4 Read first time.... 241
Feb. 5 Read second time. Referred to Committee on Appropriations.... 263
Mar. 7 Notice of hearing.... 537
Mar. 17 Placed on General File.... 624
Apr. 17 General File. Referred for review....1003
Apr. 19 Placed on Select File....1020
Apr. 22 Select File. Referred for engrossment....1046
Apr. 24 Correctly engrossed....1085
Apr. 29 Read third time and passed....1133
Apr. 29 Correctly enrolled. Signed by President....1147, 1149

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Apr. 30 Presented to Governor....1161
May 5 Approved by Governor....1234

LEGISLATIVE BILL NO. 335 By Tvrdik, Sullivan

Feb. 4 Read first time.... 241
Feb. 5 Read second time. Referred to Committee on Banking, Commerce and Insurance.... 263
Mar. 19 Notice of hearing.... 652
Apr. 2 Indefinitely postponed.... 818

LEGISLATIVE BILL NO. 336 By Committee on Appropriations

Feb. 4 Read first time.... 241
Feb. 5 Read second time. Referred to Committee on Appropriations.... 263
Feb. 17 Notice of hearing.... 367
Mar. 3 Placed on General File.... 488
Mar. 14 General File. Referred for review.... 618
Mar. 19 Placed on Select File.... 661
Mar. 20 Select File. Referred for engrossment.... 679
Mar. 24 Correctly engrossed.... 702
Mar. 27 Read third time and passed.... 763
Mar. 31 Correctly enrolled. Signed by President....795, 796
Mar. 31 Presented to Governor.... 803
Apr. 3 Approved by Governor.... 856

LEGISLATIVE BILL NO. 337 By Van Diest et al

Feb. 4 Read first time.... 242
Feb. 5 Read second time. Referred to Committee on Banking, Commerce and Insurance.... 263
Feb. 21 Notice of hearing.... 409
Mar. 4 Placed on General File.... 504
Mar. 20 Laid over.... 680
Mar. 21 Laid over.... 693
Mar. 24 General File. Referred for review.... 706
Mar. 28 Placed on Select File.... 780
Mar. 31 Laid over.... 800
Apr. 1 Laid over.... 805
Apr. 2 Indefinitely postponed.... 828

LEGISLATIVE BILL NO. 338 By Tvrdik et al

Feb. 4 Read first time.... 242
Feb. 5 Read second time. Referred to Committee on Agriculture.... 263

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Feb. 7 Request 301
Feb. 19 Notice of hearing..... 385
Mar. 3 Request 499
Mar. 7 Indefinitely postponed..... 537

LEGISLATIVE BILL NO. 339 By Mischke et al

Feb. 4 Read first time..... 242
Feb. 5 Read second time. Referred to Committee on Banking, Commerce and Insurance..... 263
Mar. 19 Notice of hearing..... 652
Mar. 26 Notice of hearing..... 720
Apr. 22 Indefinitely postponed.....1052
Apr. 23 Motion. Placed on General File.....1055
Apr. 25 Laid over.....1098
May 2 General File. Laid over.....1198
May 5 General File. Laid over.....1228
May 9 Laid over.....1332
May 12 General File. Laid over.....1352
May 13 Laid over.....1367
May 14 General File. Referred for review.....1383
May 19 Placed on Select File. Laid over.....1457, 1470
May 20 Laid over.....1492
May 20 Select File. Referred for engrossment.....1496
May 21 Correctly engrossed.....1512
May 23 Select File. Enacting clause stricken.....1546

LEGISLATIVE BILL NO. 340 By Callan

Feb. 4 Read first time..... 242
Feb. 5 Read second time. Referred to Committee on Appropriations..... 263
Mar. 7 Notice of hearing..... 537
Mar. 17 Placed on General File..... 622
May 6 Motion 1261
May 12 General File. Referred for review.....1357
May 16 Placed on Select File.....1445
May 19 Select File. Referred for engrossment.....1464
May 20 Correctly engrossed.....1480
May 22 Read third time and passed.....1521
May 22 Statement 1525, 1529
May 22 Correctly enrolled. Signed by President.....1530
May 23 Presented to Governor. Approved by Governor 1532, 1542

LEGISLATIVE BILL NO. 341 By Peterson

Feb. 4 Read first time..... 243

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Feb. 5 Read second time. Referred to Committee on Public Health and Miscellaneous Subjects..... 263
Feb. 25 Notice of hearing..... 432
Mar. 6 Placed on General File..... 523
Mar. 21 General File. Referred for review..... 693
Mar. 28 Placed on Select File..... 779
Mar. 31 Select File. Referred for engrossment..... 800
Apr. 4 Replaced on Select File..... 845
Apr. 7 Select File. Referred for engrossment..... 889
Apr. 9 Correctly engrossed..... 915
Apr. 15 Motion 964
Apr. 19 Motion. Referred for engrossment.....1017, 1018
Apr. 22 Request 1047
Apr. 23 Correctly reengrossed.....1066
Apr. 28 Read third time and passed.....1110
Apr. 29 Correctly enrolled. Signed by Speaker.....1141
Apr. 29 Presented to Governor.....1150
Apr. 30 Approved by Governor.....1170

LEGISLATIVE BILL NO. 342 By Metzger

Feb. 4 Read first time..... 243
Feb. 5 Read second time. Referred to Committee on Banking, Commerce and Insurance..... 264
Mar. 19 Notice of hearing..... 652
Mar. 26 Notice of hearing..... 720
Apr. 22 Idefinitely postponed.....1052

LEGISLATIVE BILL NO. 343 By Murphy

Feb. 4 Read first time..... 243
Feb. 5 Read second time. Referred to Committee on Revenue..... 264
Apr. 10 Notice of hearing..... 926
Apr. 16 Indefinitely postponed..... 987

LEGISLATIVE BILL NO. 344 By Peterson

Feb. 4 Read first time..... 243
Feb. 5 Read second time. Referred to Committee on Banking, Commerce and Insurance..... 264
Mar. 12 Notice of hearing..... 582
Apr. 22 Indefinitely postponed.....1052

LEGISLATIVE BILL NO. 345 By Price et al

Feb. 4 Read first time..... 243

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Feb. 5 Read second time. Referred to Committee on Banking, Commerce and Insurance..... 264
Mar. 5 Notice of hearing..... 512
Mar. 24 Placed on General File..... 699
May 6 Indefinitely postponed.....1261

LEGISLATIVE BILL NO. 346 By Sullivan et al

Feb. 4 Read first time..... 244
Feb. 5 Read second time. Referred to Committee on Revenue..... 264
Mar. 10 Notice of hearing..... 548
Apr. 14 Indefinitely postponed..... 942
Apr. 16 Motion 990

LEGISLATIVE BILL NO. 347 By Blome et al

Feb. 4 Read first time..... 244
Feb. 5 Read second time. Referred to Committee on Revenue..... 264
Mar. 10 Notice of hearing..... 548
Mar. 27 Indefinitely postponed..... 746

LEGISLATIVE BILL NO. 348 By Amos Thomas, Price

Feb. 4 Read first time..... 244
Feb. 5 Read second time. Referred to Committee on Judiciary..... 264
Feb. 18 Notice of hearing..... 378
Apr. 3 Placed on General File..... 833
May 6 Indefinitely postponed.....1261

LEGISLATIVE BILL NO. 349 By Murphy, Kotouc

Feb. 4 Read first time..... 245
Feb. 5 Read second time. Referred to Committee on Government..... 264
Mar. 5 Notice of hearing..... 513
Apr. 10 Placed on General File..... 927
May 6 Motion 1261
May 12 General File. Referred for review.....1357
May 16 Placed on Select File.....1445
May 19 Select File. Referred for engrossment.....1464
May 20 Correctly engrossed.....1489
May 22 Read third time and passed.....1523
May 22 Statement 1525, 1529
May 23 Correctly enrolled. Signed by Speaker.....1532

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May 23 Presented to Governor. Approved by Governor 1539, 1548

LEGISLATIVE BILL NO. 350 By Tvrdik et al

Feb. 4 Read first time..... 245
Feb. 5 Read second time. Referred to Committee on Revenue..... 264
Feb. 21 Notice of hearing..... 409
Apr. 8 Indefinitely postponed..... 900

LEGISLATIVE BILL NO. 351 By Van Diest et al

Feb. 4 Read first time..... 245
Feb. 5 Read second time. Referred to Committee on Public Health and Miscellaneous Subjects..... 264
Mar. 19 Notice of hearing..... 652
Mar. 27 Placed on General File..... 745
Apr. 25 Report 1093
Apr. 25 General File. Referred for review.....1099
Apr. 30 Placed on Select File.....1162
May 1 Select File. Referred for engrossment.....1169
May 2 Correctly engrossed.....1199
May 7 Replaced on Select File.....1282
May 9 Select File. Referred for engrossment.....1326
May 12 Replaced on Select File.....1345
May 14 Select File. Referred for engrossment.....1383
May 16 Correctly engrossed.....1424
May 20 Motion 1480
May 20 Read third time and passed.....1481
May 22 Statement 1529
May 22 Correctly enrolled. Signed by President.....1529, 1530
May 23 Presented to Governor. Approved by Governor 1532, 1548

LEGISLATIVE BILL NO. 352 By Norman et al

Feb. 4 Read first time.....245
Feb. 5 Read second time. Referred to Committee on Government..... 264
Mar. 11 Notice of hearing..... 569
Mar. 31 Indefinitely postponed..... 795

LEGISLATIVE BILL NO. 353 By E. A. Adams et al

Feb. 4 Read first time..... 246

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Feb. 5 Read second time. Referred to Committee on Revenue 264
Feb. 21 Notice of hearing 409
Apr. 9 Placed on General File 906
May 6 Motion 1261
May 12 General File. Referred for review 1357
May 16 Placed on Select File 1445
May 19 Select File. Referred for engrossment 1464
May 20 Correctly engrossed 1480
May 22 Read third time and passed 1522
May 22 Statements 1525, 1529
May 23 Correctly enrolled. Signed by Speaker 1532
May 23 Presented to Governor. Approved by Governor 1539, 1548

LEGISLATIVE BILL NO. 354 By E. A. Adams

Feb. 4 Read first time 246
Feb. 5 Read second time. Referred to Committee on Government 264
Feb. 12 Notice of hearing 327
Mar. 11 Rereferred to Committee on Revenue 572, 575
Mar. 14 Notice of hearing 607
Apr. 15 Placed on General File 950
May 6 Motion. Indefinitely postponed 1253, 1261

LEGISLATIVE BILL NO. 355 By E. A. Adams

Feb. 4 Read first time 246
Feb. 5 Read second time. Referred to Committee on Revenue 264
Mar. 14 Notice of hearing 607
Apr. 15 Placed on General File 952
May 6 Motion. Indefinitely postponed 1253, 1261

LEGISLATIVE BILL NO. 356 By E. A. Adams

Feb. 4 Read first time 246
Feb. 5 Read second time. Referred to Committee on Revenue 264
Mar. 14 Notice of hearing 607
Apr. 15 Placed on General File 953
May 6 Motion. Indefinitely postponed 1253, 1261

LEGISLATIVE BILL NO. 357 By E. A. Adams

Feb. 4 Read first time 246

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Feb. 5 Read second time. Referred to Committee on Revenue..... 264
Mar. 14 Notice of hearing..... 607
Apr. 15 Placed on General File..... 954
May 6 Motion. Indefinitely postponed.....1253, 1261

LEGISLATIVE BILL NO. 358 By E. A. Adams

Feb. 4 Read first time..... 247
Feb. 5 Read second time. Referred to Committee on Revenue..... 264
Mar. 14 Notice of hearing..... 607
Apr. 15 Placed on General File..... 955
May 6 Motion. Indefinitely postponed.....1253, 1261

LEGISLATIVE BILL NO. 359 By E. A. Adams

Feb. 4 Read first time..... 247
Feb. 5 Read second time. Referred to Committee on Revenue..... 264
Mar. 14 Notice of hearing..... 607
Apr. 15 Placed on General File..... 957
May 6 Motion. Indefinitely postponed.....1253, 1261

LEGISLATIVE BILL NO. 360 By Tvrdik

Feb. 4 Read first time..... 247
Feb. 5 Read second time. Referred to Committee on Appropriations..... 264
Feb. 17 Notice of hearing..... 367
Mar. 24 Indefinitely postponed..... 698

LEGISLATIVE BILL NO. 361 By Sullivan et al

Feb. 4 Read first time..... 248
Feb. 5 Read second time. Referred to Committee on Appropriations..... 264
Feb. 17 Notice of hearing..... 367
Feb. 20 Motion 406
Mar. 24 Indefinitely postponed..... 698

LEGISLATIVE BILL NO. 362 By E. A. Adams

Feb. 4 Read first time..... 248
Feb. 5 Read second time. Referred to Committee on Judiciary..... 264
Mar. 13 Notice of hearing..... 599
Mar. 27 Indefinitely postponed..... 730

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LEGISLATIVE BILL NO. 363 By E. A. Adams

Feb. 4	Read first time	248
Feb. 5	Read second time. Referred to Committee on Judiciary	264
Mar. 13	Notice of hearing	599
Mar. 27	Indefinitely postponed	731

LEGISLATIVE BILL NO. 364 By E. A. Adams

Feb. 4	Read first time	249
Feb. 4	Read second time. Referred to Committee on Government	250
Apr. 28	Indefinitely postponed	1105

LEGISLATIVE BILL NO. 365 By E. A. Adams

Feb. 4	Read first time	249
Feb. 4	Read second time. Referred to Committee on Government	250
Apr. 4	Indefinitely postponed	844

LEGISLATIVE BILL NO. 366 By E. A. Adams

Feb. 4	Read first time	249
Feb. 4	Read second time. Referred to Committee on Government	250
Apr. 4	Indefinitely postponed	844

LEGISLATIVE BILL NO. 367 By Crosby, Kotouc

Feb. 4	Read first time	250
Feb. 5	Read second time. Referred to Committee on Public Works	264
Mar. 5	Notice of hearing	513
Apr. 7	Indefinitely postponed	887

LEGISLATIVE BILL NO. 368 By Mekota et al

Feb. 4	Read first time	250
Feb. 5	Read second time. Referred to Committee on Government	264
Mar. 4	Notice of hearing	501
Mar. 17	Placed on General File	625
Mar. 27	Motion	767
Mar. 27	General File. Referred for review	768
Apr. 4	Placed on Select File	846
Apr. 7	Select File. Referred for engrossment	889

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Apr. 9	Correctly engrossed	915
Apr. 15	Read third time and passed	964
Apr. 16	Correctly enrolled	994
Apr. 17	Signed by President. Presented to Governor	996, 1006
Apr. 18	Approved by Governor	1015

LEGISLATIVE BILL NO. 369 By Mekota et al

Feb. 4	Read first time	250
Feb. 5	Read second time. Referred to Committee on Government	264
Mar. 4	Notice of hearing	501
Apr. 28	Indefinitely postponed	1105

LEGISLATIVE BILL NO. 370 By Amos Thomas et al

Feb. 4	Read first time	251
Feb. 5	Read second time. Referred to Committee on Judiciary	264
Feb. 18	Notice of hearing	378
Mar. 14	Placed on General File	609
Apr. 3	Withdrawn	834

LEGISLATIVE BILL NO. 371 By Amos Thomas et al

Feb. 4	Read first time	251
Feb. 5	Read second time. Referred to Committee on Government	264
Mar. 4	Notice of hearing	501
Apr. 4	Indefinitely postponed	844

LEGISLATIVE BILL NO. 372 By Amos Thomas et al

Feb. 4	Read first time	251
Feb. 5	Read second time. Referred to Committee on Government	264
Mar. 4	Notice of hearing	501
Mar. 17	Placed on General File	625
Apr. 2	Motion	829
Apr. 8	General File. Referred for review	903
Apr. 16	Placed on Select File	987
Apr. 17	Select File. Referred for engrossment	996
Apr. 23	Replaced on Select File	1066
Apr. 24	Select File. Referred for engrossment	1085
Apr. 28	Replaced on Select File	1120
Apr. 29	Select File. Referred for engrossment	1140

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Apr. 30 Correctly engrossed....1152
May 6 Read third time and passed....1252
May 7 Correctly enrolled. Signed by President....1288
May 8 Presented to Governor....1305
May 9 Approved by Governor....1313

LEGISLATIVE BILL NO. 373 By Kotouc

Feb. 5 Read first time.... 257
Feb. 6 Read second time. Referred to Committee on Judiciary.... 294
Mar. 18 Notice of hearing....633
May 5 Indefinitely postponed....1247

LEGISLATIVE BILL NO. 374 By Johnson

Feb. 5 Read first time.... 257
Feb. 6 Read second time. Referred to Committee on Judiciary.... 294
Apr. 7 Placed on General File.... 885
May 6 Indefinitely postponed....1261

LEGISLATIVE BILL NO. 375 By Raecke et al

Feb. 5 Read first time.... 257
Feb. 6 Read second time. Referred to Committee on Public Health and Miscellaneous Subjects.... 294
Mar. 6 Notice of hearing.... 520
Mar. 17 Placed on General File.... 627
Apr. 9 Motion 923
Apr. 15 General File. Referred for review....969, 970
Apr. 17 Placed on Select File.... 995
Apr. 18 Select File. Referred for engrossment....1014
Apr. 21 Correctly engrossed....1032
Apr. 25 Read third time and passed. Action reconsidered 1094, 1100
Apr. 28 Replaced on Select File. Referred for engrossment 1110, 1113
Apr. 28 Replaced on Select File. Referred for engrossment 1122
Apr. 29 Correctly engrossed....1124
May 1 Motion. Read third time and passed....1165
May 2 Correctly enrolled. Signed by President....1195, 1196
May 2 Presented to Governor. Approved by Governor 1203, 1209

LEGISLATIVE BILL NO. 376 By Carmody

Feb. 5 Read first time.... 257

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Feb. 6	Read second time. Referred to Committee on Education	294
Feb. 13	Notice of hearing	335
Mar. 19	Indefinitely postponed. Report withdrawn....653,	670
Apr. 8	Indefinitely postponed	895

LEGISLATIVE BILL NO. 377 By Carmody

Feb. 5	Read first time	258
Feb. 6	Read second time. Referred to Committee on Education	294
Feb. 13	Notice of hearing	335
Feb. 26	Placed on General File	448
Mar. 7	General File. Referred for review	541
Mar. 12	Placed on Select File	586
Mar. 13	Select File. Referred for engrossment	603
Mar. 19	Replaced on Select File	658
Mar. 20	Select File. Referred for engrossment	678
Mar. 24	Correctly engrossed	702
Mar. 27	Read third time and passed	764
Mar. 31	Correctly enrolled. Signed by President.....795,	796
Mar. 31	Presented to Governor	803
Apr. 1	Approved by Governor	830

LEGISLATIVE BILL NO. 378 By Gantz, Carlson

Feb. 5	Read first time	258
Feb. 6	Read second time. Referred to Committee on Labor and Public Welfare	294
Mar. 26	Notice of hearing	720
Apr. 10	Placed on General File	928
May 6	Indefinitely postponed	1261

LEGISLATIVE BILL NO. 379 By Price et al

Feb. 5	Read first time	258
Feb. 6	Read second time. Referred to Committee on Education	294
Feb. 13	Notice of hearing	335
Mar. 20	Placed on General File	672
Apr. 2	Motion	829
Apr. 8	General File. Laid over	904
Apr. 9	General File. Laid over	923
Apr. 10	General File. Laid over	938
Apr. 14	General File. Laid over	947
Apr. 18	General File. Laid over	1014
Apr. 19	General File. Returned to Committee	1016

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Apr. 19 Notice of hearing....1016
Apr. 22 Indefinitely postponed....1042

LEGISLATIVE BILL NO. 380 By Committee on Judiciary et al

Feb. 5 Read first time.... 258
Feb. 6 Read second time. Referred to Committee on Judiciary.... 294
Mar. 13 Notice of hearing.... 599
May 5 Indefinitely postponed....1247

LEGISLATIVE BILL NO. 381 By Brodahl, Weborg

Feb. 5 Read first time.... 258
Feb. 6 Read second time. Referred to Committee on Education.... 294
Feb. 13 Notice of hearing.... 335
Mar. 4 Notice of hearing.... 501
Mar. 26 Indefinitely postponed.... 720

LEGISLATIVE BILL NO. 382 By Greenamyre

Feb. 5 Read first time.... 259
Feb. 6 Read second time. Referred to Committee on Public Works.... 294
Feb. 20 Notice of hearing.... 398
Mar. 5 Notice of hearing.... 513
Mar. 24 Indefinitely postponed.... 699

LEGISLATIVE BILL NO. 383 By Brodahl

Feb. 5 Read first time.... 259
Feb. 6 Read second time. Referred to Committee on Agriculture.... 294
Feb. 11 Notice of hearing.... 320
Feb. 26 Indefinitely postponed.... 443

LEGISLATIVE BILL NO. 384 By Bevins

Feb. 5 Read first time.... 259
Feb. 6 Read second time. Referred to Committee on Labor and Public Welfare.... 294
Apr. 8 Notice of hearing.... 895
May 5 Indefinitely postponed....1247

LEGISLATIVE BILL NO. 385 By Bevins

Feb. 5 Read first time.... 259

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Feb. 6 Read second time. Referred to Committee on Revenue 294
Mar. 31 Notice of hearing 792
Apr. 14 Indefinitely postponed 942

LEGISLATIVE BILL NO. 386 By Bevins, Sullivan

Feb. 5 Read first time 259
Feb. 6 Read second time. Referred to Committee on Labor and Public Welfare 294
Apr. 16 Notice of hearing 985
Apr. 25 Indefinitely postponed 1100

LEGISLATIVE BILL NO. 387 By Sorrell

Feb. 5 Read first time 260
Feb. 6 Read second time. Referred to Committee on Judiciary 294
Mar. 18 Notice of hearing 634
Mar. 28 Indefinitely postponed 776

LEGISLATIVE BILL NO. 388 By E. A. Adams et al

Feb. 5 Read first time 260
Feb. 6 Read second time. Referred to Committee on Revenue 294
Feb. 28 Notice of hearing 471
May 5 Indefinitely postponed 1247

LEGISLATIVE BILL NO. 389 By Peterson

Feb. 5 Read first time 260
Feb. 6 Read second time. Referred to Committee on Banking, Commerce and Insurance 294
Mar. 14 Notice of hearing 607
Apr. 22 Indefinitely postponed 1052
May 9 Message from Governor 1319
May 9 Placed on General File. Laid over 1320
May 9 General File. Referred for review 1328
May 14 Placed on Select File 1393
May 16 Select File. Referred for engrossment 1424
May 19 Replaced on Select File. Referred for engrossment 1456, 1463
May 20 Correctly engrossed 1480
May 22 Read third time and passed 1519
May 22 Statements 1525, 1529
May 23 Correctly enrolled. Signed by Speaker 1532

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May 23 Presented to Governor. Approved by Governor 1539, 1548

LEGISLATIVE BILL NO. 390 By Peterson et al

Feb. 5 Read first time.... 260
Feb. 6 Read second time. Referred to Committee on Public Works.... 294
Feb. 20 Notice of hearing.... 398
Feb. 27 Placed on General File.... 456
Mar. 7 General File. Referred for review.... 541
Mar. 12 Placed on Select File.... 585
Mar. 13 Select File. Referred for engrossment.... 603
Mar. 18 Correctly engrossed.... 642
Mar. 21 Read third time and passed.... 691
Mar. 25 Correctly enrolled. Signed by President.... 710
Mar. 25 Presented to Governor.... 724
Mar. 28 Approved by Governor.... 796

LEGISLATIVE BILL NO. 391 By Raecke et al

Feb. 5 Read first time.... 261
Feb. 6 Read second time. Referred to Committee on Public Health and Miscellaneous Subjects.... 294
Mar. 26 Notice of hearing.... 719
Apr. 10 Indefinitely postponed.... 927

LEGISLATIVE BILL NO. 392 By Crossland

Feb. 5 Read first time.... 265
Feb. 6 Read second time. Referred to Committee on Government.... 294
Mar. 5 Notice of hearing.... 512
Mar. 17 Placed on General File.... 626
May 6 Indefinitely postponed....1261

LEGISLATIVE BILL NO. 393 By Thornton

Feb. 5 Read first time.... 265
Feb. 6 Read second time. Referred to Committee on Government.... 294
Mar. 11 Notice of hearing.... 569
Mar. 28 Placed on General File.... 770
May 6 Indefinitely postponed....1261

LEGISLATIVE BILL NO. 394 By Thornton

Feb. 5 Read first time.... 265

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Feb. 6 Read second time. Referred to Committee on Banking, Commerce and Insurance..... 294
Apr. 2 Notice of hearing..... 817
Apr. 22 Indefinitely postponed.....1052

LEGISLATIVE BILL NO. 395 By Callan et al

Feb. 5 Read first time..... 265
Feb. 6 Read second time. Referred to Committee on Public Works..... 294
Feb. 20 Notice of hearing..... 398
Feb. 27 Indefinitely postponed..... 455

LEGISLATIVE BILL NO. 396 By Callan

Feb. 5 Read first time..... 265
Feb. 6 Read second time. Referred to Committee on Banking, Commerce and Insurance..... 294
Mar. 19 Notice of hearing..... 652
Mar. 26 Notice of hearing..... 720
Apr. 2 Placed on General File..... 818
May 6 Indefinitely postponed.....1261

LEGISLATIVE BILL NO. 397 By John Adams, Jr.

Feb. 5 Read first time..... 266
Feb. 6 Read second time. Referred to committee on Judiciary..... 294
Mar. 18 Notice of hearing..... 634
Mar. 27 Indefinitely postponed..... 730

LEGISLATIVE BILL NO. 398 By Van Diest et al

Feb. 5 Read first time..... 266
Feb. 6 Read second time. Referred to Committee on Claims and Deficiencies..... 295
Mar. 20 Notice of hearing..... 671
Apr. 2 Placed on General File..... 819
Apr. 25 Report 1093
Apr. 30 Motion 1153
Apr. 30 General File. Referred for review.....1160
May 2 Placed on Select File.....1184
May 3 Select File. Referred for engrossment.....1212
May 5 Correctly engrossed.....1243
May 9 Read third time and passed.....1311
May 12 Correctly enrolled. Signed by President....1338, 1347
May 14 Presented to Governor.....1387

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May 15 Approved by Governor....1411

LEGISLATIVE BILL NO. 399 By Sullivan et al

Feb. 5 Read first time.... 266
Feb. 6 Read second time. Referred to Committee on Public Health and Miscellaneous Subjects.... 295
Mar. 26 Notice of hearing.... 719
Apr. 4 Placed on General File.... 844
Apr. 25 General File. Referred for review....1098, 1100
May 2 Placed on Select File....1195
May 3 Select File. Referred for engrossment....1212
May 6 Correctly engrossed....1257
May 7 Motion 1289
May 12 Replaced on General File. Referred for review 1349, 1350
May 14 Replaced on Select File....1393
May 16 Select File. Referred for engrossment....1425
May 19 Correctly reengrossed....1459
May 21 Read third time and passed....1501
May 21 Correctly enrolled. Signed by Speaker....1512
May 22 Statement 1529
May 22 Presented to Governor....1529
May 23 Approved by Governor....1542

LEGISLATIVE BILL NO. 400 By Blome, Gantz

Feb. 5 Read first time.... 266
Feb. 6 Read second time. Referred to Committee on Judiciary.... 295
Mar. 13 Notice of hearing.... 599
May 27 Indefinitely postponed.... 731

LEGISLATIVE BILL NO. 401 By Sullivan et al

Feb. 5 Read first time.... 266
Feb. 6 Read second time. Referred to Committee on Revenue.... 295
Feb. 28 Notice of hearing.... 471
Mar. 7 Notice of hearing.... 537
Mar. 19 Placed on General File. Motion. Referred. for review....658, 669
Mar. 26 Placed on Select File.... 724
Mar. 27 Select File. Referred for engrossment.... 767
Apr. 1 Correctly engrossed.... 804
Apr. 4 Read third time and passed.... 860
Apr. 7 Correctly enrolled. Signed by President.... 888

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Apr. 7 Presented to Governor..... 901
Apr. 10 Approved by Governor..... 939

LEGISLATIVE BILL NO. 402 By Raecke, Crossland

Feb. 5 Read first time..... 267
Feb. 6 Read second time. Referred to Committee on Revenue..... 295
Mar. 31 Notice of hearing..... 791
Apr. 8 Placed on General File..... 900
May 6 Indefinitely postponed.....1261
May 8 Motion 1306
May 14 Motion 1394

LEGISLATIVE BILL NO. 403 By Peterson et al

Feb. 5 Read first time..... 269
Feb. 6 Read second time. Referred to Committee on Labor and Public Welfare..... 295
Mar. 18 Notice of hearing..... 633
Apr. 9 Placed on General File..... 907
Apr. 18 Report 1006
Apr. 22 General File. Laid over.....1048
Apr. 23 General File. Laid over.....1076
Apr. 24 General File. Referred for review.....1083
May 3 Motion 1215
May 5 Placed on Select File.....1235
May 7 Select File. Referred for engrossment.....1290, 1292
May 16 Correctly engrossed.....1424
May 20 Motion 1480
May 20 Read third time and passed.....1486
May 21 Correctly enrolled. Signed by Speaker.....1512
May 22 Statement 1529
May 23 Presented to Governor.....1532
May 27 Approved by Governor.....1561

LEGISLATIVE BILL NO. 404 By Kotouc

Feb. 5 Read first time..... 270
Feb. 6 Read second time. Referred to Committee on Government..... 295
Mar. 12 Notice of hearing..... 582
Mar. 31 Indefinitely postponed..... 795

LEGISLATIVE BILL NO. 405 By Price

Feb. 5 Read first time..... 270

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Feb. 7 Read second time. Referred to Committee on Revenue 302
Feb. 26 Notice of hearing 442
Apr. 9 Indefinitely postponed 906

LEGISLATIVE BILL NO. 406 By Asimus

Feb. 5 Read first time 270
Feb. 7 Read second time. Referred to Committee on Agriculture 302
Feb. 19 Notice of hearing 385
Mar. 19 Placed on General File 652
May 6 Indefinitely postponed 1261

LEGISLATIVE BILL NO. 407 By Brodahl

Feb. 5 Read first time 270
Feb. 7 Read second time. Referred to Committee on Government 302
Mar. 21 Notice of hearing 684
Mar. 31 Indefinitely postponed 795

LEGISLATIVE BILL NO. 408 By Price

Feb. 5 Read first time 270
Feb. 7 Read second time. Referred to Committee on Revenue 302
Mar. 12 Notice of hearing 582
Mar. 21 Notice of hearing 684
Mar. 28 Notice of hearing 770
Apr. 14 Placed on General File 942
May 6 Indefinitely postponed 1261

LEGISLATIVE BILL NO. 409 By Price

Feb. 5 Read first time 271
Feb. 7 Read second time. Referred to Committee on Banking, Commerce and Insurance 302
Mar. 5 Notice of hearing 512
Mar. 14 Notice of hearing 607
Apr. 22 Indefinitely postponed 1052

LEGISLATIVE BILL NO. 410 By Price

Feb. 5 Read first time 271
Feb. 7 Read second time. Referred to Committee on Banking, Commerce and Insurance 302

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Mar. 14 Notice of hearing..... 607
Apr. 22 Indefinitely postponed.....1052

LEGISLATIVE BILL NO. 411 By Price

Feb. 5 Read first time..... 271
Feb. 7 Read second time. Referred to Committee on Banking, Commerce and Insurance..... 302
Mar. 14 Notice of hearing..... 607
Apr. 2 Placed on General File..... 818
May 6 Indefinitely postponed.....1261

LEGISLATIVE BILL NO. 412 By Price

Feb. 5 Read first time..... 271
Feb. 7 Read second time. Referred to Committee on Banking, Commerce and Insurance..... 302
Mar. 14 Notice of hearing..... 607
Apr. 2 Placed on General File..... 818
May 6 Indefinitely postponed.....1261

LEGISLATIVE BILL NO. 413 By Brodahl

Feb. 5 Read first time..... 271
Feb. 7 Read second time. Referred to Committee on Government..... 302
Mar. 21 Notice of hearing..... 684
Mar. 31 Indefinitely postponed..... 795

LEGISLATIVE BILL NO. 414 By Thornton

Feb. 5 Read first time..... 272
Feb. 7 Read second time. Referred to Committee on Public Works..... 302
Feb. 20 Notice of hearing..... 398
Feb. 27 Indefinitely postponed..... 456

LEGISLATIVE BILL NO. 415 By Garber

Feb. 5 Read first time..... 272
Feb. 7 Read second time. Referred to Committee on Judiciary..... 302
Mar. 13 Notice of hearing..... 599
Apr. 3 Place on General File..... 832
Apr. 28 Motion 1123
Apr. 29 Motion 1139
May 6 Indefinitely postponed.....1261

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LEGISLATIVE BILL NO. 416 By Bowman

Feb. 5 Read first time..... 272
Feb. 7 Read second time. Referred to Committee on Government..... 302
Mar. 21 Notice of hearing..... 684
Apr. 10 Indefinitely postponed..... 927

LEGISLATIVE BILL NO. 417 By Rakow

Feb. 5 Read first time..... 272
Feb. 7 Read second time. Referred to Committee on Government..... 302
Mar. 21 Notice of hearing..... 684
Apr. 4 Placed on General File..... 844
May 6 Indefinitely postponed.....1261

LEGISLATIVE BILL NO. 418 By Howard

Feb. 5 Read first time..... 272
Feb. 7 Read second time. Referred to Committee on Appropriations..... 302
Feb. 17 Notice of hearing..... 367
Mar. 17 Placed on General File..... 622
Apr. 2 Motion..... 829
Apr. 17 General File. Referred for review..... 997
Apr. 28 Placed on Select File.....1107
Apr. 29 Select File. Referred for engrossment.....1140
May 2 Replaced on Select File.....1180
May 3 Select File. Referred for engrossment.....1210
May 5 Correctly engrossed.....1243
May 9 Read third time and passed.....1309
May 12 Correctly enrolled. Signed by President....1338, 1347
May 14 Presented to Governor.....1387
May 17 Approved by Governor.....1506

LEGISLATIVE BILL NO. 419 By Weborg

Feb. 5 Read first time..... 273
Feb. 7 Read second time. Referred to Committee on Revenue..... 302
Mar. 14 Notice of hearing..... 607
Mar. 21 Notice of hearing..... 684
Apr. 7 Indefinitely postponed..... 873

LEGISLATIVE BILL NO. 420 By Murphy

Feb. 5 Read first time..... 273

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Feb. 7	Read second time. Referred to Committee on Revenue	303
Mar. 10	Notice of hearing	548
Mar. 27	Placed on General File	748
May 6	Indefinitely postponed	1261

LEGISLATIVE BILL NO. 421 By Raecke

Feb. 5	Read first time	273
Feb. 7	Read second time. Referred to Committee on Public Works	303
Feb. 26	Notice of hearing	442
Mar. 13	Notice of hearing	600
Apr. 23	Indefinitely postponed	1066

LEGISLATIVE BILL NO. 422 By Reed

Feb. 5	Read first time	273
Feb. 7	Read second time. Referred to Committee on Appropriations	303
Feb. 17	Notice of hearing	367
Apr. 18	Indefinitely postponed	1005

LEGISLATIVE BILL NO. 423 By Rakow

Feb. 5	Read first time	273
Feb. 7	Read second time. Referred to Committee on Public Works	303
Mar. 21	Notice of hearing	683
Apr. 2	Withdrawn	829

LEGISLATIVE BILL NO. 424 By Knezacek et al

Feb. 5	Read first time	273
Feb. 7	Read second time. Referred to Committee on Public Works	303
Feb. 20	Notice of hearing	398
Mar. 19	Placed on General File	653
Apr. 25	Report	1093
May 3	General File. Referred for review	1220
May 6	Placed on Select File	1257
May 7	Select File. Referred for engrossment	1293
May 12	Correctly engrossed	1346
May 16	Read third time and passed	1430
May 19	Correctly enrolled. Signed by President	1459
May 20	Presented to Governor	1488
May 21	Approved by Governor	1507

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LEGISLATIVE BILL NO. 425 By Greenamyre

Feb. 5 Read first time..... 274
Feb. 7 Read second time. Referred to Committee on Appropriations..... 303
Feb. 17 Notice of hearing..... 367
Mar. 17 Placed on General File..... 624
May 6 Indefinitely postponed.....1261

LEGISLATIVE BILL NO. 426 By Greenamyre

Feb. 5 Read first time..... 274
Feb. 7 Read second time. Referred to Committee on Claims and Deficiencies..... 303
Mar. 20 Notice of hearing..... 671
Apr. 7 Notice of hearing..... 868
Apr. 22 Placed on General File.....1052
Apr. 30 Motion 1153
Apr. 30 General File. Referred for review.....1160
May 2 Placed on Select File.....1180
May 3 Select File. Referred for engrossment.....1210
May 6 Correctly engrossed.....1257
May 13 Laid over.....1359
May 13 Replaced on Select File. Referred for engrossment 1363, 1366
May 14 Correctly engrossed.....1387
May 19 Read third time and passed.....1462
May 19 Correctly enrolled. Signed by President.....1475
May 20 Presented to Governor.....1489
May 21 Approved by Governor.....1507

LEGISLATIVE BILL NO. 427 By Weborg

Feb. 5 Read first time..... 274
Feb. 7 Read second time. Referred to Committee on Government..... 303
Mar. 4 Notice of hearing..... 501
Mar. 24 Placed on General File..... 699
Apr. 25 Report 1093
May 3 General File. Referred for review.....1221
May 7 Placed on Select File.....1287
May 8 Select File. Referred for engrossment.....1302
May 9 Correctly engrossed.....1330
May 15 Read third time and passed.....1410
May 19 Correctly enrolled. Signed by President.....1459
May 20 Presented to Governor.....1488
May 21 Approved by Governor.....1518

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LEGISLATIVE BILL NO. 428 By Rakow

Feb. 5	Read first time	274
Feb. 7	Read second time. Referred to Committee on Education	303
Feb. 13	Notice of hearing	335
Apr. 8	Indefinitely postponed	895
May 20	Motion. Placed on General File	1478
May 20	General File. Referred for review	1483
May 20	Placed on Select File	1492
May 20	Select File. Referred for engrossment	1495
May 21	Correctly engrossed	1512
May 23	Read third time and passed	1544
May 23	Statement	1546
May 23	Correctly enrolled. Signed by Speaker	1547
May 23	Presented to Governor	1555
May 24	Approved by Governor	1561

LEGISLATIVE BILL NO. 429 By Neubauer, Carmody

Feb. 5	Read first time	274
Feb. 7	Read second time. Referred to Committee on Public Works	303
Feb. 20	Notice of hearing	398
Mar. 10	Notice of hearing	549
Mar. 20	Message from Governor	682
Mar. 21	Notice of hearing	683
Mar. 27	Placed on General File	748
Mar. 28	General File. Referred for review	785
Apr. 4	Placed on Select File.	845
Apr. 7	Select File. Referred for engrossment	889
Apr. 15	Correctly engrossed	960
Apr. 18	Read third time and passed	1006
Apr. 18	Correctly enrolled. Signed by President	1015
Apr. 18	Presented to Governor. Approved by Governor	1018, 1022

LEGISLATIVE BILL NO. 430 By Peterson

Feb. 5	Read first time	274
Feb. 7	Read second time. Referred to Committee on Banking, Commerce and Insurance	303
Mar. 5	Notice of hearing	512
Mar. 13	Placed on General File	600
Apr. 23	Motion	1069
Apr. 25	General File. Referred for review	1099
Apr. 30	Placed on Select File	1150
May 1	Select File. Referred for engrossment	1168

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May 2 Correctly engrossed....1199
May 7 Read third time and passed....1276
May 8 Correctly enrolled. Signed by President....1305, 1306
May 8 Presented to Governor....1307
May 9 Approved by Governor....1327

LEGISLATIVE BILL NO. 431 By Howard

Feb. 5 Read first time.... 275
Feb. 7 Read second time. Referred to Committee on Judiciary.... 303
Feb. 18 Notice of hearing.... 378
Mar. 27 Indefinitely postponed.... 731

LEGISLATIVE BILL NO. 432 By Howard

Feb. 5 Read first time.... 275
Feb. 7 Read second time. Referred to Committee on Appropriations.... 303
Mar. 7 Notice of hearing.... 537
Mar. 17 Placed on General File.... 622
Apr. 2 Motion 829
Apr. 17 General File. Referred for review.... 997
Apr. 19 Placed on Select File....1020
Apr. 22 Select File. Referred for engrossment....1046
Apr. 24 Correctly engrossed....1085
Apr. 29 Read third time and passed....1134
Apr. 29 Correctly enrolled. Signed by President....1147, 1149
Apr. 30 Presented to Governor. Approved by Governor 1161, 1170

LEGISLATIVE BILL NO. 433 By Howard

Feb. 5 Read first time.... 275
Feb. 7 Read second time. Referred to Committee on Public Works.... 303
Mar. 5 Notice of hearing.... 513
Mar. 24 Indefinitely postponed.... 699

LEGISLATIVE BILL NO. 434 By Sorrell

Feb. 5 Read first time.... 275
Feb. 7 Read second time. Referred to Committee on Revenue.... 303
Mar. 31 Notice of hearing.... 792
Apr. 14 Indefinitely postponed.... 942
Apr. 16 Motion 993

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Apr. 17 Placed on General File 996
May 6 Indefinitely postponed 1261
May 9 Motion 1325

LEGISLATIVE BILL NO. 435 By John Adams, Jr.

Feb. 5 Read first time 275
Feb. 7 Read second time. Referred to Committee on Labor and Public Welfare 303
Apr. 8 Notice of hearing 895
May 5 Indefinitely postponed 1247

LEGISLATIVE BILL NO. 436 By Peterson

Feb. 5 Read first time 276
Feb. 7 Read second time. Referred to Committee on Government 303
Mar. 21 Notice of hearing 684
Apr. 4 Placed on General File 844
May 6 Indefinitely postponed 1261

LEGISLATIVE BILL NO. 437 By Peterson

Feb. 5 Read first time 276
Feb. 7 Read second time. Referred to Committee on Revenue 303
Mar. 31 Notice of hearing 792
Apr. 14 Indefinitely postponed 942

LEGISLATIVE BILL NO. 438 By John Adams, Jr.

Feb. 5 Read first time 276
Feb. 7 Read second time. Referred to Committee on Government 303
Mar. 21 Notice of hearing 684
Mar. 31 Indefinitely postponed 795

LEGISLATIVE BILL NO. 439 By Norman, Tvrdik

Feb. 5 Read first time 277
Feb. 7 Read second time. Referred to Committee on Public Works 303
Mar. 5 Notice of hearing 513
Mar. 24 Indefinitely postponed 699

LEGISLATIVE BILL NO. 440 By John Adams, Jr.

Feb. 5 Read first time 277

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Feb. 7 Read second time. Referred to Committee on Government 303
Mar. 21 Notice of hearing 684
Mar. 31 Indefinitely postponed 795

LEGISLATIVE BILL NO. 441 By John Adams, Jr.

Feb. 5 Read first time 277
Feb. 7 Read second time. Referred to Committee on Judiciary 303
Feb. 18 Notice of hearing 378
Mar. 12 Placed on General File 583
Apr. 18 Report 1006
Apr. 22 Laid over 1051
Apr. 25 General File. Referred for review 1096
Apr. 29 Placed on Select File 1148
Apr. 30 Select File. Referred for engrossment 1156
May 2 Correctly engrossed 1180
May 7 Read third time and passed 1275
May 8 Correctly enrolled. Signed by President 1305, 1306
May 8 Presented to Governor 1307
May 9 Approved by Governor 1313

LEGISLATIVE BILL NO. 442 By Carlson

Feb. 5 Read first time 277
Feb. 7 Read second time. Referred to Committee on Revenue 303
Mar. 31 Notice of hearing 792
May 5 Indefinitely postponed 1247

LEGISLATIVE BILL NO. 443 By Hanna et al

Feb. 5 Read first time 277
Feb. 7 Read second time. Referred to Committee on Agriculture 303
Feb. 11 Notice of hearing 320
Feb. 21 Indefinitely postponed 409

LEGISLATIVE BILL NO. 444 By Hanna et al

Feb. 5 Read first time 278
Feb. 7 Read second time. Referred to Committee on Agriculture 303
Feb. 19 Notice of hearing 385
Mar. 10 Indefinitely postponed 549

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LEGISLATIVE BILL NO. 445 By Matzke

Feb. 5	Read first time	278
Feb. 7	Read second time. Referred to Committee on Banking, Commerce and Insurance	303
Apr. 2	Notice of hearing	817
Apr. 9	Indefinitely postponed	907

LEGISLATIVE BILL NO. 446 By Price

Feb. 5	Read first time	278
Feb. 7	Read second time. Referred to Committee on Public Works	303
Feb. 20	Notice of hearing	398
Mar. 10	Indefinitely postponed	563

LEGISLATIVE BILL NO. 447 By Hanna et al

Feb. 5	Read first time	278
Feb. 7	Read second time. Referred to Committee on Agriculture	303
Feb. 11	Notice of hearing	320
Feb. 21	Indefinitely postponed	409

LEGISLATIVE BILL NO. 448 By Garber

Feb. 5	Read first time	278
Feb. 7	Read second time. Referred to Committee on Public Works	303
Feb. 26	Notice of hearing	442
Mar. 24	Indefinitely postponed	699

LEGISLATIVE BILL NO. 449 By E. A. Adams, Price

Feb. 5	Read first time	279
Feb. 7	Read second time. Referred to Committee on Government	303
Mar. 12	Notice of hearing	582
Mar. 24	Indefinitely postponed	699

LEGISLATIVE BILL NO. 450 By Matzke, Sorrell

Feb. 5	Read first time	279
Feb. 7	Read second time. Referred to Committee on Revenue	304
Mar. 31	Notice of hearing	791
Apr. 8	Placed on General File	900
May 6	Indefinitely postponed	1261

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LEGISLATIVE BILL NO. 451 By Committee on Appropriations

Feb. 5	Read first time	279
Feb. 7	Read second time. Referred to Committee on Appropriations	304
Feb. 17	Notice of hearing	367
Mar. 3	Placed on General File	488
Mar. 14	General File. Referred for review	617
Mar. 19	Placed on Select File	662
Mar. 20	Select File. Referred for engrossment	679
Mar. 24	Correctly engrossed	702
Mar. 27	Read third time and passed	765
Mar. 31	Correctly enrolled. Signed by President	795, 796
Mar. 31	Presented to Governor	803
Apr. 1	Approved by Governor	815

LEGISLATIVE BILL NO. 452 By Gantz

Feb. 5	Read first time	279
Feb. 7	Read second time. Referred to Committee on Judiciary	304
Feb. 18	Notice of hearing	378
Mar. 14	Placed on General File	610
May 6	Indefinitely postponed	1261

LEGISLATIVE BILL NO. 453 By Norman et al

Feb. 5	Read first time	279
Feb. 7	Read second time. Referred to Committee on Revenue	304
Feb. 28	Notice of hearing	471
May 5	Indefinitely postponed	1247

LEGISLATIVE BILL NO. 454 By Gantz

Feb. 5	Read first time	280
Feb. 7	Read second time. Referred to Committee on Judiciary	304
Feb. 18	Notice of hearing	378
Mar. 28	Indefinitely postponed	776

LEGISLATIVE BILL NO. 455 By Van Diest, Hanna

Feb. 5	Read first time	280
Feb. 7	Read second time. Referred to Committee on Public Works	304
Feb. 26	Notice of hearing	442
Mar. 10	Placed on General File	563

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Mar. 28	General File. Referred for review	786
Apr. 4	Placed on Select File	846
Apr. 7	Select File. Referred for engrossment	889
Apr. 9	Correctly engrossed	915
Apr. 15	Read third time and passed	965
Apr. 16	Correctly enrolled	994
Apr. 17	Signed by President. Presented to Governor	996, 1006
Apr. 18	Approved by Governor	1015

LEGISLATIVE BILL NO. 456 By Van Diest, Metzger

Feb. 5	Read first time	280
Feb. 7	Read second time. Referred to Committee on Appropriations	304
Feb. 17	Notice of hearing	367
May 5	Indefinitely postponed	1247

LEGISLATIVE BILL NO. 457 By Tvrdik, Sullivan

Feb. 5	Read first time	280
Feb. 7	Read second time. Referred to Committee on Judiciary	304
Feb. 18	Notice of hearing	378
Mar. 12	Indefinitely postponed	583

LEGISLATIVE BILL NO. 458 By Van Diest, Hanna

Feb. 5	Read first time	280
Feb. 7	Read second time. Referred to Committee on Judiciary	304
Mar. 13	Notice of hearing	599
Mar. 28	Indefinitely postponed	776

LEGISLATIVE BILL NO. 459 By Callan

Feb. 5	Read first time	280
Feb. 7	Read second time. Referred to Committee on Revenue	304
Feb. 14	Notice of hearing	357
Apr. 9	Indefinitely postponed	906

LEGISLATIVE BILL NO. 460 By Gantz, Blome

Feb. 5	Read first time	281
Feb. 7	Read second time. Referred to Committee on Public Works	304

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Feb. 26 Notice of hearing..... 442
Mar. 6 Hearing cancelled. Withdrawn.....520, 523

LEGISLATIVE BILL NO. 461 By E. A. Adams

Feb. 5 Read first time..... 281
Feb. 7 Read second time. Referred to Committee on Judiciary..... 304
Feb. 10 Rereferred to Committee on Banking, Commerce and Insurance..... 315
Feb. 26 Notice of hearing..... 442
Mar. 6 Placed on General File..... 521
Mar. 21 General File. Referred for review..... 693
Mar. 26 Placed on Select File..... 721
Mar. 27 Select File. Referred for engrossment..... 766
Apr. 1 Correctly engrossed..... 804
Apr. 4 Read third time and passed..... 859
Apr. 7 Correctly enrolled. Signed by President..... 888
Apr. 7 Presented to Governor. Approved by Governor 901, 905
May 1 Motion 1165

LEGISLATIVE BILL NO. 462 By E. A. Adams et al

Feb. 5 Read first time..... 281
Feb. 7 Read second time. Referred to Committee on Agriculture..... 304
Feb. 19 Notice of hearing..... 385
Mar. 21 Returned to Legislature..... 686
Mar. 25 Referred to Committee on Appropriations..... 710
Apr. 16 Placed on General File..... 985
Apr. 25 General File. Referred for review.....1095
Apr. 30 Placed on Select File.....1151
May 1 Select File. Referred for engrossment.....1169
May 2 Correctly engrossed.....1203
May 7 Read third time and failed of passage with emergency 1283
May 7 Read third time and passed with emergency stricken 1284
May 9 Correctly enrolled.....1330
May 12 Signed by President.....1347
May 14 Presented to Governor.....1387
May 15 Approved by Governor.....1411

LEGISLATIVE BILL NO. 463 By E. A. Adams et al

Feb. 5 Read first time..... 281

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Feb. 7 Read second time. Referred to Committee on Education..... 304
Feb. 13 Notice of hearing..... 335
Mar. 13 Placed on General File..... 600
Apr. 2 Motion 829
Apr. 17 General File. Referred for review.....1003
Apr. 19 Placed on Select File.....1021
Apr. 22 Select File. Referred for engrossment.....1046
Apr. 24 Correctly engrossed.....1085
Apr. 29 Read third time and passed.....1135
Apr. 29 Correctly enrolled. Signed by President.....1147, 1149
Apr. 30 Presented to Governor. Approved by Governor 1161, 1170

LEGISLATIVE BILL NO. 464 By Crosby et al

Feb. 5 Read first time..... 282
Feb. 7 Read second time. Referred to Committee on Revenue..... 304
Mar. 14 Notice of hearing..... 607
Apr. 8 Placed on General File..... 900
May 1 Motion 1170
May 1 General File. Referred for review.....1176
May 2 Placed on Select File.....1203
May 3 Laid over.....1212
May 5 Select File. Referred for engrossment.....1233, 1234
May 7 Correctly engrossed.....1288
May 13 Replaced on Select File. Placed on Third Reading File.....1361
May 14 Motion 1381
May 14 Read third time and failed of passage.....1382

LEGISLATIVE BILL NO. 465 By E. A. Adams, Blome

Feb. 5 Read first time..... 282
Feb. 7 Read second time. Referred to Committee on Government..... 304
Mar. 21 Notice of hearing..... 684
Apr. 28 Indefinitely postponed.....1105

LEGISLATIVE BILL NO. 466 By E. A. Adams

Feb. 5 Read first time..... 282
Feb. 7 Read second time. Referred to Committee on Public Works..... 304
Feb. 26 Notice of hearing..... 442
Mar. 11 Placed on General File..... 572

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Apr. 18	Report	1006
Apr. 22	General File. Referred for review	1049
Apr. 23	Placed on Select File	1070
Apr. 24	Select File. Referred for engrossment	1085
Apr. 28	Correctly engrossed	1108
May 2	Read third time and passed	1190
May 3	Correctly enrolled. Signed by President	1219, 1222
May 5	Presented to Governor	1224
May 5	Approved by Governor	1234

LEGISLATIVE BILL NO. 467 By Tvrdik et al

Feb. 5	Read first time	282
Feb. 7	Read second time. Referred to Committee on Banking, Commerce and Insurance	304
Mar. 5	Notice of hearing	512
Mar. 13	Placed on General File	600
May 6	Indefinitely postponed	1261

LEGISLATIVE BILL NO. 468 By Sullivan

Feb. 5	Read first time	283
Feb. 7	Read second time. Referred to Committee on Public Works	304
Feb. 26	Notice of hearing	442
Mar. 10	Indefinitely postponed	563

LEGISLATIVE BILL NO. 469 By John Adams, Jr.

Feb. 5	Read first time	283
Feb. 7	Read second time. Referred to Committee on Government	304
Mar. 21	Notice of hearing	684
Apr. 4	Indefinitely postponed	844

LEGISLATIVE BILL NO. 470 By Neubauer et al

Feb. 5	Read first time	283
Feb. 7	Read second time. Referred to Committee on Revenue	304
Feb. 14	Notice of hearing	357
Mar. 7	Notice of hearing	537
Mar. 27	Placed on General File	748
Apr. 2	Motion	829
Apr. 15	General File. Laid over	973
Apr. 16	General File. Laid over	991
Apr. 17	General File. Laid over	997, 998

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Apr. 19 General File....1022
Apr. 22 General File. Laid over....1044
Apr. 23 General File. Referred for review....1072
Apr. 29 Placed on Select File....1124
Apr. 30 Select File. Replaced on General File....1156
Apr. 30 General File. Laid over....1160
May 1 General File. Referred for engrossment....1170, 1175
May 3 Correctly engrossed....1222
May 8 Read third time and passed....1299
May 12 Reconsidered. Placed on Third Reading File....1347
May 12 Replaced on Select File. Referred for engrossment....1348, 1349
May 12 Correctly reengrossed....1358
May 15 Read third time and passed....1412
May 19 Correctly enrolled. Signed by President....1459
May 20 Presented to Governor....1488
May 21 Approved by Governor....1505

LEGISLATIVE BILL NO. 471 By Neubauer, Carmody

Feb. 5 Read first time.... 283
Feb. 7 Read second time. Referred to Committee on Public Works.... 304
Feb. 26 Notice of hearing.... 442
Mar. 10 Notice of hearing.... 549
Mar. 18 Placed on General File.... 636
Mar. 24 Withdrawn.... 703

LEGISLATIVE BILL NO. 472 By Sullivan et al

Feb. 5 Read first time.... 284
Feb. 7 Read second time. Referred to Committee on Banking, Commerce and Insurance.... 304
Mar. 14 Notice of hearing.... 607
Apr. 22 Indefinitely postponed....1052

LEGISLATIVE BILL NO. 473 By Neubauer et al

Feb. 5 Read first time.... 284
Feb. 7 Read second time. Referred to Committee on Revenue.... 304
Mar. 31 Notice of hearing.... 792
May 5 Motion. Indefinitely postponed....1247

LEGISLATIVE BILL NO. 474 By Johnson

Feb. 5 Read first time.... 284

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Feb. 7 Read second time. Referred to Committee on Revenue 304
Feb. 12 Notice of hearing 327
May 5 Indefinitely postponed 1247

LEGISLATIVE BILL NO. 475 By Johnson

Feb. 5 Read first time 284
Feb. 7 Read second time. Referred to Committee on Public Works 304
Feb. 26 Notice of hearing 442
Apr. 7 Indefinitely postponed 887

LEGISLATIVE BILL NO. 476 By Price

Feb. 5 Read first time 284
Feb. 7 Read second time. Referred to Committee on Labor and Public Welfare 304
Feb. 24 Notice of hearing 425
Mar. 4 Indefinitely postponed 504

LEGISLATIVE BILL NO. 477 By John Adams, Jr.

Feb. 5 Read first time 285
Feb. 7 Read second time. Referred to Committee on Judiciary 304
Feb. 18 Notice of hearing 379
Mar. 24 Placed on General File 700
May 6 Indefinitely postponed 1261

LEGISLATIVE BILL NO. 478 By Callan

Feb. 5 Read first time 285
Feb. 7 Read second time. Referred to Committee on Education 304
Feb. 13 Notice of hearing 335
Mar. 14 Placed on General File 608
May 6 Motion 1261
May 12 General File. Referred for review 1355
May 16 Placed on Select File 1444
May 19 Select File. Referred for engrossment 1464
May 20 Correctly engrossed 1489
May 22 Read third time and passed 1525
May 22 Statement 1529
May 23 Correctly enrolled. Signed by Speaker 1532
May 23 Presented to Governor. Approved by Governor 1539, 1548

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LEGISLATIVE BILL NO. 479 By Asimus et al

Feb. 5 Read first time..... 285
Feb. 7 Read second time. Referred to Committee on Judiciary..... 305
Feb. 10 Request 318
Feb. 18 Notice of hearing..... 379
Mar. 24 Indefinitely postponed..... 700

LEGISLATIVE BILL NO. 480 By Price

Feb. 5 Read first time..... 285
Feb. 7 Read second time. Referred to Committee on Revenue..... 305
Mar. 12 Notice of hearing..... 582
Mar. 28 Notice of hearing..... 770
Apr. 14 Placed on General File..... 942
May 6 Indefinitely postponed.....1261

LEGISLATIVE BILL NO. 481 By Tvrdik et al

Feb. 5 Read first time..... 286
Feb. 7 Read second time. Referred to Committee on Public Works..... 305
Mar. 5 Notice of hearing..... 513
Apr. 7 Indefinitely postponed..... 887

LEGISLATIVE BILL NO. 482 By Asimus

Feb. 5 Read first time..... 286
Feb. 7 Read second time. Referred to Committee on Public Works..... 305
Feb. 26 Notice of hearing..... 442
Apr. 7 Placed on General File..... 887
Apr. 18 Report 1006
Apr. 22 Laid over.....1047
Apr. 28 Laid over.....1114
May 9 General File. Laid over.....1315
May 12 General File. Laid over.....1351
May 13 General File. Referred for review.....1363
May 16 Replaced on General File. Indefinitely postponed 1439-1442

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Feb. 5 Read first time..... 286
Feb. 7 Read second time. Referred to Committee on Education..... 305

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Mar. 4 Notice of hearing..... 501
Mar. 25 Indefinitely postponed..... 710

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Feb. 5 Read first time..... 286
Feb. 7 Read second time. Referred to Committee on Appropriations..... 305
Mar. 7 Notice of hearing..... 537
May 5 Indefinitely postponed.....1247

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Feb. 5 Read first time..... 286
Feb. 7 Read second time. Referred to Committee on Revenue..... 305
Mar. 31 Notice of hearing..... 792
May 5 Indefinitely postponed.....1247

LEGISLATIVE BILL NO. 486 By Greenamyre

Feb. 5 Read first time..... 286
Feb. 7 Read second time. Referred to Committee on Labor and Public Welfare..... 305
Mar. 25 Notice of hearing..... 709
Apr. 15 Placed on General File..... 959
Apr. 25 Report 1093
May 2 Laid over.....1202
May 3 General File. Referred for review.....1215
May 6 Placed on Select File.....1249
May 7 Select File. Referred for engrossment.....1292
May 9 Correctly engrossed.....1307
May 15 Read third time and passed.....1402
May 19 Correctly enrolled. Signed by President.....1459
May 20 Presented to Governor.....1489
May 21 Approved by Governor.....1518

LEGISLATIVE BILL NO. 487 By Garber

Feb. 5 Read first time..... 287
Feb. 7 Read second time. Referred to Committee on Public Health and Miscellaneous Subjects..... 305
May 5 Indefinitely postponed.....1247

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Feb. 5 Read first time..... 287

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Feb. 7 Read second time. Referred to Committee on Public Works 305
Mar. 5 Notice of hearing 513
Mar. 11 Notice of hearing 570
Apr. 23 Placed on General File 1066
May 6 Indefinitely postponed 1261

LEGISLATIVE BILL NO. 489 By E. A. Adams, Sullivan

Feb. 5 Read first time 287
Feb. 7 Read second time. Referred to Committee on Revenue 305
Mar. 31 Notice of hearing 792
May 5 Indefinitely postponed 1247

LEGISLATIVE BILL NO. 490 By Mekota

Feb. 5 Read first time 288
Feb. 7 Read second time. Referred to Committee on Agriculture 305
Feb. 19 Notice of hearing 385
Mar. 10 Indefinitely postponed 549

LEGISLATIVE BILL NO. 491 By Weborg

Feb. 5 Read first time 288
Feb. 7 Read second time. Referred to Committee on Judiciary 305
Mar. 13 Notice of hearing 599
Mar. 27 Placed on General File 745
May 6 Indefinitely postponed 1261

LEGISLATIVE BILL NO. 492 By E. A. Adams

Feb. 5 Read first time 288
Feb. 7 Read second time. Referred to Committee on Revenue 305
Mar. 31 Notice of hearing 792
May 5 Indefinitely postponed 1247

LEGISLATIVE BILL NO. 493 By Blome, E. A. Adams

Feb. 5 Read first time 288
Feb. 7 Read second time. Referred to Committee on Labor and Public Welfare 305
Apr. 1 Notice of hearing 803
Apr. 8 Placed on General File 901
May 6 Indefinitely postponed 1261

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LEGISLATIVE BILL NO. 494 By Neubauer, Carmody

Feb. 5 Read first time..... 288
Feb. 7 Read second time. Referred to Committee on Public Works..... 305
Mar. 5 Notice of hearing..... 513
Mar. 17 Placed on General File..... 627
Apr. 25 Report 1093
May 2 General File. Referred for review.....1201
May 5 Placed on Select File.....1242
May 7 Select File. Referred for engrossment.....1291
May 9 Correctly engrossed.....1307
May 15 Read third time and passed.....1401
May 19 Correctly enrolled. Signed by President.....1459
May 20 Presented to Governor.....1489
May 22 Approved by Governor.....1529

LEGISLATIVE BILL NO. 495 By Committee on Government

Feb. 20 Read first time..... 401
Feb. 20 Read second time..... 402
Feb. 20 Placed on General File. Request..... 403
Feb. 25 General File. Referred for review..... 439
Feb. 28 Placed on Select File..... 480
Mar. 3 Select File. Laid over..... 497
Mar. 4 Select File. Referred for engrossment..... 509
Mar. 7 Replaced on General File. Referred for review 543, 544
Mar. 7 Replaced on Select File..... 546
Mar. 10 Select File. Laid over..... 568
Mar. 11 Select File. Referred for engrossment..... 576
Mar. 13 Correctly engrossed..... 601
Mar. 17 Placed on Third Reading File..... 629
Mar. 17 Read third time and passed..... 629
Mar. 18 Correctly enrolled. Signed by President..... 642
Mar. 18 Presented to Governor..... 650
Mar. 19 Approved by Governor..... 680

LEGISLATIVE BILL NO. 496 By Committee on Government

Feb. 21 Read first time..... 421
Feb. 24 Read second time. Referred to Committee on Government..... 426
Feb. 26 Notice of hearing..... 442
Mar. 10 Indefinitely postponed..... 558

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Feb. 21 Read first time..... 421

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Feb. 24 Read second time. Referred to Committee on Government 426
Feb. 26 Notice of hearing 442
Mar. 10 Indefinitely postponed 561

LEGISLATIVE BILL NO. 498 By Committee on Revenue

Feb. 26 Read first time 454
Feb. 26 Read second time. Referred to Committee on Revenue 454
Mar. 10 Notice of hearing 548
Apr. 7 Placed on General File 872
May 6 Indefinitely postponed 1261

LEGISLATIVE BILL NO. 499 By Committee on Agriculture

Mar. 12 Read first time 588
Mar. 12 Read second time 588
Mar. 12 Placed on General File 588
Apr. 25 Report 1093
Apr. 25 General File. Referred for review 1099
May 2 Placed on Select File 1203
May 3 Select File. Referred for engrossment 1212
May 5 Correctly engrossed 1243
May 9 Read third time and passed 1312
May 12 Correctly enrolled. Signed by President 1338, 1347
May 14 Presented to Governor 1387
May 16 Approved by Governor 1452

LEGISLATIVE BILL NO. 500 By Brodahl

Mar. 12 Read first time 589
Mar. 12 Read second time. Referred to Committee on Judiciary 589
Mar. 18 Notice of hearing 634
Apr. 7 Placed on General File 887
Apr. 23 Motion 1055
Apr. 25 General File. Referred for review 1098
Apr. 30 Placed on Select File 1151
May 1 Select File. Referred for engrossment 1169
May 6 Correctly engrossed 1257
May 13 Read third time and passed 1360
May 15 Correctly enrolled. Signed by President 1397
May 16 Presented to Governor. Approved by Governor 1443, 1452

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LEGISLATIVE BILL NO. 501 By Sullivan et al

Mar. 19 Read first time..... 663
Mar. 19 Read second time. Referred to Committee on Public Health and Miscellaneous Subjects..... 664
Mar. 26 Notice of hearing..... 719
Apr. 4 Placed on General File..... 844
Apr. 28 Communication 1113
Apr. 28 General File. Referred for review.....1114
Apr. 30 Placed on Select File.....1162
May 1 Select File. Referred for engrossment.....1169
May 2 Correctly engrossed.....1199
May 7 Read third time and passed.....1278
May 8 Correctly enrolled. Signed by President.....1305, 1306
May 8 Presented to Governor.....1307
May 9 Approved by Governor.....1313

LEGISLATIVE BILL NO. 502 By Committee on Public Works

Mar. 24 Read first time. Read second time..... 703
Mar. 24 Placed on General File..... 704
Apr. 2 Motion 829
Apr. 17 Laid over.....1003
Apr. 22 Laid over.....1041, 1047
Apr. 23 General File. Laid over.....1073
Apr. 24 General File. Indefinitely postponed.....1086

LEGISLATIVE BILL NO. 503 By Kotouc

Mar. 28 Message from Governor..... 787
Mar. 28 Read first time..... 788
Mar. 28 Read second time. Referred to Committee on Banking, Commerce and Insurance..... 789
Mar. 28 Placed on General File..... 789
Apr. 3 Motion 837
Apr. 18 Report 1006
Apr. 22 General File. Referred for review.....1050
Apr. 23 Placed on Select File.....1070
Apr. 24 Select File. Referred for engrossment.....1085
Apr. 28 Replaced on Select File. Referred for engrossment 1108, 1113
Apr. 29 Correctly engrossed.....1147
Apr. 30 Replaced on Select File. Referred for engrossment 1159
May 2 Correctly reengrossed.....1180
May 7 Read third time and passed.....1274
May 9 Correctly enrolled. Signed by President.....1308
May 12 Presented to Governor. Approved by Governor 1347, 1351

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Apr. 2	Read first time	825
Apr. 2	Read second time. Referred to Committee on Labor and Public Welfare	825
Apr. 2	Notice of hearing	818
Apr. 8	Placed on General File	901
May 6	Motion	1253
May 9	Laid over	1333
May 12	General File. Laid over	1354
May 13	General File. Referred for review	1367
May 16	Placed on Select File	1446
May 19	Select File. Replaced on General File	1464
May 19	General File. Referred for review	1472
May 20	Replaced on Select File. Referred for engrossment	1489, 1492
May 21	Correctly engrossed	1512
May 23	Read third time and passed	1534
May 23	Correctly enrolled. Signed by Speaker	1538, 1539
May 23	Statement	1546
May 23	Presented to Governor. Approved by Governor	1539, 1548

LEGISLATIVE BILL NO. 505 By Van Diest et al

Apr. 2	Read first time	825
Apr. 2	Read second time. Placed on Select File	825
Apr. 3	Select File. Referred for engrossment	837
Apr. 9	Correctly engrossed	915
Apr. 15	Read third time and passed	965
Apr. 16	Cerrectly enrolled	994
Apr. 17	Signed by President. Presented to Governor	996, 1006
Apr. 18	Approved by Governor	1015

LEGISLATIVE BILL NO. 506 By Metzger

Apr. 3	Message from Governor	834
Apr. 3	Read first time	836
Apr. 3	Read second time. Referred to Committee on Government	836
Apr. 3	Notice of hearing	832
Apr. 10	Placed on General File	928
Apr. 25	Report	1093
May 2	General File. Referred for review	1201
May 5	Placed on Select File	1241
May 7	Select File. Referred for engrossment	1291

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May 9 Correctly engrossed....1330
May 15 Read third time and passed....1410
May 19 Correctly enrolled. Signed by President....1459
May 20 Presented to Governor....1489
May 21 Approved by Governor....1507

LEGISLATIVE BILL NO. 507 By Select Committee on Congressional Redistricting

Apr. 7 Message from Governor.... 890
Apr. 7 Majority Report.... 890
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Apr. 7 Read first time.... 893
Apr. 8 Read second time. Placed on General File.... 901
Apr. 18 Report 1006
Apr. 25 Laid over....1099
May 1 Motion 1167
May 7 General File. Referred for review....1273
May 12 Placed on Select File....1346
May 15 Select File. Referred for engrossment....1414
May 16 Request 1435
May 19 Correctly engrossed. Motion....1459, 1475
May 21 Read third time and passed....1498
May 21 Correctly enrolled. Signed by Speaker....1512, 1516
May 22 Presented to Governor....1529
May 22 Statement 1529
May 23 Approved by Governor....1542

LEGISLATIVE BILL NO. 508 By Committee on Agriculture

Apr. 9 Read first time.... 920
Apr. 9 Read second time. Placed on General File.... 921
Apr. 18 Report 1006
Apr. 22 General File. Referred for review....1047
Apr. 23 Placed on Select File....1070
Apr. 24 Select File. Referred for engrossment....1085
Apr. 28 Correctly engrossed....1108
May 2 Read third time and passed....1191
May 3 Correctly enrolled. Signed by Speaker....1216
May 5 Presented to Governor. Approved by Governor 1224, 1234

LEGISLATIVE BILL NO. 509 By Committee on Claims and Deficiencies

Apr. 29 Read first time....1136
Apr. 29 Read second time. Placed on General File....1136

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Apr. 30 General File. Referred for review....1153
May 2 Placed on Select File....1179
May 3 Select File. Referred for engrossment....1210
May 6 Correctly engrossed....1257
May 7 Motion 1284
May 13 Read third time and passed....1360
May 15 Correctly enrolled. Signed by President....1397
May 16 Presented to Governor. Approved by Governor 1443, 1452

LEGISLATIVE BILL NO. 510 By Peterson et al

Apr. 30 Read first time....1152
Apr. 30 Read second time. Placed on General File....1152
May 3 General File. Referred for review....1221
May 8 Placed on Select File....1298
May 9 Select File. Referred for engrossment....1327
May 12 Correctly engrossed....1346
May 16 Read third time and passed....1429
May 19 Correctly enrolled. Signed by President....1459
May 20 Presented to Governor....1488
May 21 Approved by Governor....1507

LEGISLATIVE BILL NO. 511 By Committee on Enrollment and Review

May 1 Read first time....1165
May 1 Referred for engrossment....1165
May 2 Correctly engrossed....1195
May 7 Read third time and passed....1277
May 8 Correctly enrolled....1305
May 8 Signed by President. Presented to Governor 1306, 1307
May 9 Approved by Governor....1313

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May 1 Message from Governor....1170
May 1 Read first time....1177
May 1 Read second time....1178
May 5 Placed on General File. Referred for review....1234
May 8 Placed on Select File....1299
May 9 Select File. Referred for engrossment....1327
May 12 Correctly engrossed....1346
May 16 Read third time and passed....1430
May 19 Correctly enrolled. Signed by President....1459
May 20 Presented to Governor....1489
May 21 Approved by Governor....1507

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May 6 Read first time....1262
May 6 Read second time....1263
May 6 Notice of hearing....1263
May 9 Placed on General File....1328
May 14 General File. Referred for review....1383, 1384
May 16 Placed on Select File....1448
May 19 Select File. Laid over....1467
May 19 Replaced on General File. Referred for review....1468, 1476
May 20 Replaced on Select File. Referred for engrossment....1491, 1495
May 21 Correctly engrossed....1512
May 23 Read third time and failed of passage....1535

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May 19 Read first time....1473
May 19 Read second time. Placed on General File..1473, 1474
May 19 Referred for review....1474
May 20 Placed on Select File. Referred for engrossment....1487, 1492, 1496
May 21 Correctly engrossed....1512
May 23 Replaced on Select File. Enacting clause stricken....1543

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May 19 Read first time....1474
May 19 Read second time. Placed on General File..1474, 1475
May 19 Referred for review....1475
May 20 Placed on Select File....1488
May 20 Select File. Laid over....1492
May 20 Indefinitely postponed....1496

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